

RECORD OF ORDINANCES

Ordinance No. 12-2347

Passed August 15, 2012

Village of Leetonia, Ohio

AN ORDINANCE REQUIRING NOTIFICATION OF FORECLOSURE FILINGS FOR THE VILLAGE OF LEETONIA, STATE OF OHIO.

Whereas, there has been a rise in foreclosure filings concerning property within the Village:
and

Whereas, foreclosure filings are often an early warning sign that real property is in decline and headed toward vacancy: and

Whereas, immediate notice of foreclosure filings would enable the Village to identify, monitor and address potential problem properties and assist the Village in the enforcement of Village Zoning and Building Codes and/or Ordinances and help prevent these properties from having a blighting effect on the Village.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LEETONIA, STATE OF OHIO:

SECTION ONE: DEFINITIONS

1.1 "Person" means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, limited liability company, trust or association. However, "Person" shall not mean Columbiana County Prosecutor's Office and/or Columbiana County Treasurer as such entities are specifically excluded from this definition.

2.1 "Vacant" means that no person actually and lawfully resides in any part of the residential structure, or that no person conducts a lawful business in any part of the building.

SECTION TWO: NOTICE TO THE VILLAGE OF FORECLOSURE FILING

Any person who files a complaint for foreclosure involving real property located within the Village on which there is a building or structure shall notify the Village of the filing of the foreclosure complaint with the Village Zoning Officer within ten days after the filing of that complaint with the relevant court. The notice to the Village shall be on the form prescribed by the Zoning Officer.

SECTION THREE: PERSON RESPONSIBLE FOR MAINTENANCE

3.1 If the building or structure on the property that is the subject of foreclosure is vacant at the time the foreclosure complaint is filed, then the person filing the foreclosure complaint shall notify the Village of the name, address and contact information of the person who will be responsible for maintaining the property.

3.2 If the building or structure on the property that is the subject of foreclosure becomes vacant at any time after the foreclosure complaint is filed, then the person who filed the foreclosure complaint shall notify the Village of the name, address and contact information of the person who will be responsible for maintaining the property within ten days of the vacancy.

3.3 If at any time during the foreclosure proceedings there is a change in the person responsible for maintaining the property, then the person filing the foreclosure complaint shall notify the Village of the name, address and contact information of the person who will be, or who has assumed responsibility for maintaining the property within ten days of such change.

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

SECTION FOUR: FEES

The filing fee for "Notification of Foreclosure Filing" filed with the Zoning Officer within ten days of the foreclosure complaint being filed with the relevant court is seventy five dollars (\$75.00). The filing fee for "Notification of Foreclosure Filing" filed with the Zoning Officer more than ten days after the foreclosure complaint is filed with the relevant court is one hundred dollars (\$100.00). The fee shall be paid at the time of notification.

SECTION FIVE: PENALTIES

Any person who fails to comply with the notification and /or fee requirements of this ordinance is guilty of a minor misdemeanor and shall not be fined more than one hundred and fifty dollars (\$150.00). Each day during which noncompliance continues shall be considered a separate offense.

SECTION SIX: All Ordinances or parts of ordinances in conflict with this instant ordinance are hereby repealed and held for naught.

SECTION SEVEN: This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.


First Reading July 18, 2012

Second Reading August 1, 2012

Third Reading August 15, 2012

Passed August 15, 2012

Attest:


Randal E. Chismar, Fiscal Officer


Arthur V. Altomare, Village Mayor

Walter L. Newton, Jr., Solicitor

CERTIFICATION OF POSTING

The undersigned, Fiscal Officer of the Village of Leetonia, Ohio, hereby certifies that there is no newspaper printed in said municipality, and that the publication of Ordinance No. # _____ was duly made by posting true copies thereof at five of the most public places in said Village as authorized and determined by Council, as follows:

1. Leetonia Village Hall
2. Leetonia Public Library
3. Farmer's National Bank
4. G & F Jewelry
5. Leetonia Post Office

Each for the period of fifteen (15) days, commencing on the _____ day of _____, 2012.

Dated _____

Fiscal Officer