Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
File created:	11/6/2018	**In control:**	Housing Committee
On agenda:	11/19/2018	**Final action:**	11/21/2018
Title:	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. ORD3153-2018 18-10-25 Assessment List		

Date	Ver.	Action By	Action	Result
11/21/2018	1	ACTING CITY CLERK	Attest	
11/20/2018	1	MAYOR	Signed	
11/19/2018	1	COUNCIL PRESIDENT	Signed	
11/19/2018	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 done pursuant to Environmental Court orders and the Columbus Building Code.

These demolitions were completed as part of the Mayors Vacant and Abandoned Properties Program (VAP)

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 expenditures with the passage of this ordinance.

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.

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 Development, 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.

WHEREAS, certain structures have been demolished in accordance with the provisions of the Columbus City Code, Sections 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 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;

WHEREAS, an emergency exists in the Department of Development, Code Enforcement Division, in that it is immediately necessary to assess these 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 the 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 demolition 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.

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