

RECORD OF RESOLUTIONS

Resolution No. 31-2023

Passed: August 8, 2023

A RESOLUTION AUTHORIZING THE COST AND EXPENSE TO ABATE NUISANCE PROPERTY VIOLATIONS AT 313 WILSON PARK DRIVE BE SUBMITTED TO THE MONTGOMERY COUNTY AUDITOR'S OFFICE FOR ASSESSMENT TO THE PROPERTY OWNERS' PROPERTY TAX.

WHEREAS, §158.06 of the Codified Ordinance of West Carrollton, Ohio provides that costs incurred by the city shall be recovered for actions taken at the direction of the legal officer to restrain, correct or abate a violation of the Property Maintenance code; and

WHEREAS, §158.99 of the Codified Ordinance of West Carrollton, Ohio provides that the cost of such abatement shall be billed to the owner for the amount incurred by the city and that such amount shall be entered upon the tax duplicate if the bill is not paid within 30 days after mailing of the bill; and

WHEREAS, the property at 313 Wilson Park Drive experienced a significant property violation that required immediate attention due to health and safety concerns and that the city contracted with MAKsolve to perform the abatement at a cost of \$28,829.71 plus an allowed administrative fee of \$187 per §37.30; and

WHEREAS, the property owner has requested that said costs be assessed against the tax duplicate in a manner that would allow the repayment in ten (10) annual installments.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, MONTGOMERY COUNTY, OHIO:

Section 1: The Finance Director shall submit the cost to abate the nuisance at 313 Wilson Park Drive to the Montgomery County Auditor's office in an amount of \$29,016.71, which does not include any permitted fees by the County Auditor, to be assessed to the property owners' property tax.

Section 2: That the cost incurred by the City of West Carrollton of \$29,016.71 plus any allowable fees by the County Auditor that are assessed upon the property and lien thereon shall be collected, as provided by law, in ten (10) annual installments to include any penalty and interest.

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

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Section 4: That this Resolution shall take effect from and after the earliest period allowed by law.

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Mayor

Attest: Tracy Moore
Clerk of Council

Effective Date: August 8, 2023