

**RESOLUTION NO. 2020-120**  
**INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION DECLARING THE REAL PROPERTY KNOWN AS CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NO. 712-15-017, AND ALSO KNOWN AS, 1184 IRENE ROAD, TO BE A NUISANCE, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE WORK NECESSARY TO ABATE THE NUISANCE AND DECLARING AN EMERGENCY**

**WHEREAS**, the City Building Commissioner has determined that the real property known as Cuyahoga County Auditor's Permanent Parcel No. 712-15-017, and also known as 1184 Irene Road, Lyndhurst, Ohio, is in such disrepair that it constitutes a nuisance; and

**WHEREAS**, the City Building Commissioner has served a three (3) day notice, in accordance with Section 1355.09(b) of the Codified Ordinances, upon the owner, occupant, agent or operator to terminate the nuisance; and

**WHEREAS**, the owner, occupant, agent or operator has failed and neglected to comply with the notice to abate the nuisance; and

**WHEREAS**, Section 1355.09(c) of the Codified Ordinances provides authority to the Mayor or Building Commissioner to enter into a contract for the work necessary to abate the nuisance. Now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** This Council determines the real property known as Cuyahoga County Auditor's Permanent Parcel No. 712-15-017, and also known as 1184 Irene Road, Lyndhurst, Ohio, is in such a state of disrepair that it is declared to be a nuisance.

**SECTION 2.** This Council determines that the Building Commissioner has served a three-day notice upon the owner, occupant, agent, or operator to abate that nuisance, and said owner, occupant, agent, or operator has failed and neglected to comply with said notice.

**SECTION 3.** This Council hereby authorizes and directs the Mayor to enter into a contract for the work necessary to abate the nuisance.

**SECTION 4.** The cost of said work shall not exceed Three Thousand Two Hundred Dollars (\$3,200.00) without further action by this Council.

**SECTION 5.** This Council further authorizes the Building Commissioner to invoice the owner of the premises for the costs of such nuisance abatement.

**SECTION 6.** This Council determines that if the costs of nuisance abatement are not paid within thirty (30) days of the date of the invoice, then the costs of nuisance abatement shall become a lien on the property, and shall be certified to the County Auditor and collected in the manner provided by law for assessments.

**SECTION 7.** This Council further authorizes the Director of Law to prepare and record all documents necessary to protect the City's investment in the property.

**SECTION 8.** Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 9.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City of Lyndhurst and its residents. Therefore, this Resolution shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: December 7, 2020

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**VICE MAYOR**

ATTEST: \_\_\_\_\_  
**Clerk of Council**

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in the News Herald, a newspaper of general circulation in said City on December 17, 2020 and December 24, 2020.

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**Clerk of Council**

First Reading: December 7, 2020

Second Reading: Suspended

Third Reading: Suspended