

ORDINANCE NO. 39-23

AN ORDINANCE TO AMEND SECTION 1379.02 OF THE CITY OF CONNEAUT CODIFIED ORDINANCES GOVERNING VACANT REGISTRATION DEFINITIONS, AND NOT DECLARING AN EMERGENCY.

BE IT ORDAINED, by the City of Conneaut, County of Ashtabula and State of Ohio:

SECTION 1. That Section 1379.02 of the City of Conneaut Codified Ordinances is hereby amended as follows:

1379.02 DEFINITIONS.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

- a) "Owner." For purposes of this chapter, owner means any person, in whose name the property is titled and any person, agent, servicing company, firm, third party, financial institution or bank that has an interest in the property as a result of an assignment, sale, mortgage, transfer of a mortgage, or similar instrument or having an agreement with any one of the above for the purpose of securing and/or managing the property.
- b) "Secured by other than normal means." A building secured by means other than those used in the design of the building.
- c) ~~"Unoccupied." Any property, building or structure, or any part thereof, where no person actually and lawfully resides, or where no lawful activity is being operated. A building which is not being used for the occupancy authorized by the owner.~~
- d) ~~"Lawful activity". The current use of the structure is also that which the structure was built for or intended to be used for, or, the owner of the structure has applied for and received a zoning certificate allowing a change in use, and the structure is in compliance with applicable building, zoning and fire codes.~~
- e) ~~"Abandoned". A building which is unoccupied and:

 - 1) ~~Holds a mortgage status of abandonment (i.e. deceased or foreclosed); or~~
 - 2) ~~Unoccupied and has taxes in arrears for a period of time exceeding 365 days.~~~~
 - e) "Unsecured." A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.
 - e)g) "Vacant Building." ~~A commercial, industrial, or residential detached building; or a semi-detached building with ownership separated by a common wall which is unoccupied for a period of time exceeding ninety (90) consecutive days (excluding government-owned buildings) and one or more of the following: A building (excluding government-owned buildings) which is:~~
 - 1) Unoccupied and unsecured; or
 - 2) Unoccupied and secured by other than normal means; or
 - 3) Unoccupied and an unsafe building as determined by the Planning and Zoning Department, County Building Department or Fire Inspector; or
 - 4) Unoccupied and having utilities disconnected; or
 - 5) Unoccupied and has housing, property maintenance, fire code or building code violations; or

- 6) Illegally occupied, which shall include loitering and vagrancy; or
- ~~7) Unoccupied for a period of time over ninety (90) days and having an existing code violation issued by the Planning and Zoning Manager; or~~
- ~~8) 7) Unoccupied with a mortgage status of abandonment (i.e. deceased or foreclosed); and has one or more broken or boarded windows; or~~
- 8) Unoccupied and abandoned by the property owner; or
- 9) Used for other than a permitted use in the zoning district in which the property is located, unless the property owner has provided documentation of a legal non-conforming use.

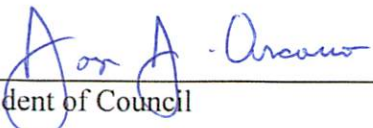
~~f)h)~~ "Evidence of vacancy." Any condition that on its own or combined with other conditions present would lead a reasonable person to believe the property is vacant. Such conditions include, but are not limited to: significantly below standard utility usage, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, broken or boarded up windows, abandoned vehicles, auto parts or materials, the absence of window coverings, such as curtains, blinds, and/or shutters, the absence of furnishings and/or personal items consistent with habitation or occupation, statement(s) by governmental employee(s) that the property is vacant.

SECTION 2. That all other prior ordinances found to be inconsistent with this ordinance are hereby repealed.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council or any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is not declared to be an emergency measure in the interests of public peace, health and safety and, shall take effect thirty (30) days after passage.

Passed this 10TH day of April, 2023.



President of Council

ATTEST:



Clerk of Council