



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE • P.O. BOX 151
NAPOLEON, OHIO 43545-0151
PHONE: (419) 592-4010 • FAX: (419) 599-8393
WEB PAGE: www.napoleonohio.com

558 Beckham

MAYOR
J. Andrew Small

September 13, 2006

COUNCILMEMBERS
Glenn A. Miller, President
Terri A. Williams
Michael J. DeWit
John A. Helberg
Ronald A. Behm
Travis A. Sheaffer
Steven C. Small

Countryside Estates
Ms. Brenda C. Strong
29512 Glenwood Road
Perrysburg, OH 43551

RE: Case No. 06-ADM0001

Dear Ms. Strong:

We are in receipt of your September 12, 2006 letter requesting an extension to the referenced order. Please be advised that I hereby grant to you a sixty (60) day extension to this order making the new compliance date of November 12, 2006. Your efforts in complying with this order are truly appreciated.

CITY MANAGER
Jon A. Bisher

Sincerely,

A handwritten signature in black ink that reads "Jon A. Bisher".

Dr. Jon A. Bisher
City Manager

CITY LAW DIRECTOR
David M. Grahn

CITY FINANCE DIRECTOR
Gregory J. Heath

CITY ENGINEER
Chad E. Lulfs, P.E., P.S.

JAB:rd
cc: Tom Zimmerman, Bldg & Zoning



Records Retention
CM-5
1 Year

**BRENDA C. STRONG
29512 GLENWOOD ROAD
PERRYSBURG, OH 43551**

September 12, 2006

Tom Zimmerman, Building & Zoning
City of Napoleon
255 W. Riverview Avenue
P.O. Box 151
Napoleon, OH 43545-0151

**FAX 419/599-8393
HARD COPY TO FOLLOW**


Re: 558 Beckham

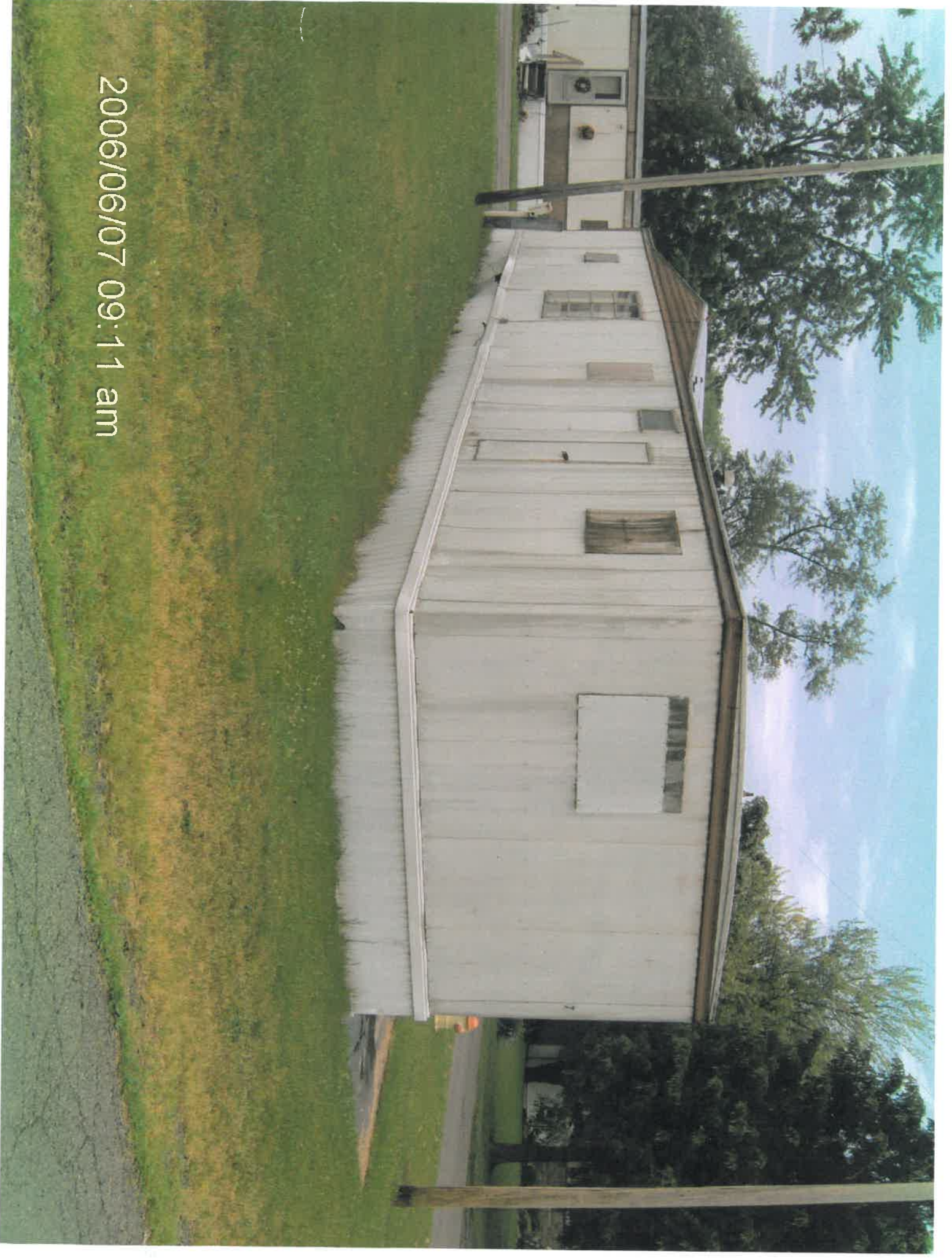
Dear Tom:

