

TO: Village Council
FROM: Scot F. Lahrmer, Village Manager
DATE: December 5, 2014
RE: Nuisance Abatement – Request to Place Lien

ITEM: To place a lien on property for expenses incurred by the Village for nuisance abatement.

ACTION REQUESTED: By motion, adopt **Resolution 2014-36** requesting the Hamilton County Auditor place a lien against properties for nuisance abatement expenses incurred by the Village.

PURPOSE: To seek reimbursement for the Village’s expenses related to the nuisance abatement.

The Village’s property maintenance code requires property owners to maintain a grass height below 10 inches and to remove noxious weeds. The Village pursued its notification procedures to seek compliance through the property owners of record. After exhausting its notification process without remedy of the violations, the Village abated the violations and billed the property owners for the cost of equipment and labor as described on Exhibit A.

Since the property owners have failed to reimburse the Village for its costs for a total of \$805 incurred to bring their properties into compliance with the property maintenance code, the next step available to the Village to collect reimbursement is to proceed to place a lien on the properties through the Hamilton County Auditor’s Office. A 15% administrative fee is included. A lien will be applied to following properties:

7258 Laurel Oak Lane	\$517.50
7085 Elbrook Avenue	\$287.50

Resolution 2014-36 authorizes a request to be sent to the Hamilton County Auditor to place a lien on these properties for the amounts described in Exhibit A.

If you have any questions, please let me know.

PASSED:
BY:

RESOLUTION NO. 2014-36

RESOLUTION REQUESTING THE HAMILTON COUNTY AUDITOR TO PLACE
LIEN AGAINST PROPERTY FOR NUISANCE ABATEMENT EXPENSES
INCURRED BY THE VILLAGE

WHEREAS, the Village of Amberley adopted a Property Maintenance Code to assist in the regulation and enforcement of certain rules to protect and promote the health, safety, and welfare of residents and property owners in the Village;

WHEREAS, under the Property Maintenance Code, delinquent owners may be assessed the cost of nuisance abatement activities and other maintenance undertaken by the Village;

WHEREAS, such costs incurred by the Village may be assessed as a lien against the subject property by filing such assessment with the Hamilton County Auditor,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF AMBERLEY VILLAGE, STATE OF OHIO, _____ (___) members elected thereto concurring,

SECTION 1: That the Hamilton County Auditor is hereby requested to place a lien on real property in favor of and on behalf of Amberley Village pursuant to Ohio Revised Code 731.54 and Village Code of Ordinances 159.083 et seq. Said property is referenced and attached hereto as Exhibit A and made a part hereof. The Village Clerk is directed to provide a certified copy of this Resolution to the Auditor for collection.

SECTION 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed this 8th day of December, 2014.

Mayor Thomas C. Muething

Attest:

Nicole Browder, Clerk of Council

I, Clerk of Council of Amberley Village, Ohio, certify that on the ___ day of December, 2014, the forgoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council

Exhibit A

Type of Assessment	Amount of Assessment	Property Owner	Property Address	Parcel Number(s)
High Grass/Noxious Weeds	\$517.50	CHOI, CHANG	7258 Laurel Oak Lane	526-0080-0072-00
High Grass/Noxious Weeds	\$287.50	CHESLEY, MARCIA	7085 Elbrook Avenue	526-0080-0026-00