



Legislation Details (With Text)

File #: 0754-2003 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/14/2003 **In control:** Rules & Reference Committee
On agenda: 6/23/2003 **Final action:** 6/25/2003

Title: To authorize the creation of a Special Revenue Environmental Fund with a maximum allotment of \$100,000 to provide a funding mechanism to cover the costs of litigating public nuisance abatement actions and proceedings in aid of execution of judgment, such as foreclosure actions; and to earmark all fines paid by persons convicted of violating any housing, building, zoning, health, safety, fire, air pollution or sanitation ordinance of the Columbus City Code, all awards of judgment obtained by the City in enforcing its housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances, and all monetary contempt penalties imposed by the Environmental Division of the Franklin County Municipal Court to enforce its orders relative to public nuisance abatement actions and housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances as the source of monies for this Fund.

Sponsors: Patsy Thomas

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/25/2003	1	ACTING CITY CLERK	Attest	
6/24/2003	1	MAYOR	Signed	
6/23/2003	1	Columbus City Council	Approved	Pass
6/23/2003	1	COUNCIL PRESIDENT	Signed	
6/16/2003	1	Columbus City Council	Read for the First Time	
6/3/2003	1	Council Drafter	Sent for Approval	
6/3/2003	1	Atty Reviewer	Reviewed and Approved	
6/3/2003	1	City Clerk's Office	Sent back for Clarification/Correction	
6/3/2003	1	Auditor Reviewer	Reviewed and Approved	
6/3/2003	1	CITY AUDITOR	Reviewed and Approved	
6/3/2003	1	City Clerk's Office	Sent back for Clarification/Correction	
6/3/2003	1	CITY ATTORNEY	Reviewed and Approved	
4/24/2003	1	Atty Drafter	Sent to Clerk's Office for Council	
4/23/2003	1	Auditor Reviewer	Reviewed and Approved	
4/22/2003	1	Auditor Reviewer	Contingent Within	
4/17/2003	1	Atty Drafter	Sent for Approval	

This legislation authorizes the creation of a Special Revenue Environmental Fund for the purpose of providing a funding mechanism to cover the costs of litigating public nuisance abatement actions and proceedings in aid of judgment such as foreclosure actions obtained in the Environmental Division of the Franklin County Municipal Court as the result of the criminal or civil enforcement of

the housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances of the City of Columbus. All fines paid by person that have been convicted of housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances contained in the Columbus City Code and all monetary contempt penalties imposed by the Environmental Division of the Franklin County Municipal Court to enforce its orders and all awards of judgment obtained by the City of Columbus in prosecuting actions to abate public nuisances and environmental enforcement actions would be earmarked for this fund. A maximum of \$100,000 would be maintained within this Fund with any excess monies reverting back to the General Fund.

Upon the passage of the legislation, the total of environmental fines, awards of judgment and monetary contempt penalties imposed by the Environmental Division of the Franklin County Municipal Court, up to \$100,000, would be diverted from the General Fund to implement this program.

To authorize the creation of a Special Revenue Environmental Fund with a maximum allotment of \$100,000 to provide a funding mechanism to cover the costs of litigating public nuisance abatement actions and proceedings in aid of execution of judgment, such as foreclosure actions; and to earmark all fines paid by persons convicted of violating any housing, building, zoning, health, safety, fire, air pollution or sanitation ordinance of the Columbus City Code, all awards of judgment obtained by the City in enforcing its housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances, and all monetary contempt penalties imposed by the Environmental Division of the Franklin County Municipal Court to enforce its orders relative to public nuisance abatement actions and housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances as the source of monies for this Fund.

WHEREAS, the City of Columbus is concerned about the problem of structures that are vacant, abandoned and dilapidated located within its municipal boundaries; and

WHEREAS, the City of Columbus previously instituted a task force called the Quality Neighborhood Working Group under the auspices of the Director of the Department of Development to address the issue of vacant, abandoned or dilapidated structures; and

WHEREAS, as part of its report, the taskforce recommended to the Director of the Department of Development the need to expedite the foreclosure process with respect to owners of property that are delinquent in paying real property taxes, to expedite public nuisance abatement actions and to expedite the enforcement of permanent injunctions issued by the Environmental Division of the Franklin County Municipal Court in order to transfer such properties into the possession of responsible owners; and

WHEREAS, the process of instituting foreclosure actions, public nuisance abatement actions and the enforcement of permanent injunctions requires the City to pay significant costs up front; and

WHEREAS, it is in the best interests of the City of Columbus and its citizens to establish a funding mechanism to expedite this filing process and to more effectively execute these actions; and

WHEREAS, it has been determined that the most appropriate source of initial funding should come from the fines, awards of judgment and monetary contempt penalties paid by persons that have been successfully prosecuted for criminal and/or civil environmental violations of the Columbus City Code in the Franklin County Municipal Court, Environmental Division; and

WHEREAS, it has been deemed necessary and appropriate to create a Special Revenue Environmental Fund to achieve said purposes; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Auditor be authorized to create a Special Revenue Environmental Fund for the purpose of providing the necessary monies to institute, execute and enforce public nuisance abatement actions and foreclosure actions on behalf of the City of Columbus.

Section 2. That there shall be deposited in this Special Revenue Environmental Fund monies received by the City from the following sources: all fines paid by those persons who have been convicted of violating the housing, building, zoning, health, fire, safety, air pollution or sanitation ordinances, all awards of judgment obtained by the City of Columbus in enforcing its housing, building, zoning, health, safety, fire, air pollution or sanitation ordinances, and all monetary contempt penalties imposed by the Environmental Division of the Franklin County Municipal Court for violations of its orders relating to environmental civil actions.

Section 3. That no more than \$100,000 shall be maintained in this Special Revenue Environmental Fund at any one time with any excess monies reverting to the General Fund.

Section 4. That all monies recieved by the City from such sources and deposited in said Fund from time to time are hereby deemed to be appropriated and authorized to be expended by the City Attorney for such purposes.

Section 5. That from such Fund the City Attorney is hereby authorized to maintain a petty cash fund in the amount of \$500 and to expend therefrom such sums as he deems necessary for the purposes hereinabove set forth.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.