

CITY OF BROOK PARK, OHIO

P/C 12/11/18 Legislative
Caucus 12/11/18
1st R 12/18/18 - amended
2nd R 1/22/19
3rd R
B/C
Caucus 1/15/19

ORDINANCE NO: 11058-2019

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AMENDING SECTIONS 1323.03
OF THE BROOK PARK CODIFIED ORDINANCES,
AND DECLARING AN EMERGENCY.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 1323.03 passed by Ordinance No. 4579-1974, April 2, 1974 and Ordinance No. 9555-2009, January 20, 2009 of the Brook Park Codified Ordinances, and reading as follows:

1323.03 REOCCUPANCY CERTIFICATE FOR VACATED DWELLING, BUILDING OR STRUCTURE.

(a) Whenever any dwelling, building or structure has been sold or vacated by its former occupant, or a change in its former occupant or a change in its use is contemplated, no person, firm or corporation, shall reoccupy such dwelling, building or structure, until and unless a Certificate of Re-occupancy has been issued, therefore, under the same terms and conditions as required for an original Certificate.

(b) Before a dwelling, building or structure is sold, deed, land contract or otherwise, the owner shall apply for a Re-occupancy Permit, and if the dwelling, building or structure is to be sold "as is", shall furnish to the new owner a copy of all violations found upon inspection which must be corrected before a Re-occupancy Permit can be issued.

is hereby amended to read:

1323.03 REOCCUPANCY CERTIFICATE FOR VACATED DWELLING, BUILDING OR STRUCTURE,

(a) Whenever any dwelling, building or structure has been sold or vacated by its former occupant, or a change in its former occupant or a change in its use is contemplated, no person, firm or corporation, shall reoccupy such dwelling, building or structure, until and unless a Certificate of Re-

occupancy has been issued, therefore, under the same terms and conditions as required for an original Certificate.

(b) Before a dwelling, building or structure is sold, deed, land contract or otherwise, the owner shall apply for a Re-occupancy Permit, and if the dwelling, building or structure is to be sold "as is", shall furnish to the new owner a copy of all violations found upon inspection which must be corrected before a Re-occupancy Permit can be issued.

(c) The scope of the inspection shall be limited to such areas as are in plain view.

SECTION 4: Former Section 1323.03 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 4579-1974, passed April 2, 1974, and Ordinance No. 9555-2009, passed January 20, 2009 is hereby expressly repealed.

SECTION 5: It is 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 all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare of said City, and for the further reason to amend section 1323.03, of the Brook Park Codified Ordinances; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: January 22, 2019

M. P. ...
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: A. ...
MAYOR

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 11058-2019 passed on the 22nd day of January 2019 by said council.
Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinance/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975 at location City Hall 6161 Engle Road, Police Station 174011 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.
commenting January 23, 2019
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

2019	2018								
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Sterm
Mencini
Orcutt
Scott
Burgio
Poindexter
Salvatore