

VILLAGE OF WINDHAM
OHIO
ORDINANCE O-2013-29

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1341 OF
THE WINDHAM HOUSING MAINTENANCE AND OCCUPANCY CODE IN
ORDER TO REDEFINE THOSE STRUCTURES TO WHICH THE CODE IS
APPLICABLE AND DECLARING AN EMERGENCY**

WHEREAS, members of the Village Council and the Mayor have conducted ongoing discussions as to whether free standing single family dwelling units should be included within the Housing Maintenance and Occupancy Code of the Village of Windham; and

WHEREAS, the Service Committee of the Council of the Village of Windham has reviewed the issue of including free standing single family dwelling units and has recommended to the Village Council that such structures should be included in the Housing Maintenance and Occupancy Code; and

WHEREAS, legislation has been generated incorporating free standing single family dwelling units for the Council of the Village of Windham to consider, and Council has determined that the Housing Maintenance and Occupancy Code should be amended to apply to free standing single family dwelling unit structures.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Windham, County of Portage, State of Ohio, a majority or more of the members elected thereto concurring that:

Section 1: Chapter 1341 of the Village of Windham Codified Ordinances, known as the Housing Maintenance and Occupancy Code is amended and enacted as is set forth on the text attached hereto as Exhibit A, which is incorporated herein in by reference.

Section 2: It is hereby found and determined that all 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 of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is declared to be an emergency measure necessary to preserve the public health, safety, morals and general welfare of the inhabitants of the community and in order to respond to increasing demand for rental housing resulting from the demolition of numerous unhealthy and unsafe rental buildings and for that reason this Ordinance shall go into full force and effect immediately upon passage and approval by the Mayor.

First Reading: October 24, 2013
Second Reading: November 26, 2013
Third Reading: December 17, 2013

Passed in Council on this the 17th day of December, 2013.

Vote of Council: Ayes: Ms. Blewitt, Mr. Snyder, Mr. Garrett, Mrs. Prem
 Nays: Mrs. Miranda, Mrs. Barrett

ATTEST:

APPROVED:

Fiscal Officer, Lloyd Billman

Robert Donham, Mayor

APPROVED AS TO FORM:

Village Solicitor, Thomas Reitz

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Exhibit A

1341.02 (49) "Residential Rental Unit" shall be synonymous with apartment and shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping. For the purpose of this chapter, all structures will be considered rental property whether occupied or not.

1341.03

(b) Every owner of a dwelling containing a dwelling unit shall maintain in a clean and sanitary condition the shared or public area of a dwelling and premises thereof. The owner or operator of multiple rental units will supply a minimum of one trash pick-up per week.

1341.08

(c)

(2) In the event the required housing license is for a free standing single rental unit the license fee shall be one hundred dollars (\$100.00) for the structure and the unit, which amount includes the first inspection. The owner, landlord and/or agent, shall also remit forty dollars (\$40.00) per unit for each and every inspection after the first inspection.