

CITY OF MAPLE HEIGHTS CODIFIED ORDINANCES

CHAPTER 1484

Notice of Foreclosure filing

1484.01 DEFINITIONS.

As used in this section:

(a) "Person" means a natural person or any legal entity, including but not limited to a corporation, firm, partnership, trust or association, including the attorney and/or law firm representing a party initiating a foreclosure complaint.

(b) "Vacant" means that no person actually resides in any part of the building or that no person conducts a lawful business in any part of the building.

1484.02 NOTICE TO THE CITY OF FORECLOSURE FILING.

Any person who files a complaint for foreclosure involving real property located within the city on which there is a building or structure shall notify the city of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Building Commissioner within ten (10) days after the filing of that complaint with the relevant court. The notice to the city shall be on a form prescribed by the Building Commissioner.

1484.03 PERSON RESPONSIBLE FOR MAINTENANCE.

(a) 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 city of the name, address and contact information for the person who will be responsible for maintaining the property.

(b) 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 city of the name, address and contact information for the person who will be responsible for maintaining the property, and shall otherwise comply with this chapter.

1484.04 FEES.

The fee for notice of a foreclosed property is two hundred fifty dollars (\$250.00). The fee shall be paid at the time of notification.

1484.05 LATE FEE.

Any person as defined in Section 1484.01(a) who fails to file a complaint of foreclosure form with the Building Commissioner within ten days as required in Section 1484.02 shall be charged a late filing fee in the amount of seven hundred fifty dollars (\$750.00).

1484.99 PENALTY.

No person shall fail to file a complete copy of a foreclosure complaint involving real property located within the city on which there is a building or structure with the Building Commissioner within ten (10) days after filing the complaint with the relevant court. Whoever violates this section is guilty of failure to file notice of a foreclosure complaint, a misdemeanor of the fourth degree.

ORDINANCE NO.: 2014-61

INTRODUCED BY: Councilwoman Toni Jones

MOTION FOR ADOPTION BY: Councilman Alex Adams

AN ORDINANCE AMENDING SECTION 1484.04 AND 1484.05 OF THE
CODIFIED ORDINANCES DECREASING THE FEES FOR NOTICE OF
FORECLOSED PROPERTIES IN THE CITY OF MAPLE HEIGHTS AND
DECLARING AN EMERGENCY

WHEREAS, properties in the City of Maple Heights in foreclosure are often left vacant and deteriorating; and

WHEREAS, the individuals and companies foreclosing on properties in this City have an obligation to ensure that they are adequately maintained according to the City's building and housing codes; and

WHEREAS, Chapter 1484, Notice of Foreclosure Filing, was created by the passage of Ordinance Number 2007-102 on October 17, 2007 to allow the City to monitor vacant homes and to enforce Building and Housing codes; and

WHEREAS, the Council has determined that the cost to monitor and enforce the City Building and Housing codes for foreclosed homes has become more expensive than the original fees established in 2007.

WHEREAS, Council passed Ordinance Number 2014-39 on May 21, 2014, increasing the foreclosure fees to \$500.00, but after reviewing surrounding communities, has decided to decrease the fee to \$250.00.

NOW, THEREFORE, BE IT ORDAINED by the City of Maple Heights, Cuyahoga County, State of Ohio:

Section 1. That Section 1484.04 and Section 1484.05 of the Codified Ordinances of the City of Maple Heights shall be amended as follows:

1484.04 FEES.

The fee for notice of a foreclosed property is two hundred fifty dollars (\$250.00). ~~five hundred dollars (\$500.00).~~ The fee shall be paid at the time of notification.

1484.05 LATE FEE.

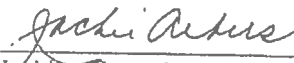
Any person as defined in Section 1484.01(a) who fails to file a complaint of foreclosure form with the Building Commissioner within ten days as required in Section 1484.02 shall be charged a late filing fee in the amount of seven hundred fifty dollars (\$750.00). ~~one thousand, five hundred dollars (\$1,500.00) in addition to the filing fee required in Section 1484.04.~~

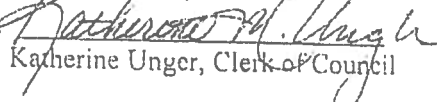
Section 2. That Section 1484.04 and Section 1484.05 of the Codified Ordinances as they previously existed is hereby ordered to be repealed.

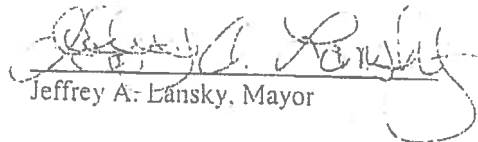
Section 3: This Ordinance constitutes an emergency measure necessary for the compliance with the Ohio Building Code and for the safety and welfare of the City, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this 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, including Section 121.22 of the Ohio Revised Code.

PASSED: July 28, 2014

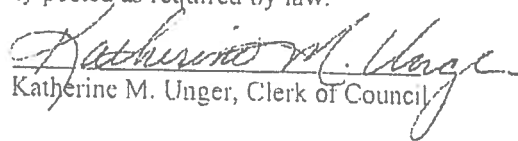

Jackie Albers, President of Council

ATTEST 
Katherine Unger, Clerk of Council


Jeffrey A. Lansky, Mayor

I, Katherine M. Unger, Clerk of Council of the City of Maple Heights, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that same has been and will remain duly posted as required by law.

July 30, 2014


Katherine M. Unger, Clerk of Council