

(Placed on first reading July 19, 2010, second reading Sept. 8, 2010; referred out of Housing Committee and to Committee of the Whole Oct. 4, 2010. Please substitute for the original.)

ORDINANCE NO.— 55-10

BY:

~~— An Ordinance~~ AN ORDINANCE to ~~amend~~ take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force at the earliest period allowed by law. amending certain provisions of Chapter 1306, Property Maintenance and Safety Code, of the Codified Ordinances of the City of Lakewood for the purpose of updating housing license requirements.

WHEREAS, the City of Lakewood has in place a housing license program for occupied residential dwelling units; and

WHEREAS, the City has decided to augment the current housing license program to capture all residential rental units, whether occupied or not; and

WHEREAS, the City has also decided to also augment the current housing license program to include the required registration of vacant property, whether residential or commercial; and

WHEREAS, the City has decided to further augment the housing and vacant property license program by placing additional requirements to obtaining an housing or vacant property license that are designed to encourage responsible property ownership. ~~— Now;~~ and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, this Council by a vote of at least five (5) members thereof determines that this ordinance is an emergency measure and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD and that it is necessary for the immediate preservation of the public property health and safety and to provide for the usual daily operation of municipal departments in that license applications are to be sent June 1, 2011 and are due by July 1, 2011; now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That Section 1306.43, ~~Housing License,~~ of the Lakewood Codified Ordinances of the City of Lakewood, Housing License, currently reading as follows:

1306.43 HOUSING LICENSE.

- (a) — No person shall let, rent, lease, conduct, operate, occupy, maintain or own any building or portion of any building in which there is one or more rental dwelling units or in which a rooming house is operated, or own any interest therein, unless a housing license as provided in this chapter has been applied for, issued and is in force.
- (b) — Condominium property as the same is defined in Ohio R.C. Chapter 5311, shall be required to obtain a housing license as provided herein, which license shall be obtained by the owner of the condominium property, or by the unit owners association at such time such association has been formed.

Is shall be and is hereby amended to read as follows:

1306.43 HOUSING AND VACANT PROPERTY LICENSE-

(a) — Application.— This ordinance section applies to:

- (1) ~~Any~~ any structure or portion of any structure in which there is one or more rental dwelling units or in which a rooming house is operated, whether occupied or not;
- (2) ~~Condominium~~ condominium property as defined in Ohio R.C. Chapter 5311, whether occupied or not:
 - (i) ~~, in which case~~ the owner of the condominium property or the unit owners association shall be required to obtain the housing license as provided herein.—; and
- (3) ~~Vacant~~ vacant dwelling structures or commercial structures, whether rental property or not.

(b) — Limitations.— This Ordinance section does not apply to lawful one- and two-family structures occupied in part or wholly by the ~~owners~~ owner as the ~~owners'~~ owner's principal residence.

(c) — In general.-

(1) ~~A property owner~~ No person shall ~~not~~ rent a dwelling unit or a portion of a dwelling unit unless the property owner has been issued a housing license as provided for in this ordinance.

(2) ~~A tenant shall not rent~~ cause to be rented a dwelling unit or a portion of a dwelling unit to another ~~tenant or a sub-tenant~~ unless the ~~tenant~~ person has been issued a housing license as provided for in this ordinance section.

(3) ~~(3)~~
 (2) Except as provided in Section 1306.43(a)(4), ~~an~~ no owner of a structure shall ~~not~~ maintain or cause to be maintained the structure in a vacant or abandoned status as defined in Section

Formatte
New Rom
 Formatte
1.5", Hang
 Formatte
New Rom
 Formatte
New Rom
 Formatte
New Rom
 Formatte
New Rom
 Formatte
New Rom
 Formatte
Roman, 8

~~1306.72 without having been issued a vacant property license as provided for in this ordinance section.~~

Formatted
New Rom

~~(4) An entity with legal rights to a property~~

Formatted
New Rom

~~(3) No person in control of a property other than an owner, including but not limited to a bank, mortgage company mortgagee, property holding company, mortgagee of record or a lien holder of record, property manager or lienholder, shall not maintain the property in a vacant or abandoned status as defined in Section 1306.72 except that the period of vacancy shall not exceed for longer than three months; without having been issued a vacant property license as provided for in this ordinance section.~~

