

ORDINANCE NO. OR13-23

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING OLD SECTION 1357.08 “SERVICE OF NOTICE” OF THE TROTWOOD CODES OF ORDINANCES, AND ENACTING NEW SECTION 1357.08 “SERVICE OF NOTICE” OF THE TROTWOOD CODES OF ORDINANCES TO ALIGN THE NOTICE PROCESS WITH SECTION 1341.17 OF TROTWOOD CODES OF ORDINANCES AND SECTION 10-8 OF THE TROTWOOD CITY CHARTER, AND DECLARING AN EMERGENCY.

WHEREAS, the Trotwood Codes of Ordinances (the “Codified Ordinances”) contain two different notice procedures to notify property owners of code enforcement actions; and

WHEREAS, the City of Trotwood Planning and Development Director recommends revisions to Section 1357.08 of the Codes of Ordinances to align the notice process with Section 1341.17 of the Codes of Ordinances and Section 10-8 of the Trotwood City Charter; and

WHEREAS, City Council accepts the recommendation of the Planning and Development Director and will amend Section 1357.08 accordingly; and

WHEREAS, for the immediate preservation of the public peace, health, safety, and welfare of the residents of the City of Trotwood and to allow the City to apply for and utilize land bank funding for code enforcement matters, it is necessary that this Ordinance take immediate effect.

NOW, THEREFORE, BE IT ORDAINED BY A VOTE OF FIVE (5) MEMBERS OF THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: Section 1357.08 “Service of Notice” of the Trotwood Codes of Ordinances is hereby repealed in its entirety.

SECTION II: A new Section 1357.08 “Service of Notice” is hereby enacted as set forth in Exhibit A attached hereto and incorporated herein by reference, with additions in **bold** and underscored and deletions in ~~strike through~~.

SECTION III: The Trotwood City Council declares that an emergency exists so to protect the public peace, health, safety, and welfare of the City’s residents and to allow the City to apply for and utilize land bank funding for code enforcement matters, which therefore requires the expedited implementation of this legislation.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION IV:

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

SECTION V:

In accordance with Section 4-6 of the Charter of the City of Trotwood, Ohio, this Ordinance shall take effect immediately upon its adoption by Council

Passed this 6th day of March, 2023.

ATTEST:

APPROVED:



KARA B. LANDIS
CLERK OF COUNCIL



MARY A. McDONALD
MAYOR



YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. OR13-23 adopted by the Trotwood City Council at a regular scheduled meeting held on the 6th day of March, 2023, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

EXHIBIT A

1357.08 SERVICE OF NOTICE.

- (a) Written notice pursuant to Section 1357.07 shall be served on the owner and/or other responsible person:
- (1) Personally; or
 - (2) By certified mail addressed to the owner at the owner's last known place of residence as appearing in the records of the City of Trotwood, Ohio; or
 - (3) At the owner's tax mailing address as indicated on the county tax duplicate; or
 - (4) By posting a copy of the notice in a conspicuous place on the structure or premises to which it relates.
- (b) **If certified mail of the notice is returned unserved, notice may be served by posting it on the main entrance of the building, notice by regular mail pursuant to (a)(2) and (3) above and publishing notice in accordance with Section 10-8 of the Trotwood City Charter.-a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the county.**
- (c) The Building Program Manager shall complete a certificate of service which shall set forth the name and address of the person served, the manner of service, and the date thereof.