

ORDINANCE NO. 2011-14

AN ORDINANCE ESTABLISHING NOTIFICATION OF FORECLOSURE FILING
AND DECLARING AN EMERGENCY

WHEREAS, a foreclosure filing is often an early warning signal that a property is in decline and headed toward vacancy; and

WHEREAS, the presence of vacant properties in our neighborhoods contributes to blight and lowered quality of life; and

WHEREAS, immediate notice of a foreclosure filing would enable the City and the public to monitor specific properties in an effort to address problems before the structure becomes vacant and abandoned.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1. DEFINITIONS

- (a) Person means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, trust, or association. Person shall not include a taxing authority filing a foreclosure action due to delinquent property taxes.
- (b) Vacant means that no person actually resides in any part of the building or that no person conducts a lawful business in any part of the building.

Section 2. NOTICE TO CITY OF FORECLOSURE FILING

Any person who files a complaint for foreclosure involving real property located within the City of Parma Heights on which there is a building or structure shall notify the City of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Director of Public Service within ten (10) days after the filing of the complaint with the relevant court. The notice to the City shall be on a form prescribed by the Director of Public Service.

Section 3. PERSON RESPONSIBLE FOR MAINTENANCE

- (a) If the building or structure on the property that is the subject of foreclosure is vacant at the time the foreclosure complaint is filed, then the person filing the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property.
- (b) If the building or structure on the property that is the subject of foreclosure becomes vacant at any time after the foreclosure complaint is filed, then the person who filed the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for

maintaining the property, and shall otherwise comply with the Parma Height Codified Ordinances.

Section 4. FEES

The fee for notice of a foreclosed property is one hundred dollars (\$100.00) for a residential property (one or two family structure) and three hundred dollars (\$300.00) for a commercial property (all structures other than one or two family structures). The fee shall be paid at the time of notification.

Section 5. PENALTY.

Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined no more than one thousand dollars (\$1,000.00) or imprisoned not more than 180 days or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

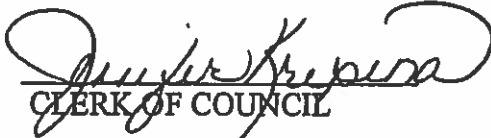
Section 6. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 7. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health safety and welfare of the City and for the further reason that it is necessary in order to better respond to the housing foreclosure crisis; wherefore, this ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: June 27, 2011



PRESIDENT OF COUNCIL

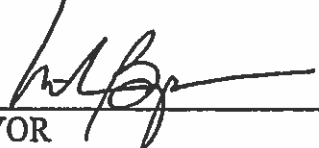
ATTEST: 

CLERK OF COUNCIL

June 27, 2011

APPROVED

FILED WITH
THE MAYOR: June 27, 2011



MAYOR

1st Reading 06-13-2011
2nd Reading 06-27-2011