~~(d) Required licenses.~~

~~(1) A housing license is required for each dwelling unit in a structure.~~

~~(2) A vacant property license is required for each vacant residential or commercial structure.~~

~~(3) The Assistant Director of Public Safety for Building, Building Commissioner or Assistant Building Commissioner or a Designee (hereinafter his or her designee (as used in this section, "Building Commissioner") shall determine at the his or her sole discretion of the Building Commissioner the number of dwelling or commercial units that are contained existing within a structure.~~

~~(e) Issuance. The Building Commissioner shall issue the applicable license to each applicant that meets meeting the requirements of this Ordinance section.~~

~~(f) Scope. A license authorizes a property owner or a tenant licensee to rent a dwelling unit or a portion of a dwelling unit or permits a property to be maintained in a vacant status.~~

Section 2. —That Section 1306.44, ~~License Application Form and Fee~~, of the Lakewood Codified Ordinances, License Application Form and Fee, currently reading as follows:

1306.44 LICENSE APPLICATION FORM AND FEE.

(a) Every application for a housing license shall be on a form approved by the official charged with the enforcement of this Code. It shall state the name and address of the applicant, the nature and extent of his interest in the building for which the license is required, the name and address of the owner of the building, the location of the building, the number of rooms therein, the number of dwelling units therein, the number of rooming units therein and such other information as may be required by the official charged with the enforcement of the Code.

Formatted
Roman, 8

- (b) — No housing license shall be issued unless the applicant tenders, on the application form identified in subsection (a), the full names of all adult tenants and the number of minor tenants living in the residential property as of the date the application is tendered to the City and, if applicable, the dwelling unit numbers in which the tenants reside.
- (c) — The housing license fees shall be as follows: owner occupied condominium units - two dollars (\$2.00); nonowner-occupied condominium units - six dollars (\$6.00); owner-occupied three-family dwellings - twenty-five dollars (\$25.00) per dwelling unit or rooming unit; all non owner-occupied one and two family dwellings - seventy five dollars (\$75.00) per dwelling unit or rooming unit; all other structures requiring housing licenses pursuant to Section 1306.43 - thirty dollars (\$30.00) per dwelling unit or rooming unit.
- (d) — For all other structures requiring housing licenses pursuant to Section 1306.43, the housing license fee shall be as follows: thirty-five dollars (\$35.00) per dwelling unit or rooming unit beginning March 1, 2007 - forty dollars (\$40.00) per dwelling unit or rooming unit beginning March 1, 2008; and forty-five dollars (\$45.00) per dwelling unit beginning March 1, 2009.
- (e) — Housing license fees shall be for the purpose of paying the cost of periodic inspections and in no case shall the fee provided for herein be less than thirty-five dollars (\$35.00) per building beginning March 1, 2007 - forty dollars (\$40.00) per building beginning March 1, 2008; forty-five dollars (\$45.00) per building beginning March 1, 2009; multiple-family buildings and rooming units in which individual suites and/or rooms must be inspected - three thousand dollars (\$3,000); and condominium buildings in which common areas, including exteriors, will be inspected - two thousand dollars (\$2,000).
- (f) — No housing license shall be required for a lawful one- and two-family ~~structures~~ structure occupied by the owners as the ~~owners'~~ owner's principal residence.
- (g) — Any housing license required pursuant to Section 1306.43 not secured by the applicable dates stated in Section 1306.47 (a) and (b) shall incur a late fee of twenty-five dollars (\$25.00) per structure for which the housing license is required.
- (h) — Any person who knowingly or willfully supplies false or misleading information regarding the names, dwelling units and number of tenants in an application for a housing license, or who knowingly or willfully omits the names or, if applicable, dwelling units or number of his or her tenants in the application, shall be subject to the same penalties as provided for in Section 1306.99 of the Codified Ordinances.

