

ORDINANCE # 201
Unsafe Structures

| | |
|--------------|-----------------------|
| Section I | Definition; nuisance. |
| Section II | Notice; service. |
| Section III | Posting of signs. |
| Section IV | Permits. |
| Section V | Demolition. |
| Section VI | Reports. |
| Section VII | Compliance. |
| Section VIII | Penalty. |

CROSS REFERENCES

Removal of dangerous building; notice to owner-see Ohio R.C. 715.26 (B)
Cost of demolition-see Ohio R.C. 715.261
Building Inspector- Chief of Volunteer Fire Department.

Section I DEFINITION; NUISANCE.

As used in this chapter, "unsafe building" means all buildings or structures which are structurally unsafe or not provided with adequate egress or constitute a fire hazard or are otherwise dangerous to human life or in relation to existing uses constitute a hazard to health by reason of inadequate maintenance, dilapidation or obsolescence. All unsafe buildings are declared to be public nuisance and shall be abated by repair and rehabilitation or by demolition in accordance with this chapter. (Ord. 751. Passed 2-21-66.)

Section II NOTICE; SERVICE.

(a) The building Inspector shall examine or cause to be examined every building structure or portion thereof reported as or believed to be an unsafe building. Written notice shall be given to the owner or owners of record, including any purchasers under a recorded land contract and occupants of the building if they are not the owners. The written notice shall specifically state the defects that cause the building to be unsafe and that the work shall commence within thirty days and shall continue until either the specified repairs or improvements are completed or the building, structure or portion thereof is demolished and removed leaving the premises in a clean, safe and sanitary condition with such condition being subject to the approval of the Building Inspector. In cases of emergency which make immediate repairs necessary, the Building Inspector may order the changes or demolition to be made within a shorter period. The notice shall also require the building or portion thereof to be vacated by its occupants.

(b) Proper service of such notice shall be by personal service, residence service, or by registered mail; provided, however, that such notice shall be deemed to be properly served, if a copy thereof is sent by registered mail to the last known address. If any of the parties cannot be located, or addresses cannot be ascertained, notice shall be deemed to be properly served if a copy thereof is placed in a conspicuous place in or about the building or structure affected by this notice. If such notice is by registered mail, the thirty day period within which the owner is required to comply with the order of the Building Inspector shall begin as of the date he received the notice. (Ord. 751. Passed 2-21-66.)

Section III POSTING OF SIGNS.

The Building Inspector shall cause to be posted at each entrance to an unsafe building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY. BUILDING INSPECTOR, VILLAGE OF OTTOVILLE, OHIO". Such notice shall remain posted until the required repairs are made or demolition is completed. No person shall remove such notice without permission of the Building Inspector and no person shall enter the building, except for the making of the required repairs or for demolition. (Ord. 751. Passed 2-21-66.)

Section IV PERMITS.

In all cases of construction or repair pursuant to order of the Building Inspector, permits covering such work shall be obtained as required by this Building Code. (Ord. 751. Passed 2-21-66.)

Section V DEMOLITION.

If the owner or the purchaser under a land contract fails, neglects or refuses to comply with the notice to repair, rehabilitate or demolish and remove such building or structure or portion thereof, such party, shall be subject to the penalty provisions of this Building Code and the Building Inspector shall proceed to have the building or structure or portion thereof demolished and removed from the premises; leaving the premises in a clean, safe and sanitary condition and the cost of such work shall be paid by the Village. If the Village is not immediately reimbursed for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against such property on which the building or structure is located and shall be collected in the manner provided for special assessments. (Ord. 751. Passed 2-21-66.)

Section VI REPORTS.

Any person who discovers or who has reason to believe that there exists, on the premises, a condition which may endanger other property or life or limb, and such condition cannot be immediately remedied so as to remove any danger therefrom, shall within twenty-four hours after such discovery, report the existence of such dangerous condition to the Building Inspector, who shall take steps as may be necessary to protect the public welfare. If the Building Inspector cannot be located, such report shall be made to the Clerk or the assistant Clerk. No person who discovers a building in which a dangerous condition exists and who knows or should know of such dangerous conditions shall fail to make such report to either the Building

Inspector, Clerk or Assistant Clerk within twenty-four hours after such knowledge is obtained or should have been obtained. (Ord. 751. Passed 2-21-66.)

Section VII COMPLIANCE.

No person shall erect, construct, enlarge, alter, repair, move, remove, demolish, convert, equip, use or occupy or maintain any building or structure or any portion thereof contrary to or in violation of this chapter. (Ord. 751. Passed 2-21 66.)

Section VIII PENALTY.

Whoever violates any provision of this chapter or fails to comply with any lawful order issued pursuant thereto shall be guilty of a misdemeanor of the third degree and fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days or both. Each day during which noncompliance or a violation continues shall constitute a separate offense. (Ord. 751. Passed 2-21-66.)

Passed July 8, 1985

Jerry A. Hohlbein, Mayor
Mayor Approved

Anthony Stealbrunner
Clerk Attest