

North Canton City Council  
Ordinance, Rules and Claims Committee

Ordinance No. 93 - 2017

An ordinance amending Chapter 1701, Minimum Housing Code, specifically subsection 1701.03(d)(1), Notice of Violation, of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.

WHEREAS, the City of North Canton wishes to ensure landlords, as described by Ohio's Landlord/Tenant Act, Ohio Revised Code Chapter 5321, comply with the requirements of the City's Minimum Housing Code; and

WHEREAS, the City recognizes that portions of the Minimum Housing Code materially affect residents' health and safety; and

WHEREAS, violations of the Minimum Housing Code that affect residents' health and safety require a more expeditious response than those that do not; and

WHEREAS, to affect a more expeditious response to violations of the Minimum Housing Code that affect residents' health and safety, the Director of Permits shall have the authority to require the landlord to remedy such violations within a reasonable time considering the severity of the violation and the time necessary to remedy them.

WHEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 1701, Minimum Housing Code, specifically subsection 1701.03(d)(1), Notice of Violation of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

(d)(1) Notice of Violation.

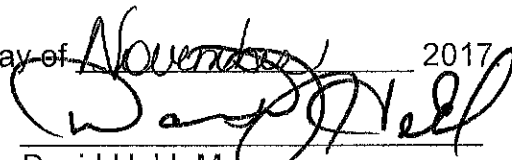
Whenever the Superintendent of Permits and Inspection or other City department heads or their representatives find any dwelling, structure or premises, or any part thereof, to be in violation of the provisions of this Housing Code, the Superintendent of Permits and Inspection shall cause written notice thereof to be served upon the operator and owner of record of such property, and to the holder of legal or equitable liens of record upon the real property on which such dwelling, structure, structure, or premises, or any part thereof is located. Such notice shall state the violation therein and require the operator or owner, within a stated reasonable time, which shall not be less than thirty days, to remedy the violation, together with notice of the City's intent to prosecute noncompliance therewith.

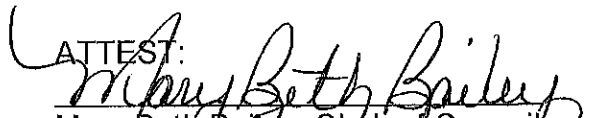
If the violation involves the owner or operator's failure to provide necessities, such as heat, running water, etc., specifically those described in Ohio Revised Code subsection 5321.04, Landlord obligations, subsection (6), as may be amended from time to time, the notice described herein shall require the owner or operator to remedy the violation within a reasonable time considering the severity of the violation and the time necessary to remedy it.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to authorize the Director of Permits to require prompt repairs for Housing Code violations involving necessities provided to rental or leased properties; provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 13<sup>th</sup> day of November, 2017

  
David Held, Mayor

ATTEST:  
  
Mary Beth Bailey, Clerk of Council

Signed: 11/21, 2017