

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30045

Resolution No. 2022-13

Passed OCTOBER 3, 2022

VILLAGE OF NAVARRE
STARK COUNTY, OHIO
RESOLUTION NO. 2022-13

RESOLUTION DECLARING 81 OHIO STREET TO BE
A PUBLIC NUISANCE UNDER CHAPTERS 152 AND
153 OF VILLAGE CODIFIED MUNICIPAL REGULATIONS

Whereas, the Village of Navarre has issued multiple written notices to the record owner (as listed on the website of the Stark County Auditor) of 81 Ohio Street, being Stacy, in the Village of Navarre, Ohio, demanding that the property be brought into compliance with Chapter 152 (flood plain regulation) and Chapter 153 (property maintenance code), within thirty (30) days of each notice, and

Whereas, the most recent of said notices were October 18, 2021 and June 28, 2022, in compliance with the Village of Navarre codified notification procedures, with many other prior notices having been properly delivered, and

Whereas, the dirt brought into the flood plain in violation of Chapter 152 is still present, and 81 Ohio Street continues to violate Chapter 153 (Secs. 153.05, 153.10, and 153.11) with (a) premises not maintained in a safe condition, weather tight so as to resist decay or deterioration, (b) an overgrown yard that has become a breeding ground for rodents, and (c) substantial old or unusable materials and personal property, that is dangerous in plain sight on or around the premises, and

Whereas, Jim Neely, Village Zoning Inspector, made a credible factual presentation before Village Council on all of the above on September 19, 2022, and

Whereas, 81 Ohio Street continues to violate the applicable flood plain ordinances, and continues to violate the applicable property maintenance ordinances and to be a substantial public health nuisance,

Now Therefore, Village Council Resolves as follows –

Section 1 - That the Village of Navarre, through its Zoning Inspector and other public officials, may take such action as they deem fit to remediate and remove the fill dirt, junk and trash, and clean up the exterior premises at 81 Ohio Street (Stark County tax parcels 1200380 and 1200381), and to charge the expenses thereof to the owner of said premises, and to submit said costs as a reimbursable cost to be placed on the tax duplicate, and Ohio Revised Code, Sec. 715.261, and that said Village officials are authorized, in their discretion and without need for further action by Village Council, to file suit for both damages (from the aforesaid clean-up and flood-plain remediation) and for injunctive relief if needed.

Section 2 – That if this owner comes briefly into compliance, and then reverts to substantive and unsanitary non-compliance, she shall come into compliance again within three days of receipt of ordinary mail written notice of a new violation from the Village, irrespective of the Village officer that delivers such notice. Failure to come back into compliance with such a written notice, in the sole good faith judgment of the Village zoning inspector, shall subject the owner to all of the remedies listed above in Section 1, without the necessity of Council passing a new resolution declaring the property to be a public nuisance.

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Section 3 – This resolution is declared an Emergency, as it immediately impacts the safety and health of residents of and visitors to the Village of Navarre, and may be passed without the need for three readings.

Passed – October 3, 2022

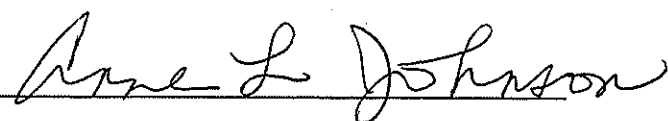
APPROVED:


MAYOR Robert L. Benson

Attest:


CLERK-TREASURER Anne L. Johnson

I, Anne L. Johnson, Clerk-Treasurer for the Village of Navarre, Ohio, do hereby certify that the forgoing is a true copy of Resolution 2022-13 duly passed and adopted by the Council of the Village of Navarre on the 3rd day of October 2022 as compared by me with the original on file in my office.



I, Anne L. Johnson, Clerk- Treasurer for the Village of Navarre, Ohio, do hereby certify that there is no newspaper in said Village and that publication of the above Resolution was duly made by posting one copy thereof at the Village of Navarre's website, the Navarre Post Office and the Village Clean Laundromat and that said Resolution will remain posted for at least fifteen days thereafter.

