

**ORDINANCE NO. 05-51 AC CMS**

**AN ORDINANCE ASSESSING THE COST FOR ABATING NUISANCE CAUSED BY NON-COMPLIANCE WITH SECTIONS 106.3, 109.2 AND 302.4 OF THE PROPERTY MAINTENANCE CODE OF THE CITY OF OBERLIN AND SECTION 715.261 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths of all members elected thereto concurring:

SECTION 1. That this Council finds that the Code Administrator of the City of Oberlin has abated nuisance conditions at the following property, and reported the cost of such abatement in the manner provided by law, as follows:

| <u>Owner's Name &amp; Address</u>                                                     | <u>Address/Parcel Number</u>                                       | <u>Work Performed</u>                | <u>Amount</u>        |
|---------------------------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------|----------------------|
| Raymond Jones & Mariana Dalmasi<br>23701 Sargent Ave<br>Southfield, Michigan<br>48034 | 234 East Lorain Street<br>Oberlin, OH 44074<br><br>PP#900076104055 | Rubbish/Junk Removal<br>Weed Cutting | \$800.00<br>\$150.00 |

SECTION 2. That the amount shown above is hereby assessed upon the property indicated by permanent parcel number and such assessment shall be certified for collection upon the 2005 tax duplicate in the same manner as general taxes.

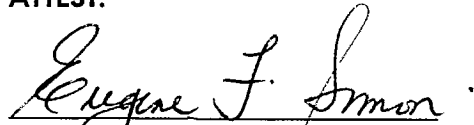
SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“to certify a special assessment for collection as soon as possible in order to recoup monies owed the city in a timely manner”, and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading – July 5, 2005 (E)  
2<sup>nd</sup> Reading –  
3<sup>rd</sup> Reading –

ATTEST:

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

POSTED: 7/6/05

EFFECTIVE DATE: 7/6/05

α:/ORD05-51WeedAbatement

# Memorandum

**To:** Eric Severs, City Solicitor  
**From:** Marshall Whitehead, Code Administrator  
**Re:** Bill for Rubbish Removal and Weed Cutting  
**Location:** 234 East Lorain Street  
**Date:** June 15, 2005

\*\*\*\*\*

The City expended \$800.00 for rubbish and junk removal and \$150.00 for weed cutting at the above captioned property. Please have this \$950.00 placed on the tax duplicate.

*copy* {  
**Owner's name:** Raymond Jones & Mariana Dalmasi  
**Owner's address:** 23701 Sargent Avenue, Southfield, Michigan 48034  
**Property address:** 234 East Lorain Street, Oberlin, OH 44074  
**Permanent Parcel#** 900076104055

Section 106.3, 109.2, 302.4 of the 2003 International Property Maintenance authorizes my action when there is non-compliance with orders.

071305

City of  
*Oberlin*

Telephone  
440-774-8519

**Office of the Law Director**  
85 South Main Street Oberlin, Ohio 44074

Eric R. Severs  
Law Director

Facsimile  
440-776-2210

James Leo Walsh  
Asst. Law Director & Prosecutor

July 19, 2005

Ms. Eugene F. Simon  
Oberlin Clerk of Council  
Oberlin Municipal Building  
85 South Main Street  
Oberlin, Ohio 44074

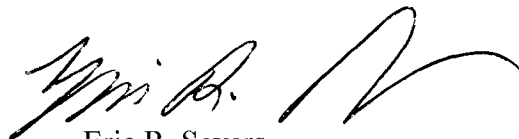
Re: Ordinance No. 05-51 AC CMS

Dear Jean:

Enclosed is the original receipt from County Auditor Mark Stewart and attachments that I received on July 13 concerning the above. I filed the Special Assessment Ordinance with the Auditor on July 11.

Please note that I paid one dollar cash at the time I filed that Ordinance with the County Auditor. I ask that the City please reimburse me, personally, for that one dollar advancement. Thank you.

