

IN THE COUNCIL OF THE
VILLAGE OF NEW CONCORD, OHIO

Ordinance No. C-8-89-1

AN ORDINANCE AMENDING ORDINANCE NO. C-4-89-1
DEFINING UNSAFE BUILDINGS AND PROVIDING FOR THE
ABATEMENT OF UNSAFE BUILDINGS FOR THE PRESERVATION
OF PUBLIC PEACE, HEALTH, SAFETY AND WELFARE AND
DECLARING AN EMERGENCY AND ORDINANCE NO. C-7-89-2
PROVIDING FOR THE WRECKING AND RAZING OF BUILDINGS.

WHEREAS, the Village Council desires to amend Ordinance No. C-4-89-1 and Ordinance No. C-7-89-2 to include the additional provisions set forth below; and

WHEREAS, this Ordinance is an emergency for the reason that it is necessary to preserve the rights of owners of property located in the Village of New Concord and of the public generally.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of New Concord, State of Ohio:

Section 1. Amendment to Ordinance No. C-4-89-1 and Ordinance No. C-7-89-2

Ordinance No. C-4-89-1 defining unsafe buildings and providing for the abatement of unsafe buildings and Ordinance No. C-7-89-2 providing for the wrecking and razing of buildings be and hereby is amended to include the provisions set forth in this Ordinance.

Section 2. Petition for Appeal

Any person affected by a notice, or order which has been issued in connection with the enforcement of any provision of Ordinance No. C-4-89-1 or Ordinance No. C-7-89-2, or of any rule or regulation adopted pursuant thereto, shall have the right to request and shall be granted a hearing on the matter before the Zoning Board of Appeals of the Village of New Concord, hereinafter referred to as the Board; provided that such person shall file, in the office of the Clerk of the Village of New Concord, a written petition requesting such hearing and containing a statement of the grounds therefor within 20 days after the day the notice was served.

Section 3. Appeals Board

In order to protect existing structures in the Village of New Concord by vigorous enforcement of the provisions of the ordinances stated herein the Board is hereby appointed as the Appeals Board of

Ordinance No. C-4-89-1 and Ordinance No. C-7-89-2. Each member of the Board shall be a responsible resident of the Village of New Concord.

Section 4. Decisions of the Board

The Board shall hear all appeals relative to the enforcement of Ordinance No. C-4-89-1 and Ordinance No. C-7-89-2 and by a concurring vote of a majority of its members shall reverse or affirm, wholly or partly, or modify, the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the Building Official.

Section 5. Financial Interest

A member of the Board shall not participate in any hearings or vote on any appeal in which that member has a direct or indirect financial interest, or is engaged as a contractor, or is engaged in the preparation of plans and specifications, or in which that member has any personal interest.

Section 6. Record

The secretary of the Board shall keep a record of each meeting so that the record shows clearly the basis for each decision made by the Board.

Section 7. Emergency

This ordinance is declared to be an emergency for the reasons set forth in the preamble above.

Section 8. Date of Effect

The Village Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in full force from and after its approval as required by law.

Cross References:

Ordinance No. C-4-89-1 Abatement of Unsafe Buildings

Ordinance No. C-7-89-2 Wrecking and Razing of Buildings

Passed: August 14, 1989

W. Michael Krizan
W. MICHAEL KRUZAN
President of Council

Approved: August 14, 1989

R. Gregory Adams
R. GREGORY ADAMS, Mayor

Attest:

Beryl L. Hammer
Village Clerk - Treasurer

I hereby certify that the above Ordinance No. C-8-89-1 was posted per Ordinance No. L-1-84-1 from August 29, 1989 to October 25, 1989.

Beryl L. Hammer
Clerk

CAC:msb
Village4
A:CAC#2