

REQUESTED BY:  
HARTMAN-FLASK-DIPPOLITO

LAW DEPARTMENT  
DRAFT NO.2601

TITLE

AN ORDINANCE FOR THE PURPOSE OF (EFFECTIVE APRIL 1, 2007) REPEALING AND REENACTING SECTION 1375.08 OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN FOR THE PURPOSE OF PROHIBITING THE LEASING OR CONTINUED LEASING THEREAFTER OF ANY DWELLING, OR PART THEREOF, THAT DOES NOT HAVE AT LEAST ONE INTERACTIVE SMOKE DETECTOR ON EACH AND EVERY FLOOR OF THE DWELLING, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 1200/06

WHEREAS, smoke detectors can, and do, save lives; and

WHEREAS, the existence of smoke detectors in dwellings greatly promotes the health, safety and welfare of those dwelling therein and their neighbors and guests; and

WHEREAS, non-interactive smoke detectors and non-interactive smoke detector systems are subject to many shortcomings that interactive smoke detectors and interactive smoke detector systems are not subject to; and

WHEREAS, interactive smoke detectors are more conducive to the public safety and welfare than are non-interactive smoke detectors; and

WHEREAS, this Council finds, and is of the opinion, that dwellings, or parts thereof, that are let should have interactive smoke detectors and that such is a reasonable consideration for the safety and well-being of the community; and

WHEREAS, this Council desires to give the owners of affected properties sufficient and reasonable time to install such interactive smoke detectors; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That, effective April 1, 2007, Section 1375.08 ("SMOKE ALARMS REQUIRED.") of the Codified Ordinances of the City of Warren shall be repealed in its entirety.

Section 2: That, effective April 1, 2007, Section 1375.08 of the Codified Ordinances of the City of Warren shall be reenacted as follows:

"1375.08 SMOKE DETECTORS REQUIRED.

Effective April 1, 2007, and except as otherwise expressly provided by law, no owner shall let to another, or continue to let to another, any dwelling, or part thereof, during the time(s) that there is not at least one fully-operable, properly installed and maintained, and appropriately placed, smoke detector on each and every floor of the dwelling (including the basement). Each such smoke detector shall be an interactive smoke detector, and each such smoke detector shall be so interconnected to, and interactive with, each and every other such smoke detector, either by wire or wirelessly, that when one such detector becomes activated each and every other such detector will immediately and automatically become activated."

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that affected property owners may have sufficient time in which to be in compliance with this ordinance, and for the further reason that the public may be more fully protected against fire and its dangers at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the date of its passage by a vote of two-thirds of all members elected to Council and approval by the Mayor.

Passed in Council this 21st day of

November, 2006.

SIGNED: [Signature] PRESIDENT OF COUNCIL ATTEST: [Signature] CLERK  
C.M.C.

FILED WITH THE MAYOR: [Signature]

DATE APPROVED: [Signature]

[Signature]  
MAYOR, CITY OF WARREN, OHIO

REQUESTED BY:  
DEAN

LAW DEPARTMENT  
DRAFT NO. 2632A

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING AND REENACTING VARIOUS PROVISIONS OF, AND ENACTING VARIOUS PROVISIONS TO, SECTION 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN FOR THE PURPOSE OF MORE FULLY PROVIDING FOR THE PREVENTION AND ERADICATION OF BLIGHT AND NUISANCE WITHIN THE CITY OF WARREN, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12019/07

WHEREAS, there exists within the City of Warren a number of buildings and structures that, due to their age, obsolescence, abandonment, dilapidation, deterioration, lack of maintenance, and/or lack of repair, constitute blight and nuisances to their respective neighborhoods and to the City of Warren; and

WHEREAS, such buildings and structures create substantial, undue and unreasonable interference with the lawful use and enjoyment of real properties, buildings and structures within their respective neighborhoods and throughout the City of Warren; and

WHEREAS, this Council believes that the City of Warren needs to become more pro-active in the prevention and eradication of blight and nuisance; and

WHEREAS, this Council desires to more fully provide for the prevention and eradication of blight and nuisance, primarily within the context of Chapter 1323 ("Unsafe Structures") of the Codified Ordinances of the City of Warren; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That subsection (a) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, repealed in its entirety.

Section 2: That subsection (a) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED, ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, reenacted as follows:

"(a) Nuisance Declared; Abatement.

