

P/C 12820 Legislative
CA PRIOR 12-15-20
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O/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11177-2020

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AMENDING CERTAIN SECTIONS OF CHAPTER 1361 OF THE
BROOK PARK CODIFIED ORDINANCES,
ENTITLED 'PROPERTY MAINTENANCE CODE,'
AND DECLARING AN EMERGENCY

WHEREAS, there is a need to amend Chapter 1361 to provide clarification for the penalty section of the property maintenance code; and

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

SECTION 1: Chapter 1361, Section 1361.99 of the Codified Ordinances of the City of Brook Park is hereby amended (re-numbered) to read as follows:

~~1361.99~~ 1361.98 (a) MAINTENANCE.
Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

New Section 1361.99 is enacted to read as follows:

1361.99 PENALTY.
(a) Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree, shall be fined or imprisoned or both for each offense. Unless otherwise provided, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.
(b) The application of the penalty provided in subsection (a) hereof shall not be deemed to prevent the enforced removal of prohibited conditions, or the application of any other equitable remedy.

SECTION 2: Former Section 1361.99 of the Brook Park Codified Ordinances as enacted by Ordinance No. 11091-2019, passed May 21, 2019, is hereby expressly repealed.

SECTION 2: 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 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and to amend certain section of Chapter 1361 of the Brook Park Codified Ordinances; therefore, provided this ordinance 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: December 15, 2020

M. J. Keubio
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
CLERK OF COUNCIL

APPROVED: _____
MAYOR

12/16/2020
DATE

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. 11771-2020 passed on the 15th day of December 2020 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 ordinances/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland 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, commencing December 17, 2020
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.
[Signature]
DIRECTOR OF LAW

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schmuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>