

RESOLUTION 2009-24

A RESOLUTION CONFIRMING THAT THE CONDITION OF THE HIRAM ELEMENTARY SCHOOL IS SUCH THAT IT IS A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY AND AUTHORIZING THE VILLAGE ADMINISTRATION TO TAKE ENFORCEMENT ACTION AS IS SET FORTH IN OHIO REVISED CODE CHAPTER 715 AND ELSEWHERE, TO REMEDY THE PUBLIC NUISANCE CONDITIONS AT THE HIRAM VILLAGE ELEMENTARY SCHOOL AND DECLARING AN EMERGENCY

WHEREAS, the Village of Hiram has previously determined by virtue of Ordinance 2009-16 that the Hiram Elementary School is a public nuisance; and

WHEREAS, the Council of the Village of Hiram has taken steps to correct the public nuisance conditions at the Hiram Elementary School; and

WHEREAS, the Council of the Village of Hiram has determined that it is appropriate that the owner of the Hiram Elementary School be responsible, both financially and otherwise, for remedying the public nuisance that presently exists at the Hiram Elementary School.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF HIRAM, PORTAGE COUNTY, OHIO, two thirds or more of the members thereto concurring that:

SECTION ONE: The findings as set forth in Ordinance 2009-16 are hereby determined to continue to exist at the Hiram Elementary School.

SECTION TWO: The Village Administration, including but not limited to, the Village Administrator, the Fire Chief and the Police Chief are hereby authorized to pursue correction of the public nuisance conditions which exist at the Hiram Elementary School, pursuant to Ohio Revised Code Chapter 715, and in compliance with and as may be established elsewhere in Ohio law, so that the Hiram Elementary School is restored to a useful condition, or razed, so that in all circumstances the school is no longer a public nuisance.

SECTION THREE: That the Village Administrator and all other members of the Hiram Village Administration are hereby authorized and directed to take all steps necessary to obtain reimbursement for the Village of Hiram for all monies expended and expenses incurred by the Village in correcting and ending the public nuisance which presently exists at the Hiram Elementary School.

SECTION FOUR: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

SECTION FIVE: This Ordinance is declared to be an emergency measure so as to immediately remedy the public nuisance condition of the Hiram Elementary School, so that the blighting influence on the Village of Hiram is corrected, and further to take steps to ensure the health, safety and welfare of the community by obtaining reimbursement to the Village of Hiram for all funds the Village of Hiram has expended and will expend in order to bring the Hiram Elementary School into such a condition that it is no longer a public nuisance, or to raze the building and in that fashion eliminate the public nuisance.

Passed as an emergency at the October 13, 2009 meeting of Council.

Mayor Lou Bertrand
Mayor Lou Bertrand

ATTEST:

Kay E. Ziska
Fiscal Officer

Approved as to Form:

Thomas Kelly
Solicitor

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2009-24 has been duly posted in the required 5 places.

10-15-09 Kay E. Ziska
Date Fiscal Officer, Village of Hiram