

Ordinance No. 1022-2023

By Council Members Hairston and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE
To amend Section 138.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1266-02, passed January 27, 2003, relating to enhancing the City's ability to address nuisance properties.

WHEREAS, Ordinance No. 1213-17 passed by Council on October 16, 2017 and subsequent ordinances of the same nature, provided for additional appropriations to enhance the City's ability to demolish residential and commercial properties; and

WHEREAS, in addition to demolition, there is a need to address nuisance properties by other means including but not limited to, making repairs to properties necessary to protect the public health, safety and welfare; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Section 138.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1266-02, passed January 27, 2003, is amended to read as follows:

Section 138.07 City Demolition Repair, Demolition, and Board-Up Contracts

Notwithstanding any provision of the Codified Ordinances to the contrary and subject to meeting any legal requirements, the Director of Building and Housing may enter into contracts to abate properties declared a public nuisance, and for the boarding-up and/or demolition of structures which are found to be unsafe structures and declared public nuisances pursuant to the provisions of ~~Section~~ Sections 367.05 or 3103.09 of the Codified Ordinances. Should the Director of Building and Housing declare a public nuisance and find that an unsafe structure or property conditions ~~constitutes~~ constitute an emergency situation, then the Director of Building and Housing may enter into a contract for the boarding-up and/or demolition of such an unsafe structure, or the repair of the property conditions, without advertising and without competitive bidding.

Section 2. That existing Section 138.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1266-02, passed January 27, 2003, is repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

RC:nl
9-18-2023
FOR: Director Martin O'Toole

