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CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2024- **11**

Introduced By: Mr. Meany
Co-Sponsors: Mr. Ali, Mr. McGregor

A RESOLUTION FINDING AND DECLARING THE SINGLE-FAMILY RESIDENTIAL STRUCTURE LOCATED AT 6774 MIDDLEBROOK BOULEVARD A NUISANCE AND SPECIFYING DEMOLITION AS NECESSARY TO ABATE SUCH NUISANCE, AND DECLARING AN EMERGENCY

WHEREAS, Carol J. Green, the owner of a single-family residence located at 6774 Middlebrook Boulevard in the city of Middleburg Heights, permanent parcel number 372-07-027, passed away on October 9, 2022, and the house has been vacant since; and

WHEREAS, on April 14, 2023, the Cuyahoga County Court of Common Pleas Probate Division appointed Cynthia Ernst, Esq., to serve as Administrator of the Estate of Carol Jean Green; and

WHEREAS, there is a history of property maintenance violations dating back to 2003; and

WHEREAS, the Cuyahoga County Board of Health Sanitarian, the Building Commissioner, the Property Maintenance/Housing Inspector, and A.M.R. Appraisals, Inc. have inspected the building, taken photographs, and submitted reports on the condition of the building (copies attached); and

WHEREAS, the Building Commissioner has determined the building is in such a state of disrepair and deterioration that it is a menace to the public health, welfare, and safety; it is structurally unsafe, unsanitary, constitutes a fire hazard, is dangerous to human life and is no longer fit and habitable and that said nuisance should be abated as quickly as possible by demolition.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1. That the Council of the City of Middleburg Heights hereby finds and declares the single-family residential structure and the trees and vegetation on the property located at 6774 Middlebrook Boulevard in the City of Middleburg Heights, Permanent Parcel number 372-07-027 to be a nuisance and the nuisance should be abated by demolition as quickly as possible.

Section 2: That the Building Commissioner is directed to attach appropriate notices(s) of nuisance and abatement on the building and the Law Director is hereby directed and authorized to cause a title report to be ordered and to cause a 30-day notice to be sent as required by Ohio Revised Code 715.26 (B) to interested parties identified by the title report and to known next of kin.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of said City. Wherefore, provided this Ordinance receives the affirmative vote of at least two-thirds (2/3) of the members of Council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 2/13/24

Dward M. Bortolotto
President of Council

Attest: *M. Meola*
Clerk of Council

Approved On: 2-15-24

Presented to Mayor: 2/14/24

Matthew Costa
Mayor

	Yea	Nay
Bortolotto	<u>X</u>	_____
Ali	<u>X</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
	_____	_____

CERTIFICATE

I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Res. 2024-11 passed on the 13th day of February, 2024 by said Council.

Mary Ann Meola
Clerk of Council

I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Res. 2024-11 adopted by the Council of the City of Middleburg Hts., on 2/13/24 was posted for a period of fifteen days, beginning 2/15/24 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meola
Clerk