

ORDINANCE NO. 2020-25

Introduced by: Joel Hagy

AN ORDINANCE AMENDING AND RESTATING SECTION 521.06 OF THE CODIFIED ORDINANCES OF THE CITY OF HURON RELATING TO THE DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Huron seeks to improve the condition of sidewalks within the City of Huron to protect and preserve the health, safety and welfare of the residents of the City; and

WHEREAS, the Interim City Manager and the City of Huron Building and Zoning Department recommend enhancement and upgrades to Section 521.06 of the Codified Ordinances of the City of Huron to establish a comprehensive program for sidewalk repairs throughout the City, and to permit the Finance Director to certify to the Erie County Auditor any and all unpaid amounts for sidewalk repair as a lien on the relevant tax duplicate when appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

Section 1. This Council hereby declares that Section 521.06 of the Codified Ordinances of the City of Huron shall be fully amended and restated to state as follows:

“521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN

(a) No owner or occupant of any lot or land abutting upon any street shall refuse, fail or neglect to construct, repair, or keep in repair and free from snow, ice or any nuisance, the sidewalks, curbs or gutters in front of such lot or land after due notice of a Resolution of Council ordering the construction or repair of such sidewalk, the removal of such obstruction, or the abatement of such nuisance. (ORC. 723.011.) Construction shall conform with the provisions of Chapters 901, 903, 1117 and 1119 of the Codified Ordinances.

If the owner or person having charge of such land fails to comply with such notice, Council shall cause the sidewalks to be constructed or repaired. All expenses and labor costs incurred shall, when approved by Council, be paid out of City funds not otherwise appropriated. Council shall make a written return to the County Auditor of its action, with a statement of the charges for its services, the amount paid for labor and material, the fees of the officers serving such notices, and a proper description of the premises. Such amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the City.

(b) In the event the City enters a lien upon the tax duplicate as provided in subsection (a) hereof, the Finance Director shall certify to the County Auditor for recording such lien in the following manner:

(1) If the amount of construction or repair is equal to or less than \$5,000.00, the amount due shall be divided into ten (10) semiannual payments and collected with the immediate

and subsequent tax years as applicable. The Finance Director shall add to the amount due interest at the rate of the Federal Reserve Prime Interest Rate as of June 1 of the current year, but in no event an amount less than \$25.00.

(2) If the amount of construction or repair is greater than \$5,000.00, the amount due shall be divided into twenty (20) semiannual payments and collected with the immediate and subsequent tax years as applicable. The Finance Director shall add to the amount due interest at the rate of the Federal Reserve Prime Interest Rate as of June 1 of the current year, but in no event an amount less than \$25.00.

(c) Whoever violates this section is guilty of a minor misdemeanor.”

Section 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. § 121.22.

Section 3. That this Ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that the implementation of amended and restated Section 521.06 of the Codified Ordinances is necessary to have certain sidewalks in the City repaired to protect pedestrian traffic, and, wherefore, in accordance with 3.06 of the Charter of the City of Huron, Ohio, this Ordinance shall be in full force and take effect immediately following its adoption.



Sam Artino, Mayor

ATTEST: 
Clerk of Council

ADOPTED: 22 SEP 2020



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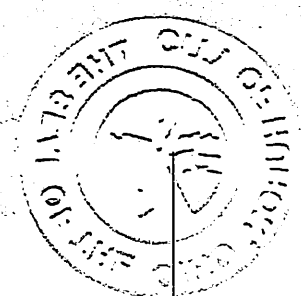
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