Yours truly,



Eric R. Severs  
Oberlin Law Director

ERS:kcf  
Enclosures

## Certificate of Filing

State of Ohio

ss

Lorain County



I, Mark R. Stewart, the duly elected, qualified and acting Auditor in and for the County and State Aforesaid, do hereby certify that Eugene F. Simon, the duly elected/appointed, qualified and acting Clerk of Council in and for said City of Oberlin, Lorain County, Ohio and Ex-officio Fiscal Officer for said district has this day officially filed in the office of the Auditor of Lorain County Ordinance No. 05-51 AC CMS, An Ordinance assessing cost for abating nuisance caused by non-compliance with sections 106.3, 109.2 and 302.4 of the property maintenance code of the City of Oberlin and Section 715.261 of the Ohio Revised Code.

Witness my hand and official Seal at Elyria, Ohio this 11<sup>th</sup> day of July 2005.

Mark R. Stewart

County Auditor In and for

Lorain County

Project# 39-345

Pay In Number# 180938

July 21, 2005

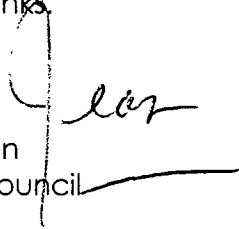
Carol:

Please reimburse Mr. Severs \$1.00 for this filing fee. If you will send it to me, I will insure that he receives it.

See attached documentation regarding same.

Thanks,

Jean Simon  
Clerk of Council

A handwritten signature in black ink, appearing to be 'JS' or 'Jean Simon', written over a vertical line that separates the signature from the typed name.

cc: Eric Severs

## Certificate of Filing

State of Ohio

ss

Lorain County



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Mark R. Stewart  
County Auditor In and for  
Lorain County

Project# 39-345

Pay In Number# 180938

Proj. # 39-345



AUDITOR'S OFFICE, LORAIN COUNTY, OHIO  
**MARK R. STEWART**  
**ORDER FOR PAY-IN**

TO: MARK R. STEWART  
Lorain County Auditor

|                         |    |                            |
|-------------------------|----|----------------------------|
| AMOUNT                  | \$ | <u>1.00</u>                |
| CHECK OR WARRANT NUMBER |    | <u>Cash</u>                |
| FUND                    |    | <u>001 01 0301 390601</u>  |
| CLASSIFICATION          |    |                            |
| ACCOUNT NO./I.D. NAME   |    | <u>Spec. Assess. Dept.</u> |
| SOURCE                  |    | <u>Ord. # 05-51 AC CMS</u> |

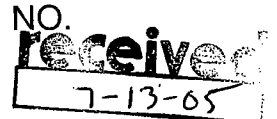
DATE OF PAY-IN 7.11.05  
AUDITOR PAY-IN NO. 180938

B. Vansant  
DEPARTMENT HEAD SIGNATURE

AUDITOR'S OFFICE, LORAIN COUNTY, OHIO

PAYER'S COPY

**MARK R. STEWART**



AMOUNT:\$1.00

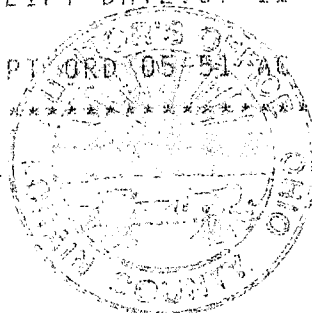
RECEIPT DATE:07 11 05

NUMBER: 180938

RECEIVED OF: SPEC ASSESS DEPT ORD 05-51 AC CMS PRIME: 02 PM

One Dollar And 00 Cents

ACCOUNT:00101-0301-390601



NO. 11/11/05 13:45  
1.00

LORAIN COUNTY TREASURER  
OP 06 MN 01 07/11/2005 13:46:14 T#104013  
007 PAY-INS 1.00

|       |      |
|-------|------|
| TOTAL | 1.00 |
| CASH  | 1.00 |