I am formally requesting an extension to the Order dated July 14, 2006, signed by Dr. Jon A. Bisher, City Manager, stating that six mobile homes and the maintenance building should be removed within 60 days from the date of the Order. Even though we have diligently worked towards the demolition and removal of the trailers as ordered, and progress has been made, we have ran into a few problems. We are continuing with the demolition of the homes but are in need of additional time. I am sorry to say that I was unable to comply with the ordered 60 day deadline but would very much appreciate your consideration of an extension. I look forward to your response.

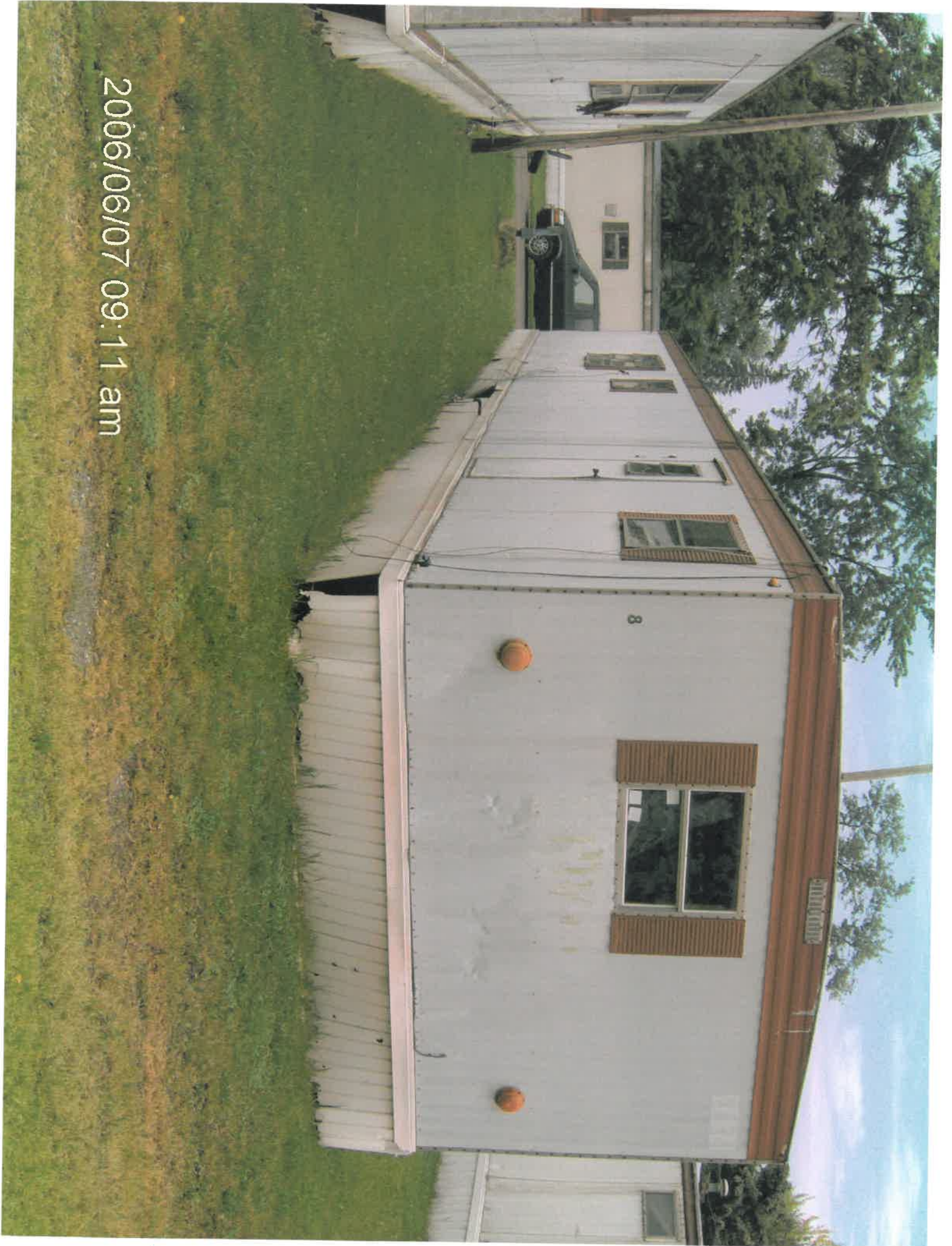
Please feel free to call me (419/321-1259) if you have any questions. Thank you for your time.