- (1) Any reference in this chapter to "the Ohio Basic Building Code" shall be, and is, a reference to the Ohio Building Code as adopted by the City of Warren per Chapter 1301 of these Codified Ordinances.
- (2) All dangerous buildings, or the dangerous parts thereof, within the terms of Section 1323.01 herein, as well as all buildings or structures which are otherwise injurious to or a menace to the public health, safety or welfare, or are structurally unsafe, or have been condemned by a health official in accordance with Section 1367.11(a) of these Codified Ordinances

or are not provided with adequate safe egress, or which constitute a fire hazard, or which are vacant and open to public entry, or which are otherwise dangerous to human life or injurious to the public, or which in relation to existing uses constitute a hazard to the public health, safety or welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are, severally, for the purpose of this Building Code, declared to be "unsafe structures". All such unsafe structures or conditions are hereby declared to be public nuisances. The public nuisance shall be abated in accordance with this Chapter and by correction of the violations to the minimum housing standards of these Codified Ordinances, the Ohio Revised Code and the Ohio Administrative Code including the Ohio Building Code, or by demolition.

- (3) Any building or structure having at least one of the following characteristics shall be deemed and defined as a "blighted building" for purposes of this Building Code:
- (a) Because of its age, obsolescence, abandonment, dilapidation, deterioration, lack of maintenance, and/or lack of repair, the building or structure is a fire hazard.
  - (b) Because of its age, obsolescence, abandonment, dilapidation, deterioration, lack of maintenance, and/or lack of repair, the building or structure has become a retreat for immoral activities, criminal activities, or repeated and serious breaches of the public peace, health, safety or welfare.
  - (c) Because of its age, obsolescence, abandonment, dilapidation, deterioration, lack of maintenance, and/or lack of repair, the building or structure is injurious to, or a menace to, the lawful use and enjoyment of any real property located, in whole or in part, within a radius of five hundred (500) feet of said building or structure.
  - (d) Because of its age, obsolescence, abandonment, dilapidation, deterioration, lack of maintenance, and/or lack of repair, the building or structure is injurious to, or a menace to, the property value of any real property located, in whole or in part, within a radius of five hundred (500) feet of said building or structure.

All such blighted buildings are, for purposes of this Building Code, declared to be "unsafe structures". All such unsafe structures are hereby declared to be public nuisances. The public nuisance shall be abated in accordance with this Chapter and by correction of the violations to the minimum housing standards of these Codified Ordinances, the Ohio Revised Code and the Ohio Administrative Code including the Ohio Building Code, or by demolition."

Section 3: That subsection (c) (4) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, repealed in its entirety.

Section 4: That subsection (c) (4) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, reenacted as follows:

- "(4) Cleaning: All trash, garbage, rubbish, debris and motor vehicles shall be removed from the premises. All grass and weeds shall be cut."

Section 5: That subsection (d) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, repealed in its entirety.

Section 6: That subsection (d) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, reenacted as follows:

"(d) Maintenance. Upon effectively boarding the structure, the owner shall monitor and maintain the structure and its surrounding premises in a safe, sanitary and secured condition in accordance with these Codified Ordinances. Any portion of the exterior structure which is deemed to be potentially hazardous due to deteriorated conditions, or to be structurally unsound, shall be removed or treated in such a manner so as to eliminate the hazard. The exterior premises shall be maintained free of trash, garbage, rubbish, debris, motor vehicles and any condition that may provide harborage for rodents. All grass and weeds shall be cut at least once every two weeks during the growing season. All fallen leaves shall be removed at least once every two weeks during the month of November. All porches, stoops and steps shall, at all times, be free of debris. All flyers, leaflets, telephone books, handbills, mail, newspapers and like items upon porches, stoops and steps shall be removed within twenty-four (24) hours after initially being placed there. Failure of the owner to properly maintain the buildings in the above condition shall result in the structure being deemed a public nuisance, and being scheduled for demolition."

Section 7: That subsection (1) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, repealed in its entirety.

Section 8: That subsection (1) of Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren be, and the same hereby is, reenacted as follows:

"(1) Costs. Any and all expenses or costs incurred under this section for the removal, repair, alteration, securing or boarding of a building or structure shall be paid by the owner of such building or structure.

For any of the following services or actions rendered by the City of Warren, the City of Warren shall charge, and the property owner shall pay, the actual cost to the City (including labor and materials):

- (a) Boarding up windows.
- (b) Boarding up doors.
- (c) Any maintenance per subsection (d) of this Section.

(There shall be interest due and payable on any of the expenses, costs and charges incurred by the City of Warren, which remain unpaid thirty days after initial billing, at the rate of eighteen percent per year).

City

If the owner fails to pay the costs within thirty days after receipt from the ~~Director of Community Development~~ of a statement of the charges and costs incurred therein, the Director may certify such amount to the City Auditor. The City Auditor shall as soon as is then practical make written return to the County Auditor of the action under this section with a statement of the charges for services, the amount paid for the performing of such labor and a proper description of the premises. Certification to the County Auditor is for the purpose of making expenses and costs a lien upon such lands, to be collected as other taxes and returned to the City with accounting thereof in accordance with Ohio Revised Code Section 715.261.

Notwithstanding the method of collection set forth in this subsection, the Director of Law may take any action necessary to collect the costs of demolition or boarding from the owner or other responsible party."

