

RECORD OF ORDINANCES

Ordinance No. 6-26-2017-2

Passed JUNE 26 2017

AN ORDINANCE TO AMEND CHAPTER 1406 (INTERNATIONAL PROPERTY MAINTENANCE CODE) OF THE BALTIMORE CODIFIED ORDINANCES IN ORDER TO ADOPT AN UPDATED REVISION REGARDING UNSAFE STRUCTURES AND EQUIPMENT, AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Village of Baltimore previously adopted, in Ordinance 11-14-2016-2, the 2012 of the International Property Maintenance Code (herein after "the Code"); and

WHEREAS, the Village of Baltimore desires to adopt an updated revision to the Code, regarding "Unsafe Structures and Equipment," for the safety of the Village's citizens; and

WHEREAS, this legislation needs to be adopted on an emergency basis in order for the orderly and timely enforcement of the Code for the safety of the Village's resident;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

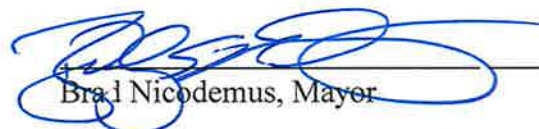
SECTION 1: Chapter 1406.02, "REVISIONS," of the Code, is hereby amended to read in relevant part as follows:

"1406.02 REVISIONS.

The following sections are hereby revised:

Section 108, "Unsafe Structures and Equipment," is hereby amended to include a new Subsection 108.8, as set forth in the attached Exhibit A, titled "Temporary Permit to Access Structure for Repairs."

SECTION 2: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. Therefore, this ordinance shall become effective upon its passage by Council.


Brad Nicodemus, Mayor

DATE OF PASSAGE: 6-26-2017

EFFECTIVE DATE: 6-26-2017

ATTEST: 
Kathryn E. Jenkins, Fiscal Officer

SPONSOR: HANKISON

APPROVED AS TO FORM: 
Jeffrey Feyko, Village Solicitor

EXHIBIT A

108.8.1 TEMPORARY PERMIT TO ACCESS PROPERTY FOR REPAIRS.

- (a) No person, whether the owner, lessee, agent, tenant or other person or entity having charge or care of a structure or premise that has been determined by the Village to be unfit or unsafe for habitation as defined herein, shall be permitted to access the structure or premise without first applying for and being granted by the Village a Temporary Permit to Access Property for Repairs.
- (b) The Temporary Permit shall specify the days of the week and the hours of the day that access to the structure or premise is authorized. Access to the structure or premise shall be for repairs or maintenance only, and not for habitation.
- (c) If a structure or premise has been determined to be inhabitable due to either water or sewer shut off, the water and/or sewer service must be fully restored before a Temporary Permit can be granted.
- (d) Whoever violates this section is subject to the penalties set forth in 108.8.99.

108.8.2 AUTHORITY TO GRANT A TEMPORARY PERMIT.

Either the Code Enforcement Officer or Village Administrator shall have the authority to grant a Temporary Permit.

108.8.99 PENALTIES.

- (a) Any person who violates any provision of this section shall, upon a first offense, be guilty of a misdemeanor of the fourth degree (M4) and subject to the penalties set forth in the Ohio Revised Code. Any person who violates any provision of this section shall, upon a second offense within one (1) year of the first offense, be guilty of a misdemeanor of the third degree (M3) and subject to the penalties set forth in the Ohio Revised Code. Any person who violates any provision of this section shall, upon a third or subsequent offense, be guilty of a misdemeanor of the first degree (M1) and subject to the penalties set forth in the Ohio Revised Code.
- (b) Strict liability is intended for a violation of this section.