Sincerely,

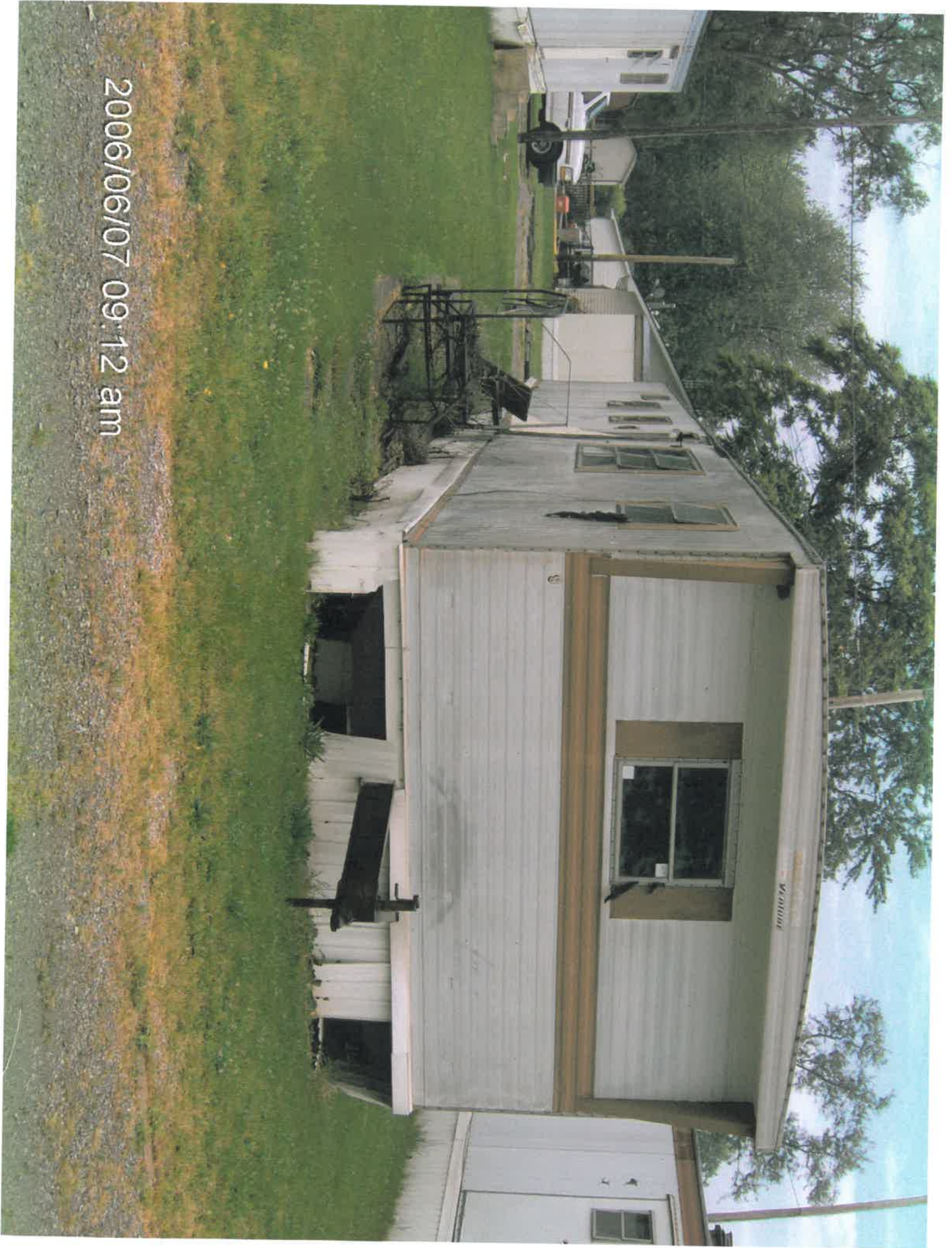

Brenda C. Strong



2006/06/07 09:11 am



2006/06/07 09:11 am



2006/06/07 09:12 am

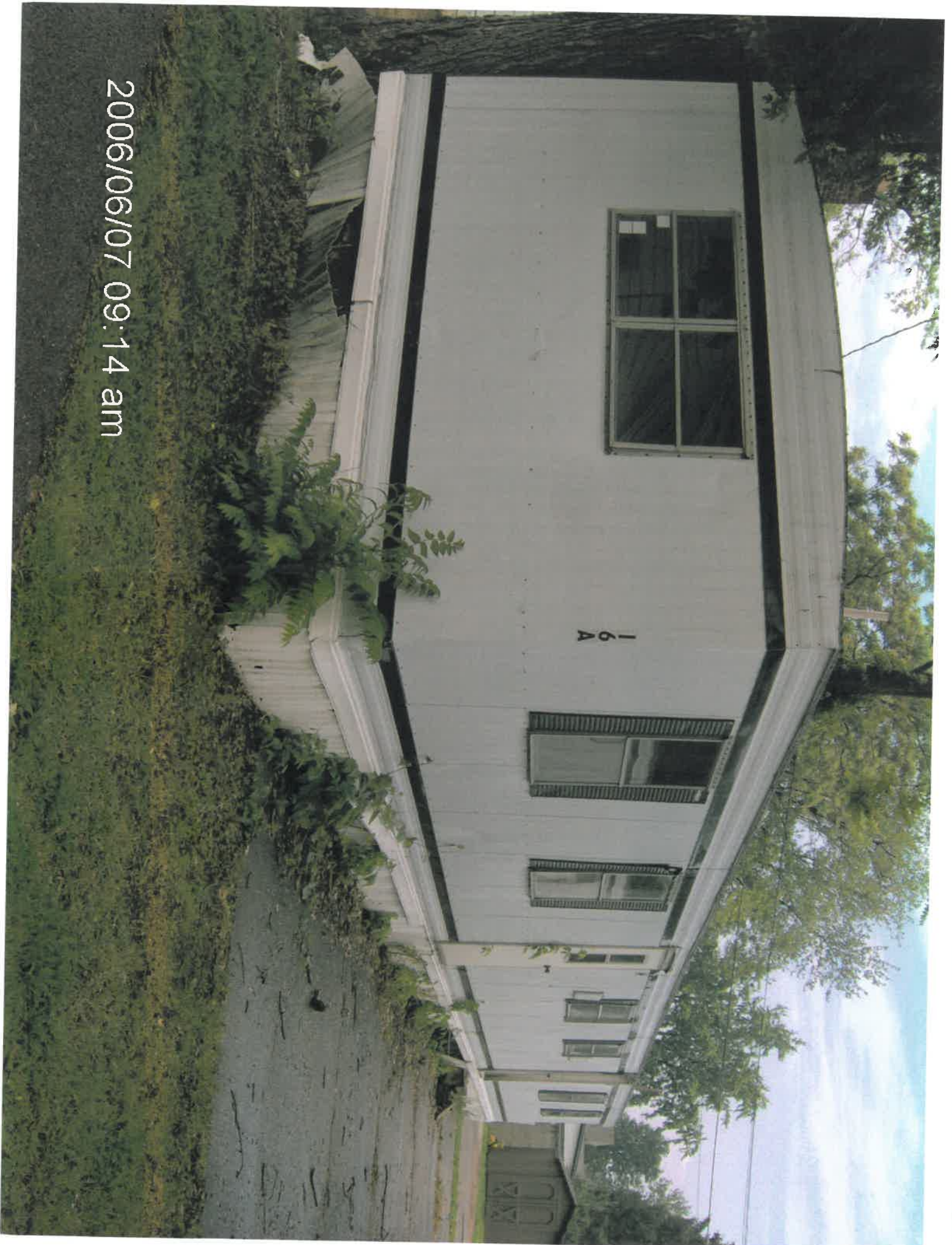


2006/06/07 09:12 am

2006/06/07 09:14 am



2006/06/07 09:14 am



2006/07/07 10:19 am





2006/07/07 10:18 am

Finding: That, notice in regard to this hearing was properly served; further, based on the evidence presented, it is the finding of this hearing officer that the park constitutes fits the definition of nuisance under 503.02 (c); further, that the nuisance is specific and exists pursuant to 503.03(g) and that their exists violations of 503.06 (a) and (e).

ORDER: The nuisance shall be abated as follows: the following manufacture homes shall be removed or brought into compliance within 60 days from the making of this Order; in the event that the compliance is not accomplished, subject to further review of this hearing officer, then the City officials may abate the nuisance by removal of the manufactured homes in question No(s) _____, cost to be assessed pursuant to City Ordinance 503.10 and other pertinent sections of chapter 503 of the City Code.

Or,

ORDER: That, no nuisance exists and this matter is dismissed.

NOTICE TO ABATE NUISANCE

(503.03 (g) NAPOLEON CITY CODIFIED ORDINANCE)

The City of Napoleon to the following property owner:

**Countryside Estates
Brenda Strong
29512 Glenwood Rd
Perrysburg, OH 43551-3029**

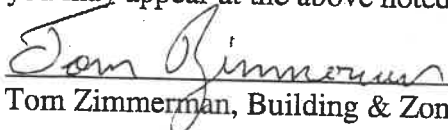
RE: Nuisance condition at 558 Beckham St. Napoleon Ohio.