It shall be and is hereby amended to read as follows:

1306.44 LICENSE APPLICATION FORM AND FEE.

- (a) — In general. — An applicant for a housing or vacant property license shall:

(1) ~~Submit~~ submit to the Building Commissioner ~~an application on the form the~~ or his or her designee (as used in this section, "Building Commissioner provides; and

~~(2) Submit the respective Housing or Vacant Property Inspection Checklist provided") an application on a form prescribed by the Building Commissioner; and~~

(2) submit with the application time- and -date- stamped photographs of the front, side -and rear of the exterior of the -structure, including -yards, patios, driveways, garages and parking areas; and

(3) ~~Except~~ except as provided for in ~~1306.44~~ division (a)(4) of this section, in the case of an application for a housing license, certify that the applicant or an agent of the applicant has complied with at least two of the following requirements if the applicant has not had a housing license declared null and void pursuant to Section 1306.48:

A. ~~A written lease is utilized that delineates landlord and tenant~~ that the applicant uses a written rental agreement as defined in O.R.C. Section 5321.01(D); or

~~responsibilities; and/or~~

B. ~~A~~ that the applicant uses a reputable tenant screening agency ~~is utilized~~ for criminal and eviction background checks; ~~and/or~~

C. ~~The~~ that the applicant or agent of the applicant has within the past three years attended a landlord-tenant informational seminar, approved by the Building Commissioner; and

~~(4) Certify that the applicant or an agent of the applicant has complied with all three of the requirements in section 1306.44(a)(3) and demonstrate compliance with all outstanding Chapter 1306 citations and with any outstanding Chapter 510 fees if the applicant has had a housing license declared null and void pursuant to 1306.48 in any of the previous two years.~~

(4) in the case of an application for a housing license, if the applicant has had a housing license declared null and void pursuant to Section 1306.48 in the previous two years, certify that the applicant or an agent of the applicant has complied with all three of the requirements in Section 1306.44(a)(3) and demonstrate compliance with all outstanding citations or correction notices issued pursuant to Chapter 1306 and with any outstanding fines or assessments issued pursuant to Chapter 510; and

(5) ~~Pay~~ pay to the Building Commissioner the application fee established by this ~~Ordinance~~ section.

(b) — Required application information:

(1) — In addition to any other information required on an application form, the application form shall require:

~~A. The~~

(1) ~~the applicant's name of the applicant and the address of the applicant's principal place of business of the applicant; and~~

~~B. A~~

(2) ~~a description of the dwelling structure and the structure's address of the dwelling structure by house or, including unit number;s; and~~

~~C. The~~

(3) ~~the name and address of the property managing operator, resident agent; or trustee, when applicable; and~~

~~D. The~~

(4) ~~the name and address of an adult individual who is a resident of Ohio and is designated as the applicant's agent for receiving service of process, notices; or any other papers from the City; and~~

~~E. The~~

(5) ~~the type of dwelling structure as certified by the City of Lakewood, including the number of stories, in which the dwelling unit is located; and~~

~~F. The~~

(6) ~~in the case of a housing license, the full names of all adult tenants and the number of minor tenants living in the residential unit as of the date of the application is tendered to the City and, if applicable the dwelling unit numbers in which the tenants reside; and~~

~~G. The~~

(7) ~~the year the dwelling in which the dwelling unit is located was constructed; and~~

~~H. The~~

(8) ~~the type and number of smoke detectors in the dwelling unit; and~~

~~I. The~~

(9) ~~the type of heating system in the dwelling unit; and~~

~~J. The~~

(10) ~~the type of hot water heating system in the dwelling unit; and~~

~~(2) The~~

(11) ~~the name and telephone number of the person or entity responsible for sidewalk snow removal; grass cutting; and the removal of garbage containers from the tree lawn. —~~

~~(c) Required Housing or Vacant Property Inspection Checklist requirements~~

~~In addition to any other information required on a Housing or Vacant Property Inspection Checklist form, the form shall require the owner, the owner's agent, or a private housing inspector to certify~~

~~(12) a statement by the applicant certifying, for each dwelling unit in the structure, that:~~

~~Smoke~~

A. smoke and carbon monoxide detectors are present and operational pursuant to Chapter 1331; and

~~No~~

B. no visible electrical or other hazards are present; and

C. ~~There~~ _____ in the case of a housing license, there is hot and cold running water in the kitchen and each bathroom with no leaks below the sink area and all toilets flush; or in the case of a vacant property license ~~that~~ _____ the plumbing has been winterized to prevent the freezing of pipes; and

D. ~~The furnace is operational; or for vacant property licenses the condition of the furnace.~~ _____ in the case of a housing license, the heating system is operational; and

E. ~~Railings~~ _____ that railings are present ~~for on~~ interior and exterior ~~steps stairs~~ _____ as required by ~~Lakewood Building Code; applicable code; and~~

F. ~~No~~ no readily observable conditions that represent a threat to the health and safety of ~~the an~~ occupant; _____

(2) Required Photographs. ~~Time and date stamped photographs of the front and back facades of the structure, including yards, patios, driveways and parking areas must be attached to the checklist with the name of owner and the address of the property clearly marked on the page where the photos are printed.~~

(c) _____ The issuance of a housing or vacant property license upon the satisfaction of the conditions in this section shall not in any way be construed as City approval or determination as to the condition or livability of the unit or structure.

