VILLAGE OF NORTHFIELD ORDINANCE NO. 2015-06

AN EMERGENCY ORDINANCE AMENDING CHAPTER 1446 OF THE CODIFIED ORDINANCES RELATING TO RENTAL CERTIFICATES FOR RENTED SINGLE FAMILY DWELLINGS

WHEREAS, in 2014 Council adopted Chapter 1446 of the Housing Code requiring a Rental Certificate and Exterior Inspection Rental Certificate in order to rent single –family dwellings; and

WHEREAS, Council desires to amend Chapter 1446 in order to clarify language in the Chapter and require property owners to be current on their Village sewer maintenance fee accounts before receiving a Rental Certificate; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Chapter 1446 of the Housing Code as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with maintaining the Village's sewer systems and the aesthetic appearance of the Village, and that this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

_____
Bea Greenlee, President Pro-Tem of Council

_____
Jesse J. Nehez, Mayor

Approved as to Legal Form.

_____
Bradric T. Bryan, Director of Law

I, Lisa Rodriguez, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

_____
Lisa Rodriguez, Clerk of Council

CHAPTER 1446
Rental Certificate and Exterior Inspection Rental Certificate for Rented Single-Family Dwellings

1446.01 RENTAL CERTIFICATE.

On or after July 1, 2015, no single-family residential dwelling structure shall be rented or presently occupied under a rental agreement, whether written or oral, unless the Building and Zoning Inspector has issued to the owner or authorized agent of the property owner, a Rental Certificate and Exterior Inspection Rental Certificate. Rental Certificates shall be effective until June 30 of the year after the year in which the Rental Certificate is issued.

(a) In order to obtain a Rental Certificate, the owner of the property, or his, her, or its authorized agent, shall, prior to May 1, 2015 and May 1 of each subsequent year, or 60 days prior to the commencement of a lease term for properties to be first rented after July 1, 2015, submit a completed Rental Certificate Application, which includes a request for an Exterior Inspection or statement that such inspection is not required pursuant to the requirements of this chapter, on the Rental Certificate Application form available from the Building and Zoning Department, along with the required application fee in the amount of $100.00. The above fee will cover the Rental Certificate Application fee, the initial property inspection, and the first inspection to ensure compliance as to violations noted on the original inspection report. The fee for any required subsequent inspections pertaining to that year's application shall be $25.00. A Rental Certificate shall not be issued unless a current Exterior Inspection Rental Certificate is obtained and the property is current on its Village sewer maintenance fee account.

(b) On or after July 1, 2015, any owner of property being rented to a tenant that is not in possession of a current Rental Certificate shall be in violation of this chapter.

(c) Upon receipt of the fully completed application and fee by the Building and Zoning Department, an Exterior Rental Certificate inspection shall be scheduled and conducted within 30 days.

(d) The Building and Zoning Inspector shall issue an inspection report within five working days of the date of inspection listing any violations of the maintenance standards contained in the Village's Building and Housing Code existing at the time of the exterior inspection, if any.

(e) Upon completion of the rental inspection, any noted violations posing a risk to the safety of any person occupying the property shall be corrected prior to the issuance of the Exterior Inspection Rental Certificate.

(f) If no violations or minor violations are noted from the inspection, an Exterior Inspection Rental Certificate will be issued, permitting the property to be rented in compliance with this ordinance.

(g) The Building and Zoning Inspector will provide compliance dates for minor violations noted on the inspection report. In the event the violations are not corrected by the compliance dates indicated on the report, the Exterior Inspection Rental Certificate and Rental Certificate may be revoked by the Building and Zoning Inspector

and/or the property owner and/or agent may be considered to be in violation of this chapter.

(h) Properties that are rented subsequent to July 1, 2015 that were not granted Rental Certificates prior to July 1, 2015 must apply for a Rental Certificate at least 60 days prior to the commencement of a lease and receive a Rental Certificate and Exterior Inspection Rental Certificate prior to the date any tenant moves into the property. Applications not filed prior to the May 1 deadline, or filed subsequent to 60 days prior to the tenant moving into the property shall be charged an additional $150.00 on top of the $100.00 application fee.

