



## Legislation Text

---

**File #:** 3122-2023, **Version:** 1

---

This legislation modifies the Special Revenue Environmental Fund, which was created in 2003, to cover the costs of litigating public nuisance abatement actions in the Environmental Division of the Franklin County Municipal Court. The Special Revenue Environmental Fund is funded by earmarked fines paid by persons convicted of violating any housing, building, zoning, health, safety, fire air pollution or sanitation ordinance of the Columbus City Codes; and currently has a maximum allotment of \$250,000. The cost of litigating public nuisance abatement actions in Franklin County Environmental Court has risen since the creation and subsequent modifications of the Special Revenue Environmental Fund. Specifically, the City Attorney's Office has significantly increased the amount of litigation relating to large, multi-family apartment complexes. These cases last much longer and require much larger expenditures than the majority of cases filed by the City Attorney's Office. It has been deemed necessary and appropriate to modify the Special Revenue Environmental Fund from a maximum allotment of \$250,000 to a maximum allotment of \$500,000 to cover the costs of litigating public nuisance abatement actions to include litigation related to large, multi-family apartment complexes.

To authorize the Auditor to modify the Special Revenue Environmental Fund from a maximum allotment of \$250,000.00 to a maximum allotment of \$500,000.00 to cover the costs of litigating public nuisance abatement actions to include litigation related to large, multi-family apartment complexes.

**WHEREAS**, the City of Columbus created the Special Revenue Environmental Fund in 2003 to cover the costs of litigating public nuisance abatement actions in Franklin County Environmental Court; and

**WHEREAS**, the Special Revenue Environmental Fund is funded by earmarked fines paid by persons convicted of violating any housing, building, zoning, health, safety, fire air pollution or sanitation ordinance of the Columbus City Code; and

**WHEREAS**, the Special Revenue Environmental Fund has a maximum allotment of \$250,000; and

**WHEREAS**, the cost of litigating public nuisance abatement actions in Franklin County Environmental Court has risen since the creation of the Special Revenue Environmental Fund; and

**WHEREAS**, the City Attorney's Office has significantly increased the amount of litigation relating to large multi-family apartment complexes; and

**WHEREAS**, these cases last much longer and require much larger expenditures than the majority of cases filed by the City Attorney's Office; and

**WHEREAS**, it has been deemed necessary and appropriate to modify the Special Revenue Environmental Fund from a maximum allotment of \$250,000 to a maximum allotment of \$500,000 to cover the costs of litigating public nuisance abatement actions to include litigation related to large multi-family apartment complexes; and **NOW, THEREFORE**,

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

**Section 1.** That the City Auditor be authorized to modify the Special Revenue Environmental Fund from a maximum allotment of \$250,000 to a maximum allotment of \$500,000 at any one time with any excess monies reverting to the General Fund.

**Section 2.** That the Special Revenue Environmental Fund shall be 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 and to fund associated services, training, furniture, equipment, and supplies.

**Section 3.** That all monies received 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 4.** That from such Fund the City Attorney is continued to be 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 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.