

TITLE

AN ORDINANCE FOR THE PURPOSE OF AMENDING SECTION 1365.23(b) OF CHAPTER 13 ("BUILDING CODE") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN TO DELINEATE THE PHRASE "AS BUYER UNDER LAND CONTRACT" AND ADD THE PHRASE "A BUYER UNDER LAND CONTRACT WHICH HAS BEEN DULY RECORDED WITH THE TRUMBULL COUNTY RECORDER'S OFFICE" TO THE DEFINITION OF "OWNER" IN SECTION 1365.23; AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12645/16

WHEREAS, Section 1367.10 of Chapter 1367 was enacted to prevent the rental of residences that are unsafe or do not meet the standards of the Warren City Housing Code; and

WHEREAS, the City of Warren has found that some landlords avoid the mandates of Chapter 1367.10 by claiming to sell the property on Land Contract as defined in Section 1365.23(b), even though no Land Contract has been recorded with the Trumbull County Recorder's Office; and

WHEREAS, this Council deems it to be in the best interest of the City of Warren to amend Section 1365.23(b) of Chapter 13 of the Codified Ordinances of the City of Warren and make it mandatory that all Land Contracts be recorded to prevent circumvention of Chapter 1367; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That Section 1365.23(b) be amended to read:

"CHAPTER 1365"
Definitions

1365.23 OWNER

"Owner" means any person who, along or jointly, or severally with others:

(a) Has legal title to any dwelling or dwelling unit; with or without accompanying actual possession thereof; or

(b) Has charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner or as buyer under land contract which has been duly recorded with the Trumbull County Recorder's Office or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Chapter and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner. (Ord. 9123/81. Passed 10-26-81.)

Section 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City of Warren without undue delay. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this 23rd day of MARCH, 2016.

SIGNED: [Signature]
PRESIDENT OF COUNCIL

ATTEST: [Signature]
CLERK OF COUNCIL

FILED WITH THE MAYOR: 3-23-16

DATE APPROVED: 3-23-16

MAYOR, CITY OF WARREN, OHIO [Signature]