

**ORDINANCE NO.: 2017-08**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**CO-SPONSORED BY:** Councilwoman Toni Jones; Council President Richard Trojanski;

**MOTION FOR ADOPTION BY:** Councilwoman Toni Jones

\* Councilman Ron Jackson

**AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 2, 2017 THROUGH DECEMBER 31, 2017 THE ONE HUNDRED PERCENT (100%) ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Maple Heights desires to continue an Owner Occupied Homeowner Incentive Program for the period January 2, 2017 through December 31, 2017, which was initially established pursuant to Ordinance No. 2016-47, to promote and encourage individuals to purchase and renovate residential properties by waiving 100% of the escrow requirement to correct violations resulting from the point of sale inspection per Chapter 1494, so long as the purchaser actually occupies such residential property.

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

**Section 1.** For the time period January 2, 2017 through December 31, 2017, the Mayor is hereby authorized to waive the 100% escrow requirement to correct violations resulting from point of sale inspections per Chapter 1494 of the Codified Ordinances for individuals who purchase and renovate residential properties, so long as the purchaser actually occupies such residential property.

**Section 2.** Participants in this Program will be required to sign an affidavit attesting to the fact that the Purchaser will reside in the property as their primary residence for two (2) years commencing upon the issuance of an Occupancy Permit by the Chief Building Official.

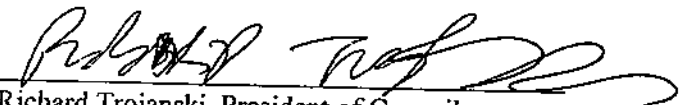
**Section 3.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting, on the date indicated below, and that all deliberations of Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

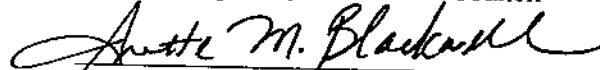
**Section 4.** This Ordinance constitutes an emergency measure necessary for the general welfare of the residents, and to encourage owner occupied home ownership in the City and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be 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.

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PASSED: February 4, 2017

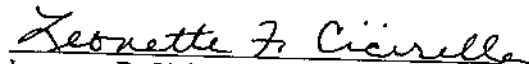
  
Richard Trojanski, President of Council

  
Annette M. Blackwell, Mayor

Approved as to legal form:

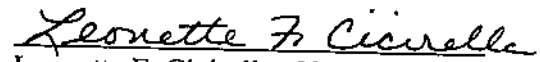
  
Frank Consolo, Director of Law

ATTEST:

  
Leonette F. Cicirella, Clerk of Council

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, 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 the same has been and will remain duly posted as required by law.

February 6, 2017  
Date

  
Leonette F. Cicirella, Clerk of Council

**CITY OF MAPLE HEIGHTS  
OWNER AFFIDAVIT**

I, \_\_\_\_\_, certify that I am the **Owner Occupant** of the Home located at:

\_\_\_\_\_, OH \_\_\_\_\_  
(Address) (City) (Zip Code) Permanent Parcel No.

**Please read each statement and then place your initials to the left of the statement.**

\_\_\_\_\_ I understand that it will be my responsibility to notify the City of Maple Heights when the above-named owner/occupant no longer resides at the address listed above.

\_\_\_\_\_ I certify that I will occupy the home for a period of two (2) years commencing upon the Chief Building Official permitting occupancy. In the event that I fail to occupy the property for the full two (2) years as stated, I also agree and consent to pay any outstanding repairs remaining from the point of sale inspection in escrow within thirty (30) days. Payments not made within thirty (30) days may be subject to a fine payable to the Maple Heights Building Department.

\_\_\_\_\_ I understand that should any of the above statements be false, I am liable for any penalties including, but not limited to, **the collection of any money owed for escrow purposes** for which the law provides, plus interest at a rate of 1.5% per month, administrative costs, court costs, and any attorney fees incurred in the collection of those sums.

\_\_\_\_\_ I agree to, and stipulate, that the City of Maple Heights **may use whatever legal means it has at its disposal to verify my residency**, including having a Building Official visit my home to ensure that the family named above, resides at this address.

**NOTE:** Be sure you have read this statement carefully before you sign. **Giving false information under oath is punishable as a criminal offense under the Ohio Revised Code 2921.13 and 2921.21, a misdemeanor of the first degree with a maximum fine of \$1,000 and/or a jail term of six months. In the City of Maple Heights, each violation may be thoroughly and vigorously prosecuted.**

Signatures:

\_\_\_\_\_  
Signature of Owner Occupant (Soc. Sec. #) (Date)

\_\_\_\_\_  
Signature of Owner Occupant (Soc. Sec. #) (Date)

\_\_\_\_\_  
(Printed Name(s) of Owner Occupant(s)) (Phone Number of Owner Occupant(s))

State of Ohio) SS)  
County of Cuyahoga)

Before me, a Notary Public in the County of Cuyahoga, State of Ohio, came the above-named individual(s) who said that he/she/they understand the statements set forth above and adopt said statements and the information herein as his/her/their own, and as true to the best of his/her knowledge of the consequences and penalties of falsification, and do affix his/her signature in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
Effective Date July 1, 2016