

**ORDINANCE NO. 2009-16**

**AN ORDINANCE DETERMINING THAT THE CONDITION OF THE HIRAM ELEMENTARY SCHOOL IS SUCH THAT IT IS A THREAT TO THE HEALTH, SAFETY AND GENERAL WELFARE OF THE COMMUNITY, AND DETERMINING THAT SUCH CONDITION IS A BLIGHTING INFLUENCE ON THE WHOLE OF THE VILLAGE, AND IS A PUBLIC NUISANCE AND DECLARING AN EMERGENCY**

**WHEREAS**, the Hiram Elementary School has been vacant for a period of five years; and

**WHEREAS**, during the time the Hiram Elementary School has been vacant, the building has fallen into disrepair; and

**WHEREAS**, the condition of the Hiram Elementary School is such that it may be cost-prohibitive to restore the building to a condition suitable for human habitation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIRAM, PORTAGE COUNTY, OHIO, THE TWO THIRDS OR MORE OF THE MEMBERS THERETO CONCURRING THAT:**

**SECTION 1:** The Hiram Elementary School, as of the date of the passage of this Ordinance, and for many years prior to the date of passage of this Ordinance, has existed without electricity, natural gas, sanitary sewer and water to the building, such that it is uninhabitable.

**SECTION 2:** The effect of the long-term failure to have these utilities available to the Hiram Elementary School is that the building and property now exists in a condition where it is hazardous to the health, safety and general welfare of the Village of Hiram by virtue of being dangerous to human beings, by holding standing water, by being regularly vandalized, and by existing as a rodent harborage.

**SECTION 3:** The conditions of the Hiram Elementary School as set forth in this Ordinance, are such that the school constitutes a blight, which blight has an adverse effect on the whole of the Village of Hiram.

**SECTION 4:** The conditions of the Hiram Elementary School as set forth in this Ordinance, are such that the school constitutes a public nuisance, which public nuisance has an adverse effect on the whole of the Village of Hiram.

**SECTION 5:** It is found that all formal action of this Council concerning and relating to the adoption 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 action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

**SECTION 6:** This ordinance is declared to be an emergency measure for the reason that this Council desires to declare immediately the condition of the Hiram Elementary School, so that steps can be taken by the owner of the Hiram Elementary School and potentially others, to remedy the blighting influence on the Village of Hiram, to remove or correct the conditions which constitute a public nuisance, and accordingly this ordinance shall take immediate effect at the earliest date provided by law.

PASSED IN COUNCIL on June 9, 2009 as an emergency.

Mayor Louis R. Bertrand  
Mayor Louis R. Bertrand

ATTEST:

Kay E. Ziska  
Fiscal Officer

Approved as to form:

Thomas Kelly  
Solicitor

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2009-16 has been duly posted in the required 5 places.

6-15-09      Kay E. Ziska  
Date                      Fiscal Officer, Village of Hiram