

ORDINANCE NO. OR24-24

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING CURRENT SECTION 1357.13 “ADOPTION OF PROCEDURES IN OHIO R.C. 3929.86(C) AND (D)” OF THE TROTWOOD CODES OF ORDINANCES, AND ENACTING NEW SECTION 1357.13 “ADOPTION OF PROCEDURES IN OHIO R.C. 3929.86 (C) AND (D)”, AND DECLARING AN EMERGENCY.

WHEREAS, by Ordinance No. OR13-05, the City of Trotwood adopted Section 1357.13 of the Trotwood Codes of Ordinances (the “Codified Ordinances”), which incorporated by reference Section 3929.86 (C) and (D) of the Ohio Revised Code; and

WHEREAS, Section 3929.86 (C) and (D) of the Ohio Revised Code authorizes municipalities to receive funds from insurance companies doing business in the State of Ohio as security for the repair, removing, or securing of fire-damaged structures by filing a copy of the enacting ordinance with the Ohio Superintendent of Insurance; and

WHEREAS, the receipt of insurance proceeds for fire-damaged structures situated in the City is a crucial step in the abatement and remediation of these fire-damaged, nuisance structures in the City; and

WHEREAS, the City Law Director recommends that City Council repeal current Section 1357.13 “Adoption of Procedures in Ohio R.C. 3929.86(C) and (D)” of the Codified Ordinances and enact a new Section 1347.13 “Adoption of Procedures in Ohio R.C. 3929.86 (C) and (D)”; and

WHEREAS, the City Law Director further recommends that the Clerk of Council be directed to submit a certified copy of this ordinance to the Ohio Superintendent of Insurance in accordance with Ohio R.C. 3929.86 (C); and

WHEREAS, the City Law Director further recommends that the City’s Finance Director be designated as the officer of the City authorized to perform all other duties and responsibilities on behalf of the City as prescribed by Ohio R.C. 3929.86 (C) and (D); and

WHEREAS, City Council accepts the recommendation of the City Law Director and will repeal and replace Section 1357.13 of the Codified Ordinances 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 promote more efficient governmental operations, it is necessary that this Ordinance take immediate effect.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

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: Current Section 1357.13 “Adoption of Procedures in Ohio R.C. 3929.86(C) and (D)” of the Trotwood Codes of Ordinances is hereby repealed in its entirety.

SECTION II: New Section 1357.13 “Adoption of Procedures in Ohio R.C. 3929.86 (C) and (D)” 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 ~~strikethrough~~.

SECTION III: The Clerk of Council is hereby directed to promptly transmit a certified copy of this ordinance to the Ohio Superintendent of Insurance pursuant to Ohio R.C. 3929.86(C).

SECTION IV: The City’s Finance Director is hereby the designated officer of the City authorized to perform all other duties and responsibilities on behalf of the City as prescribed by Ohio R.C. 3929.86 (C) and (D).

SECTION V: 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 promote more efficient governmental operations, which therefore requires the expedited implementation of this legislation.

SECTION VI: 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 VII: 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.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

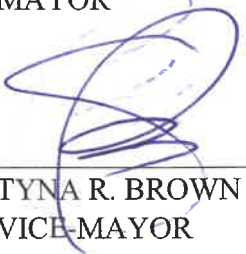
Passed this 2nd day of December, 2024.

ATTEST:

APPROVED:


KARA B. LANDIS
CLERK OF COUNCIL


YVETTE F. PAGE
MAYOR


TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. OR24-24 adopted by the Trotwood City Council at a regular scheduled meeting held on the 2nd day of December, 2024, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

CLERK OF COUNCIL

1357.13 ADOPTION OF PROCEDURES IN OHIO R.C. 3929.86 (C) AND (D)

This section incorporates, adopts by reference, and makes part of this chapter with the same force and effect as though **fully** set out in full herein, the procedures contained in ~~Ohio~~-R.C. 3929.86 (C) and (D) relating to recovery of costs incurred by the city in repairing, removing, or securing fire damaged buildings or other structures **situated in the City.**