



Legislation Details (With Text)

File #: 1118-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/12/2018 **In control:** Rules & Reference Committee

On agenda: 5/14/2018 **Final action:** 5/16/2018

Title: To amend section 4703.01 of the Columbus City Codes to add property where felony offenses of violence have occurred to the list of public nuisances which can be abated.

Sponsors: Mitchell Brown, Elizabeth Brown, Jaiza Page, Emmanuel V. Remy, Michael Stinziano, Priscilla Tyson, Shannon G. Hardin

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/16/2018	1	CITY CLERK	Attest	
5/15/2018	1	MAYOR	Signed	
5/14/2018	1	COUNCIL PRESIDENT	Signed	
5/14/2018	1	Columbus City Council	Approved	Pass
5/7/2018	1	Columbus City Council	Read for the First Time	

The purpose of this ordinance is to shut down properties that have a history of felony offenses of violence occurring there. By adding violent felonies to the nuisance code, Columbus will be better able to keep our communities and neighborhoods safe.

To amend section 4703.01 of the Columbus City Codes to add property where felony offenses of violence have occurred to the list of public nuisances which can be abated.

WHEREAS, chronic violence has a severe, long-lasting impact to community residents that are constantly exposed to trauma, leading to cognitive and/or mood disorders, anxiety, depression, and feelings of helplessness; and

WHEREAS, violence has a similar long-lasting effect on neighborhoods, resulting in economic stagnation, depressed housing or unsafe living conditions, and lack of youth opportunities; now, therefore,

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

SECTION 1. That section 4703.01 of the Columbus City Codes is hereby amended as follows:

4703.01 - Definitions

For purposes of Title 47 the definitions found in Title 45 and the following definitions apply:

A. "Code enforcement officer" means a property maintenance inspector, or a property maintenance inspector trainee, or a duly authorized representative of the director.

B. "Department" means the department of development.

C. "Director" means the director of the department of development or his or her designee.

D. "Graffiti" means any inscription, design, word, figure, or mark of any type drawn, marked, painted, tagged, etched, scratched, or written upon any upon any building, bridge, fence, gate, rock, structure, tree, wall, or other property that defaces, damages, or destroys any public or private, real or personal property, without the privilege to do so.

E. "Owner" means any of the following:

1. The owner of record as shown on the current tax list of the auditor of Franklin, Delaware, Pickaway, Licking, or Fairfield County, Ohio;

2. The mortgage holder of record, if any, as shown in the mortgage records of the recorder of Franklin, Delaware, Pickaway, Licking, or Fairfield County, Ohio;

3. Any person who has a freehold or lesser estate in the premises;

4. A mortgagee or vendee in possession. "In possession" means someone who evidences charge, care or control of the premises, and includes someone to whom the sheriff of Franklin, Delaware, Pickaway, Licking, or Fairfield County has issued a deed for the premises whether or not the deed has been recorded;

5. Any person who has charge, care of control of the premises as agent, executor, administrator, assignee, receiver, trustee, guardian or lessee;

6. Any person who holds himself or herself out to be in charge, care or control of the premises as evidenced by negotiating written or oral lease agreements relative to the premises, collecting rents for the premises, performing maintenance or repairs on the premises or authorizing others to perform maintenance or repairs on the premises.

F. "Public nuisance" means any of the following:

1. Any building, premises or real estate, including vacant land, or any appurtenance thereto which is not in compliance with any building, housing, nuisance abatement, air pollution, sanitation, health, fire, zoning or safety code of the City of Columbus;

2. Any building, premises or real estate, including vacant land, or any appurtenance thereto upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment;

3. Any building, premises or real estate, including vacant land, or any appurtenance thereto on which a felony violation of Ohio Revised Code Chapters 2925 or 3719 has occurred;

4. Any building, premises or real estate, including vacant land, or any appurtenance thereto as defined as a nuisance or public nuisance in Ohio Revised Code Chapter 3767.

5. Any building, premises or real estate, including vacant land, or any appurtenance thereto that is used or occupied by a criminal gang (as defined in RC 2923.41) on more than two (2) occasions within a one-year period to engage in a pattern of criminal gang activity (as defined in RC 2923.41).

6. Any building, premises or real estate, including vacant land, or any appurtenance thereto used in violation of Ohio Revised Code Chapter 2915.

7. Any building, premises or real estate, including vacant land, or any appurtenance thereto on which a felony offense of

violence as defined by Ohio Revised Code Section 2901.01 has occurred, except that it does not include any violation of sections 2919.25 or 2919.27 of the Revised Code.

SECTION 2. That existing section 4703.01 of the Columbus City Codes is hereby repealed.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.