

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 09- 17 - 21

AN ORDINANCE ADOPTING AND IMPLEMENTING THE PROCEDURES UNDER CHAPTER 5722 OF THE OHIO REVISED CODE TO FACILITATE REUTILIZATION OF NONPRODUCTIVE LAND SITUATED IN THE CITY OF CLAYTON AND FURTHER ADOPTING AND IMPLEMENTING THE PROCEDURES UNDER CHAPTER 323.65, ET. SEQ. OF THE OHIO REVISED CODE TO FACILITATE REUTILIZATION OF ABANDANED LAND SITUATED IN THE CITY OF CLAYTON AND DECLARING AN EMERGENCY

WHEREAS, economic development and revitalization have been and continue to be goals of the City; and

WHEREAS, the goal of economic development and revitalization contemplates turning nonproductive lands within the City into productive lands that generate tax revenues or are in the public interest; and

WHEREAS, Chapter 5722 of the Ohio Revised Code sets forth procedures to facilitate the effective reutilization of nonproductive land situated within the municipal corporate boundaries; and

WHEREAS, the existence of nonproductive land within the boundaries of the City is such as to necessitate the implementation of a land reutilization program to foster the return of such nonproductive land to tax revenue generating status or the devotion thereof to public use; and

WHEREAS, Sections 323.65 through 323.79 of the Ohio Revised Code sets forth a mechanism to facilitate an Expedited Foreclosure Process for abandoned land in accordance with said Sections of the Ohio Revised Code to facilitate redevelopment through the tax foreclosure process; and

WHEREAS, the existence of abandoned land within the boundaries of the City is such as to necessitate the implementation of a land reutilization program to foster the return of such land to tax revenue generating status or the devotion thereof to public use; and

WHEREAS, for the immediate preservation of the public peace, property, health, safety, and welfare, it is necessary that this Ordinance take effect at an early date.

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

1. That the Council of the City of Clayton hereby finds that the existence of nonproductive land within the boundaries of the City of Clayton, as such land is defined in Section 5722.01 of the Ohio Revised Code, is such as to necessitate the implementation of a land reutilization program

to foster either the return of such nonproductive land to tax revenue generating status or the devotion thereof to public use.

2. The City of Clayton hereby adopts, implements and agrees to abide by the provisions of Chapter 5722 of the Ohio Revised Code for a land reutilization program as therein provided.

3. That the Council of the City of Clayton hereby finds that the existence of abandoned land within the boundaries of the City of Clayton, as such land is defined in Section 323.65 of the Ohio Revised Code, is such as to necessitate the implementation of a land reutilization program to foster either the return of such abandoned land to tax revenue generating status or the devotion thereof to public use.

4. The City of Clayton hereby adopts, implements and agrees to abide by the provisions of Chapter 323 of the Ohio Revised Code applicable to the Expedited Foreclosure Process, including but not limited to, Sections 323.65 through 323.79 of the Ohio Revised Code, for a land reutilization program as therein provided.

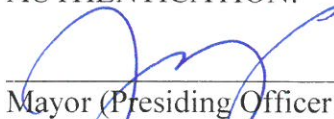
5. That in accordance with Clayton Charter Section 4.031(B) the requirement that this ordinance be read on two (2) different days is dispensed with by affirmative vote of at least five (5) of the members of Council.

6. That unless this Ordinance is immediately enacted the public peace, health, safety and welfare will be detrimentally affected because in order to begin utilizing the land reutilization procedures adopted herein, it is necessary the Ordinance take effect immediately such that the City may forthwith address nonproductive and/or abandoned lands within the City. Accordingly, pursuant to Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

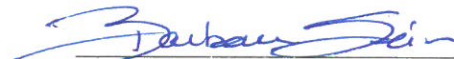
7. The Clerk of Council is hereby authorized and directed, upon passage of this Ordinance to transmit certified copies of same to the Montgomery County Auditor and Montgomery County Treasurer and the Montgomery County Prosecutor.

ADOPTED BY COUNCIL ON SEPTEMBER 21, 2017.

AUTHENTICATION:




Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Date of publication

Englewood Independent September 28, 2017

Barbara Seix

CLERK

CERTIFICATION

This shall certify that this is a true and correct copy of Ordinance No. O-09-17-21 enacted by Council on September 7, 2017, recorded in the permanent minutes and records of the City of Clayton, Ohio, and which remains in full force and effect as of the date of this certification.

Barbara Seix

Clerk of Council

Dated: September 25, 2017