

RESOLUTION NO. 23-18

A RESOLUTION AUTHORIZING THE ASSESSMENT OF THE COST OF PUBLIC NUISANCE ABATEMENT PURSUANT TO CHAPTER 1313 OF THE EAST CLEVELAND CODIFIED ORDINANCES, INCLUDING ADMINISTRATIVE COSTS UPON THE REAL ESTATE FROM WHICH THE NUISANCE ORIGINATED WHERE SUCH COSTS HAVE NOT BEEN PAID BY THE OWNER AND DECLARING AN EMERGENCY FOR THE PUBLIC, HEALTH, SAFETY, AND WELFARE AND TO MEET THE COUNTY AUDITOR'S DEADLINE.

Requested By: Finance Department

Sponsored By: Ernest L. Smith, Council Vice President

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WHEREAS, there existed certain conditions on various parcels of land within the City which constituted public nuisances as defined in Chapter 1313 of the East Cleveland Codified Ordinances; and

WHEREAS, the Service Director is authorized and directed to promptly cause the abatement of said nuisances by the East Cleveland Codified Ordinances; and

WHEREAS, notice was given to the property owners of the existence of the conditions constituting the public nuisances; and

WHEREAS, the owners of the properties have failed to respond or take action to abate the nuisances; and

WHEREAS, no appeal has been filed by any of the property owners; and

WHEREAS, the Service Director has proceeded to enter upon the premises and abate such public nuisances pursuant to Section 1313.09 of the East Cleveland Codified Ordinances; and

WHEREAS, the Finance Director has advised Council, in writing of those public nuisances abated by the City pursuant to Chapter 1313 of the Codified Ordinances of the City of East Cleveland; and

WHEREAS, this legislation is declared to be an emergency to meet the Cuyahoga County Auditor's September 10, 2018 deadline for certifying such costs.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of East Cleveland, Ohio, four-fifths (4/5) of all members concurring:

**SECTION 1.** That Council does hereby authorize the assessment of the actual costs, including administrative costs, incurred by the City in abating the public nuisances as hereinafter set forth which costs shall be certified to the office of the Cuyahoga County Auditor to be assessed upon the subject real properties from which the nuisances originated, to be collected as a single levy amount against each property in the tax year 2018 to 2019 according to the list included herewith as Exhibits A and B.

**SECTION 2.** It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**SECTION 3.** That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, property, health, and/or safety of the inhabitants of the City to meet the Cuyahoga County Auditor's deadline for certification and, provided it receives the affirmative vote of four-fifths (4/5) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: August 21, 2018



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**JOIE N. GRAHAM**  
**PRESIDENT OF COUNCIL**

8/22/18  
Date of Signature

ATTEST



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**DR. KHADIJAH F. GUY**  
**CLERK OF COUNCIL**

8/21/18  
Date of Signature

**APPROVED:**



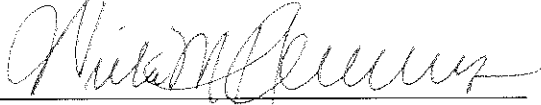
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**BRANDON L. KING, MAYOR**

8-22-18  
Date of Signature

VETO:

YES \_\_\_ NO \_\_\_

APPROVED AS TO FORM:



**WILLA M. HEMMONS**  
**DIRECTOR OF LAW**

8/24/18

Date of Signature

Emergency  First Read n/a Second Read n/a

	Yea	Nay
<b>Councilor Joie N. Graham</b>	<b>excused</b>	
<b>Councilor Ernest L. Smith</b>	<b>x</b>	
<b>Councilor Barbara J. Thomas</b>	<b>x</b>	
<b>Councilor Nathaniel Martin</b>	<b>x</b>	
<b>Councilor Timothy R. Austin</b>	<b>x</b>	