~~(d)~~

(d) _____ Fee requirements.

(1) _____ The housing license fee shall be as follows:

A. _____ Owner Occupied Condominium Units _____ \$2.00

~~_____~~ B. _____ Non Owner Occupied Condominium Units _____ \$6.00

~~There shall be a cap of \$2,000.00 per occupied condominium structure. units: \$2.00.~~

B. _____ Non-owner-occupied condominium units: \$6.00.

C. _____ Rooming ~~House which contains~~ _____ house containing two or more tenants _____; \$60.00

per

_____ rooming unit.

D.— ~~Non-owner—occupied one- or two—family structures; \$75.00 per —dwelling unit.~~
~~housing unit~~

E.— ~~Three Family Dwelling — \$—family dwellings; \$60.00 per non-owner—occupied unit.~~

F.— ~~All other occupied structures—; \$45.00 per hous—ingdwelling unit.~~

(2) ~~There shall be a cap limit of \$3,500.00 per occupied structure.~~

~~(2)~~

(3) ~~The vacant property license fee shall be as follows:—~~

A.— ~~Vacant Housing— Structures housing structures; \$200.00 per structure—.~~

B.— ~~Vacant Commercialcommercial or Mixed Usemixed-use building—; \$200.00 per structure~~

~~(e)~~

(e) ~~Change of information.—~~ The applicant shall inform the Building Commissioner in writing of any change in the information provided under subsection (b)(1)(A), (C), or (D) of this section not more than 30 days after the change is made.

~~(f)~~

(f) ~~Corporations— and limited liability companies.~~ If the applicant is a corporation or a limited liability company, an officer of the corporation or a managing member of the limited liability company shall provide the information required under ~~subsection~~ subsections (a), (b) and (c) of this section.

(g) ~~Other business entities.—~~ If the applicant is an association or partnership, ~~an associate~~ a member or partner— shall provide the information required under ~~subsection~~ subsections (a), (b) and (c) of this section.

Section 3. That new Section 1306.441 of the Lakewood Codified Ordinances, Vacant Structure Monitoring Fee, be and is hereby enacted to read as follows:

1306.441- VACANT STRUCTURE MONITORING FEE—.

(

~~If a) In addition to obtaining a vacant property license, if the property is declared to be a nuisance under section Section 1306.521 or 1306.72, the property shall be subject to an annual monitoring fee— of \$1,000.00 in addition to any vacant property license required under this chapter. The fee shall be imposed annually for as long the structure remains vacant or in violation of any provision of the codified ordinances. The Building Commissioner or his or her~~

Formatt
Roman, 1

Formatt
1", Right:

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 1

Formatt
Roman, 8

designee (as used in this section, "Building Commissioner") is authorized to establish procedures and to promulgate any rules necessary to implement the collection of the fee. Any property owner or responsible party that fails to pay the required fee in a timely manner shall be subject to the same penalties or actions pursuant to 1306 as provided for in Section 1306.99.

~~(b) The fee to monitor a vacant structure that is in declared to be a nuisance under 1306.521 or 1306.72 shall be One Thousand Dollars (\$1,000.00) annually.~~

Section 4. That Section 1306.47 of the Lakewood Codified Ordinances, License Expiration, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

1306.47 -LICENSE EXPIRATION.

Every housing license shall be secured by and expire not later than the following:

- (a) — Single and two-family units - Secured by July 1st, and expires June 30th following calendar year;
- (b) — Three-family, multiple-family, condominium and rooming units - Secured by January 1st, and expires December 31st the same calendar year, -for the twelve-month period for which it was issued, irrespective of the date of its issuance, and shall not be transferable. Whenever the interest of the licensee in the building, for the occupancy of which the license was issued, shall cease, or such building shall have been brought within one of the other grades defined by law or ordinance by reason of a change of use, such license shall immediately become void. When the property for which a housing license is required is sold, the new owner, if required pursuant to 1306.43, shall secure such license within 15 days after transfer of title. However, upon the death of the licensee, the license shall nevertheless be valid for thirty days from the date of the death in favor of the legal representatives of the licensee, or of the person or persons to whom the interest of the licensee passes by law, but in no case shall such thirty days extend such license beyond the end of the calendar year for which it was issued.

