

ORDINANCE NO. 2019- 3971

**AN ORDINANCE AMENDING CHAPTER 1709 ADMINISTRATION AND ENFORCEMENT CODE SECTION 1709.042 CHARGES MADE A LIEN FOR THE CITY OF FREMONT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, The City desires to amend Chapter 1709 Administration and Enforcement Code Section 1709.042 Charges made a lien; and

**WHEREAS**, the amendment proposed is described herein:

Section 1709.042 which currently reads as follows:

**1709.042 CHARGES MADE A LIEN.**

The City shall cause to be made a written return to the County Auditor of their action with a statement of charges for removing and disposing of the trash, debris, rubbish, refuse etc. the amount paid for the performance of such labor and the fees of the officers who made the service and return of the notice and a proper description of the premises with the request that such amount be entered upon the tax duplicate as a lien upon such lands from and after the date of entry to be collected as other taxes and returned to the Municipality according to law.

(Ord. 2016-3818. Passed 8-4-16.)

Section 1709.042 shall hereby be amended to read as follows:

**1709.042 CHARGES MADE A LIEN.**

(a) The City shall cause to be made a written return to the County Auditor for their action with a statement of charges for removing and disposing of trash, debris, rubbish, refuse, etc. the amount paid for the performance of such labor and the fees of the officers who made the service and return of the notice and a proper description of the premises with the request that such amount be entered upon the tax duplicate as a lien upon such lands from and after the date of entry to be collected as other taxes and returned to the Municipality according to law.

(b) The City may also elect to file a Mechanic's Lien against the property owner with the costs of the filing assessed to the property owner.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FREMONT, STATE OF OHIO:**

**SECTION 1.** Chapter 1709 Administration and Enforcement is hereby amended to reflect the change to Section 1709.042.

**SECTION 2.** It is hereby 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 deliberations of this Council and 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 Revised Code of Ohio.

**SECTION 3.** The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the immediate need to pass the amendment in an expeditious manner.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.



Jamie Hafford  
President of Council


PASSED: 8-15-19

Effective date: 8-15-19

YEAS: 6 NAYS: 0




Stephanie L. Martin, City Council Clerk



Daniel R. Sanchez, Mayor

ORD1139

Approved as to form:



James F. Melle, Director of Law  
City of Fremont, Ohio