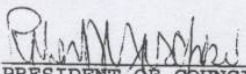
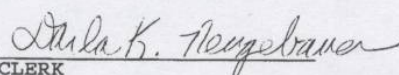
Section 9: That a subsection (m) shall be, and the same hereby is, enacted to and within Section 1323.02 ("DANGEROUS BUILDINGS AS NUISANCE DECLARED; ABATEMENT.") of the Codified Ordinances of the City of Warren, as follows:

"(m) Acquisition by City. As an alternative to demolition, the City of Warren, in an effort to redevelop or rehabilitate an unsafe structure, may purchase or, if permitted by law, acquire by eminent domain the unsafe structure and its lot and land."

Section 10: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that the prevention and eradication of blight and nuisance throughout the City of Warren may be more fully ensured at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the date of its passage by a vote of two-thirds of all members elected to Council and approval by the Mayor.

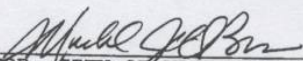
Passed in Council this 28<sup>TH</sup> day of

FEBRUARY, 2007.

SIGNED:  ATTEST:   
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: 2-28-07

DATE APPROVED: 2-28-07

  
MAYOR, CITY OF WARREN, OHIO

REQUESTED BY:  
BARKLEY

LAW DEPARTMENT  
DRAFT NO. 2622

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING AND REENACTING DIVISION (a) OF SECTION 1367.99 ("PENALTY.") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN FOR THE PURPOSE OF PROVIDING FOR AN INCREASED, MANDATORY FINE FOR VIOLATIONS OF PARTICULAR PROVISIONS OF SECTION 1367.10 ("DWELLING PERMIT.") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN THAT PROHIBIT DWELLING UNITS FROM BEING OCCUPIED DURING A PERIOD OF TIME WHERE NO REQUISITE, EFFECTIVE AND VALID RESIDENTIAL NON-OWNER OCCUPIED DWELLING PERMIT EXISTS THEREFOR, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12020/07

WHEREAS, the letting or renting of non-owner occupied dwelling units for which no residential non-owner occupied dwelling permits have been issued, or for which such permits have expired or have been revoked, detrimentally affects the health, safety and welfare of the City of Warren; and

WHEREAS, the City of Warren desires to more fully insure the securing of the requisite residential non-owner occupied dwelling permits for non-owner occupied dwelling units by providing for increased, mandatory fines for violation of those provisions of Section 1367.10 of the Codified Ordinances of the City of Warren that require such permits; and

WHEREAS, the regulation and inspection of non-owner occupied dwelling units within the City of Warren promote the health, safety and welfare of the occupants thereof; and

WHEREAS, the regulation and inspection of non-owner occupied dwelling units within the City of Warren promote the interests of the owners of such units by more fully insuring the integrity, habitability and value of said units; and

WHEREAS, the regulation and inspection of non-owner occupied dwelling units within the City of Warren promote the best interests of the City of Warren, and those within its corporate limits, as they promote and protect the housing stock within the City, and the integrity and habitability and safeness thereof; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That division (a) of Section 1367.99 ("PENALTY.") of the Codified Ordinances of the City of Warren be, and the same hereby is, repealed in its entirety.

Section 2: That division (a) of Section 1367.99 ("PENALTY.") of the Codified Ordinances of the City of Warren be, and the same hereby is, reenacted as follows:

"(a) Any person who violates a provision of Section 1367.10 of this Chapter that prohibits a dwelling unit from being occupied without a residential non-owner occupied dwelling permit having been obtained therefor shall be fined one thousand dollars (\$1,000.00), and each day's failure to comply with any such provision shall constitute a separate violation. Any person who violates a provision of Section 1367.10 of this Chapter that prohibits a dwelling unit from being occupied when a residential non-owner occupied dwelling permit for such unit has not been renewed after its last expiration, or where any such permit has been revoked, shall be fined one thousand dollars (\$1,000.00), and each day's failure to comply with any such provision shall constitute a separate violation. Any person who violates a provision of this Housing Code other than a provision referred to previously in this division (a) shall be fined not more than five hundred dollars (\$500.00), and each day's failure to comply with any such provision shall constitute a separate violation."

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that the integrity of the City's housing stock may be more fully insured at the earliest possible time and without undue delay, and for the further reason that the safeness and healthiness of the housing environment within the City of Warren may be more fully insured at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the date of its passage by a vote of two-thirds of all members elected to Council and approval by the Mayor.

Passed in Council this 28TH day of

FEBRUARY, 2007  
~~2006~~

SIGNED: *Robert Muschen*  
PRESIDENT OF COUNCIL

ATTEST: *Sarla Kuyebana*  
CLERK

FILED WITH THE MAYOR: 2-28-07

DATE APPROVED: 2-28-07

*Michael J. Br...*  
MAYOR, CITY OF WARREN, OHIO