Is
shall be and is hereby amended to read as follows:

1306.47 -LICENSE EXPIRATION.

(a) — Term. Every housing or vacant property license shall be secured by and expire not later than the following:

- (1) — Single and two-family units — ~~Secured by~~; secured by July 1st and expires, expiring on June 30th 30 the following calendar year, ~~irrespective~~ regardless of the date of its issuance;
- (2) — Three-family, multiple-family, condominium, rooming units or commercial structures — ~~Secured~~; secured by January 1st;

Formate Roman, 11
Formate Roman, 11
Formate Roman, 11
Formate Roman, 11
Formate Roman, 11
Formate Roman, 11
Formate Roman, 11

Formatt New Ron
Formatt 1.5", Har
Formatt New Ron
Formatt New Ron
Formatt Roman, 1

~~and expires, expiring December 31st the same calendar year, irrespective regardless of the date of its issuance.~~

(b) ~~Application for renewal.~~ Before a housing or vacant license expires, the licensee may ~~periodically~~ renew it for an additional ~~one~~-year term; if:

(1) ~~The~~ _____ the licensee otherwise is entitled to be licensed; _____

(2) ~~The~~ _____ the licensee submits ~~the required a re-~~ newal application and housing/vacant unit _____ inspection checklist and photographs withon a form prescribed by the required information pursuant

_____ to Building Commissioner or his or her designee (as used in this Ordinance. _____ section, "Building Commissioner");

(3) ~~The~~ _____ the licensee pays to the Building Commissioner the ~~renewal~~ fee for the _____ dwelling unit established as ~~provided~~ for in Ordinance; and by Section 1306.44(d);

(4) ~~The licensee submits to~~ _____ the Building Commissioner a renewal application on the form that the Building Commission provides.

_____ (5) ~~The property is not subject to any outstanding fines or assessments that are issued pursuant to Chapter 510 certified and related to Chapter 510 Nuisance Abatement of the Lakewood Codified Ordinances.~~

(c) ~~Issuance of renewal.~~ The Building Commissioner shall renew the license of each licensee that meets the requirements of this ~~title~~ section.

(d) ~~Notification of change of ownership.~~ Within 15 days after a change in ownership or ownership status of the dwelling unit, the new property owner or agent shall notify the ~~Department of the Building Commissioner of the change in ownership.~~

(e) ~~Transfer.~~ The housing license Any license issued or renewed under this chapter is nontransferable and immediately becomes void whenever the interest of the licensee in the ~~building structure for the occupancy of~~ which the license was issued; shall cease, or when such building shall have been brought within one of the other grades defined by law or ordinance by reason of undergone a change of principal use. When the property for which a housing license is required is sold, the new owner, if required pursuant to 1306.43, shall secure such license within 15 days after transfer acceptance of title. ~~However, upon the death of the licensee, the license shall nevertheless be valid for thirty days from the~~

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
1", Hangi
0.5", Left

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatt
New Rom

Formatte

Formatte

Formatte

Formatte

~~date of the death in favor of the legal representatives of the licensee, or of the person or persons to whom the interest of the licensee passes by law, but in no case shall such thirty days extend such license beyond the end of the calendar year for which it was issued.~~ A license favoring the licensee's legal representative and heirs at law shall be valid for 30 days from the date of the licensee's death, except that if the licensee's death occurs within 30 days of the end of the calendar year during which it was issued, the license shall expire at the end of the calendar year.