You are hereby notified that a nuisance as defined in City Codified Ordinance 503.03 (g) and 503.06 (a)(e)* maintained, operated or permitted to exist by you at 558 Beckham St., and must be abated by removal of the same and that if this notice is not complied with within 15 days of service of this notice, you are directed to appear before the City Manager in the Conference Room at City Hall located at 255 W. Riverview, Napoleon, Ohio 43545 on July 11th, 2006 at 11:00 am and to show cause why the same shall not be abated and that upon your failure to so appear the City Manager will take necessary steps to abate such nuisance. The cost of abatement incurred by the City shall be assessed against you, and a lien may be imposed on the property to secure such payment.

Property at 558 Beckham has been declared a Nuisance because of the condition of the structures on lots 7, 8, 9, 11, 15, 16 and the maintenance building.

Special Notice to Responsible party or Person Having a Recorded Interest:

You are notified that abatement has been initiated involving real or personal property of which you have a recorded interest; therefore, to protect your interest therein you may appear at the above noted hearing.


Tom Zimmerman, Building & Zoning

*506.03 (g) All buildings, walls, and other structures which have been damaged by fire, decay or otherwise and which endanger the health, peace and safety of the public;

503.06 (a) Prohibition against nuisance in general; Except as provided in division (o) of this Section, no person shall create any nuisance in the City and no person shall be inaction permit a nuisance to occur or continue on any property under such person's control, nor shall any person permit a nuisance to occur involving any personal property under such person's control.

(e) Prohibition against unsanitary habitations: It shall be unlawful for any person to lease, let, permit the occupancy of, permit to continuation of the occupancy of, or continue the occupancy of a structure or building or any portion thereof used for human habitation, unless such structure or building or portion thereof is free from unclean and unsanitary conditions as defined in subsection (n) hereof and unless there is compliance with the provisions of the subsequent sections.

NOTICE TO ABATE NUISANCE

(503.03 (g) NAPOLEON CITY CODIFIED ORDINANCE)

The City of Napoleon to the following property owner:

**Countryside Estates
Brenda Strong
29512 Glenwood Rd
Perrysburg, OH 43551-3029**

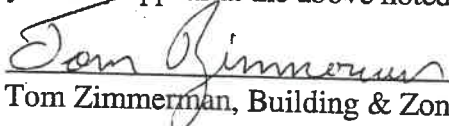
RE: Nuisance condition at 558 Beckham St. Napoleon Ohio.

You are hereby notified that a nuisance as defined in City Codified Ordinance 503.03 (g) and 503.06 (a)(e)* maintained, operated or permitted to exist by you at 558 Beckham St., and must be abated by removal of the same and that if this notice is not complied with within 15 days of service of this notice, you are directed to appear before the City Manager in the Conference Room at City Hall located at 255 W. Riverview, Napoleon, Ohio 43545 on July 11th, 2006 at 11:00 am and to show cause why the same shall not be abated and that upon your failure to so appear the City Manager will take necessary steps to abate such nuisance. The cost of abatement incurred by the City shall be assessed against you, and a lien may be imposed on the property to secure such payment.

Property at 558 Beckham has been declared a Nuisance because of the condition of the structures on lots 7, 8, 9, 11, 15, 16 and the maintenance building.

Special Notice to Responsible party or Person Having a Recorded Interest:

You are notified that abatement has been initiated involving real or personal property of which you have a recorded interest; therefore, to protect your interest therein you may appear at the above noted hearing.


Tom Zimmerman, Building & Zoning

*506.03 (g) All buildings, walls, and other structures which have been damaged by fire, decay or otherwise and which endanger the health, peace and safety of the public;

503.06 (a) Prohibition against nuisance in general; Except as provided in division (o) of this Section, no person shall create any nuisance in the City and no person shall be inaction permit a nuisance to occur or continue on any property under such person's control, nor shall any person permit a nuisance to occur involving any personal property under such person's control.