(i) The requirements of this chapter shall not relieve the property owner from his, her, or its obligation to obtain a Point of Sale Exterior Inspection Certificate in connection with a sale of the property. The receipt of a Point of Sale Exterior Inspection Certificate, and the correction of all violations related thereto, shall relieve the property owner from his, her, or its obligation to obtain an Exterior Inspection Rental Certificate for the calendar year in which the Point of Sale Exterior Inspection Certificate is issued and the year thereafter.

1446.02 RENTAL CERTIFICATE APPLICATIONS.

(a) Rental Certificate applications shall be made annually as set forth above and separately for each dwelling being rented. The information supplied on the application shall include, but not be limited to, the following:

(1) The address of the property.

(2) The name, street address, and telephone number of the owner of the property and any authorized agent acting in the owner's stead.

(3) A photocopy of the owner of the property or authorized agent's driver's license or State ID.

(4) If the property owner is an entity rather than a person, the title of the person submitting the application and the person responsible for tenant issues related to the property.

(5) The information required by chapter 896 of the Business Regulation Code.

(6) The signature of the person submitting the application and the date the application is executed.

(7) Such other information reasonably deemed necessary by the Building and Zoning Inspector.

(b) The Building and Zoning Inspector may revoke a Rental Certificate if it is discovered that any statement contained in the application is false or inaccurate.

(c) In the event that there is a change in the tenant or tenants occupying the rental unit between the date the Rental Certificate was issued and the date the next Rental Certificate Application is filed, the property owner is required to file an updated report regarding the change in tenant as required by Chapter 896 of the Village's Business Regulation Code.

1446.03 RELIANCE ON RENTAL CERTIFICATE AND EXTERIOR INSPECTION RENTAL CERTIFICATE.

In issuing a Rental Certificate and Exterior Inspection Rental Certificate under this chapter, the Village does not thereby insure, warrant or guarantee to the holder thereof, any tenant of the dwelling, or any other interested party, that such certificate contains all of the violations of the Codified Ordinances of the Village. Such Certificates should be considered by all parties as the Village's best effort to make known to property owners and tenants of rented single-family dwellings the known exterior maintenance violations on the property at the time the exterior inspection is made and have such identified violations corrected. The language contained in this subsection, or a digest thereof, shall be contained in each Certificate.

1446.99 PENALTY.

Any owner of single-family residential property, or agent thereof, who is required to obtain a Rental Certificate and/or an Exterior Inspection Rental Certificate pursuant to this chapter and fails to obtain such certificate, is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars or imprisoned not more than thirty days for each offense.

VILLAGE OF NORTHFIELD RESOLUTION NO. 2015- 12

AN EMERGENCY RESOLUTION SETTING FORTH THE APPROPRIATIONS FOR THE FISCAL YEAR 2015 AND SUBMITTING THE SAME TO THE COUNTY FISCAL OFFICER

WHEREAS, at the direction of the Mayor and Council, Timothy Clymer, the Director of Finance, has prepared the Appropriation Resolution for the Village of Northfield, Ohio, for the fiscal year 2015 showing: (1) detailed estimates of all balances that will be available during the year 2015; (2) all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites, and all other types of classes of revenues; and (3) all expenditures and charges in or for the purposes of such fiscal year to be paid or met from the said revenues or balances and otherwise conforming with the requirements; and

WHEREAS, a copy of said appropriations are attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the attached appropriations of the Village of Northfield, as prepared by Timothy Clymer, the Director of Finance, for the Fiscal Year 2015 are hereby adopted as the official Appropriation Resolution of the Village of Northfield, Ohio, for the year 2015.

SECTION 2. That the Director of Finance is hereby authorized and directed to certify a copy of said Appropriation Resolution to the Fiscal Officer of Summit County, Ohio as required by law.

SECTION 3. That all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it is necessary for the operation of the Village government and is required by law, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2015.

_____
Bea Greenlee, President Pro-Tem of Council

_____
Jesse J. Nehez, Mayor

Approved as to Legal Form.

_____
Bradric T. Bryan, Director of Law

I, Lisa Rodriguez, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2015.

_____
Lisa Rodriguez, Clerk of Council