



Legislation Details (With Text)

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File created: 7/13/2022 **In control:** Building and Zoning Policy Committee

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Title: To authorize the City Clerk to certify a report to the Franklin County Auditor to assess certain properties for the cost for demolishing structures found to be public nuisances; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 2143-2022 22-7-12 Assessment List

Date	Ver.	Action By	Action	Result
7/27/2022	1	CITY CLERK	Attest	
7/26/2022	1	ACTING MAYOR	Signed	
7/25/2022	1	COUNCIL PRESIDENT	Signed	
7/25/2022	1	Columbus City Council	Approved	Pass

BACKGROUND: This legislation certifies demolition costs to the County Auditor to become special assessments against the property taxes. These costs must be certified to the County Auditor so the City can attempt to recover the funds spent on demolition of nuisance structures. The demolitions were performed pursuant to Environmental Court orders and the Columbus Building Code. Emergency action is required to best preserve our assessment of these costs to the tax duplicate prior to sheriff sale of the properties.

FISCAL IMPACT: The City will incur no expenditure with the passage of this ordinance.

To authorize the City Clerk to certify a report to the Franklin County Auditor to assess certain properties for the cost for demolishing structures found to be public nuisances; and to declare an emergency.

WHEREAS, the Ohio Revised Code, Section 715.261 states that a municipal corporation may collect the total costs of nuisance abatement activity by certifying the costs to the county auditor, who shall place the costs as a charge upon the tax list and duplicate of the lands on which the nuisance abatement activity occurred; and

WHEREAS, the Columbus City Code, Sections 4701.08 and 4109.06 states, that upon failure of the property owner to abate a nuisance within the time limits specified, the Director of the Department of Building and Zoning Services, or his authorized agent, is authorized to cause the demolition of the nuisance structure. These sections further provide that the owner of such a demolished structure shall be billed for the cost of such demolition and upon failure of such owner to pay such cost of demolition the City of Columbus, may cause such cost of demolition to be levied as an assessment against the property which was the subject of the abatement action; and

WHEREAS, certain structures have been demolished in accordance with the in accordance with the provisions of the Columbus City Code, Section 4701.08 and 4109.06; and

WHEREAS, certain property owners have been billed for the cost of such demolitions and have failed to pay such cost; and

WHEREAS, it is therefore necessary to assess the cost of such demolitions against the properties which were the subject of the abatement actions; and

WHEREAS, a procedure to be followed in the certifying and assessing such demolition costs is for the City of Columbus to certify such costs to the County Auditor of Franklin County, Ohio and have them levied as a special assessment against the property which was the subject of the demolition abatement action, and recovered in the manner provided for the recovery of special assessments; and

WHEREAS, an emergency exists in the Department of Building and Zoning Services, Code Enforcement Division, in that it is immediately necessary to authorize the City Clerk to certify a report to the Franklin County Auditor in order to assess these demolition costs to the tax duplicate to prevent further loss of resources due to property transfer at sheriff sale; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

- SECTION 1.** That the attached list showing owners name, parcel number, address of the demolished structure and the cost of demolishing the structure, be and is hereby approved.
- SECTION 2.** That the City Clerk shall certify, in writing, to the County Auditor of Franklin County, Ohio a report of such assessments and charges which shall then be entered upon the tax duplicate of Franklin County, Ohio and be collected in the manner provided for the recovery of special assessments.
- SECTION 3.** That upon such recovery of such demolition cost the proceeds shall be transmitted to the treasurer of the City of Columbus, Ohio and returned to the General Fund from which they were originally disbursed.
- SECTION 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.