Formatt
New Rom

Section 5. That Section 1306.48, ~~Voiding License, of the~~ of the Lakewood Codified Ordinances ~~of the City of Lakewood, Voiding License,~~ currently reading as follows:

1306.48 VOIDING LICENSE.

Any housing license shall be null and void if:

- ~~(a) The building for which the license was granted and the use to which it is put do not comply in all respects with this Code and with all other applicable laws and ordinances;~~
- (a) The building for which the license was granted and the use to which it is put do not comply in all respects with this Code and with all other applicable laws and ordinances;
- (b) Any false statement or representation has been made by the applicant in connection with the application or issuance of the housing license;
- (c) The owner of the license does anything or causes anything to be done or omits to do anything or causes the omission of anything required or prohibited by this Code or by any other law or ordinance relating to such building or its use;
- (d) In the building for which the license was applied for, more dwelling units or more rooming units are used than were stated in the application; or if more roomers are permitted at any one time than stated in the application; or
- (e) In the building for which the license was issued, more dwelling units or more rooming units are used than permitted by the license; or if more roomers are permitted at any one time than the number specified in the license.

~~Is~~
be and is hereby amended to read as follows:

1306.48 VOIDING LICENSE.

A housing or vacant property license may be declared null and void if any of the following occurs:

- (a) The building for which the license was granted and the use to which it is put do not comply in all respects with this ~~Code~~ code and with all other applicable laws and ordinances; or

Formatt
Roman, E

- (b) — Any false statement or representation has been made by the applicant in connection with the application or issuance of the ~~housing~~ license; or
- (c) — ~~The owner of the license~~ licensee does anything or causes anything to be done or omits to do anything or causes the omission of anything required or prohibited by this ~~Code~~ code or by any other law or ordinance relating to such building or its use; or
- (d) — In the building for which ~~the~~ a housing license was ~~applied for~~ sought, more dwelling units or more rooming units are used than were stated in the application; ~~or if more roomers are permitted at any one time than stated in the application~~ license; or
- ~~(e) — In the building for which the license was issued, more dwelling units or more rooming units are used than permitted by the license; or if more roomers are permitted at any one time than the number specified in the license; or~~
- ~~(f) — If any fines and costs associated with any assessment~~
- (e) — Any fines or assessments issued pursuant to ~~the~~ Chapter 510 Nuisance Abatement of the Lakewood Codified Ordinances ~~is out-standing~~ remain unpaid within 30 days after exhaustion of all appeals; or
- ~~(g)~~
- (f) — The owner of the structure for which the license was granted was ~~subject to 2 or more of either convictions of~~ convicted of two or more violations of Chapter 1306 ~~and/or Nuisance Declarations pursuant to Chapter~~ or was found to have owned a nuisance property under Section 510.01(d) within the previous ~~twenty four~~ 24 months.

Section 6. That new Section 1306.491 of the Lakewood Codified Ordinances, Non-Compliance, be and is hereby enacted to read as follows:

1306.491 NON-COMPLIANCE—

- (a) — Any housing license required pursuant to Section 1306.43 not secured by the applicable dates stated in Section 1306.47-(a) and (b) shall incur a late fee of ~~twenty five dollars (\$25.00)~~ per structure for which the housing license is required.
- (b) — Any vacant property license required under Section 1306.43 that is not secured ~~upon the existence~~ within 30 days of the ~~conditions in 1306.43(C)(3)~~ structure's vacancy or abandonment shall incur a late fee of \$50.00.
- (c) — Any person or entity who fails to secure a housing or vacant property license, or who knowingly or willfully supplies false or misleading information ~~regarding the names, dwelling units and number of tenants~~ in an application for a ~~housing~~ housing or vacant property license, or who knowingly or willfully omits ~~the names or, if appli-~~

Formatted Roman, 1
Formatted Roman, 1
Formatted 1", Hangji 5.5", Left
Formatted Roman, 1
Formatted Roman, 1
Formatted Roman, 1
Formatted Roman, 1
Formatted Roman, 1
Formatted Roman, 1
Formatted Roman, 1
Formatted Roman, 8

~~cable, dwelling units or number of his or her tenants in the application~~ required information in an application for a housing or vacant property license, shall be subject to the same penalties as provided for in Section 1306.99 of the Codified Ordinances.

Formatted
Roman, 1

(d) Nothing in this section shall be construed to diminish the effectiveness of Section 1306.99 with respect to violations of this chapter.

Formatted
Roman, 1

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) members of Council this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise shall take effect and be in force after the earliest period allowed by law.

Formatted
Roman, 8

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

L:\Council Matters\Chapter 1306 Amend housing, vacant license
ordinances\1306 Housing License Changes - KMB rev 4-18-11.doc