(e) Prohibition against unsanitary habitations: It shall be unlawful for any person to lease, let, permit the occupancy of, permit to continuation of the occupancy of, or continue the occupancy of a structure or building or any portion thereof used for human habitation, unless such structure or building or portion thereof is free from unclean and unsanitary conditions as defined in subsection (n) hereof and unless there is compliance with the provisions of the subsequent sections.



Messages

Get New Folders Address Book Calendar Settings Logout Help

Folder: Inbox (11 Message(s), 0 Unread)

From : "Jon Lindsay" <jlindsay@henrycohd.org> [+]
To : "Tom Zimmerman" <tzimmerman@napoleonohio.com> [+]
Cc : "LeeAnn Hoon" <LeeAnn.Todd-Hoon@odh.ohio.gov> [+], "Tracy Brown" <tbrown@henrycohd.org> [+]
Subject : Countryside Estates MHP

Date : Tue, 11 Jul 2006 08:37:14 -0400

Move message to: Inbox (11 Message(s), 0 Unread)

[Reply](#) [Reply & Delete](#) [Reply All](#) [Forward](#) [Redirect](#) [Source](#) [Full headers](#) [Previous](#) [Next](#) [Delete](#) [Print](#)

Message - 1/11

Tom,

I contacted LeeAnn Hoon from the Ohio Department of Health to clarify a couple of points related to the Countryside Estates Manufactured Home Park.

Some of the concerns with the removal of the manufactured homes from this park were the ability to replace those homes in the future. Since the park was built in 1949 the following sections of the regulations would apply to any home that would be placed in this park:

Location of replacement manufactured homes

3701-27-08(D) Existing manufactured homes in a manufactured home park constructed prior to July 1, 1971, are not required to comply with paragraphs (E) to (G) of this rule unless the home is removed from the lot. A replacement manufactured home must comply with paragraphs (E) to (G) of this rule.

3701-27-08(E) specifies the spacing requirements for homes placed in manufactured home parks that were constructed prior to January 1, 1961. The shall be placed on the lot to provide a minimums of: 10 feet between the sides of any manufactured homes, 8 feet between the end of any manufactured home and the side of any manufactured home, and 5 feet between manufactured homes placed end to end.

3701-27-08(F) Each manufactured home placed in a park that was constructed prior to July 1, 1971, shall be placed upon the lot so as to provide:

- * not less than 10 feet distance from any building, public roadway, street, alley, and any right-of-way designated for vehicular traffic as specified by the Ohio Department of Transportation or other local jurisdiction, and
- *not less than 5 feet distance from roadways and parkways within the manufactured home park, and
- *not less than 5 feet distance from the manufactured home park property line

3701-27-08(G) this section specifies home placement for parks constructed after December 31, 1960 or substantially altered after June 30, 1971. Since Countryside Estates was built in 1949, this section would not apply unless a substantial alteration is planned in the future.

Tiedowns, supports and blocking

3701-27-082(A) Every manufactured home placed in a manufactured home park on or after June 1, 1979, shall be secured with tiedowns at the time of placement of the manufactured home upon the lot in accordance with the recommendations of the individual manufactured home manufacturer or in accordance with appendix A to this rule.

3701-27-082(B) Each manufactured home placed in a manufactured home park on or after September 3, 1983, shall be supported by blocking in accordance with the recommendations of the individual manufactured home

manufacturer or in accordance with appendix B to this rule.

3701-27-082(C) This section only applies if the lot is in a 100 year flood plain.

3701-27-082(D) Each manufactured home park lot upon which a manufactured home is to be placed or replaced after the effective date of this rule (Effective Date: November 13, 1992), shall have one of the following base support systems:

- (1) a paved pad;
 - (2) paved strips;
 - (3) concrete piers; or
 - (4) an alternate base support system approved by the director of Ohio Department of Health
- Paving shall be done with concrete having a minimum rating of three thousand pounds per square inch.

Placement Notification

3701-27-083(B) If any changes are proposed with the manufactured home park,... the operator of the manufactured home park shall submit to the licensor within two business days prior to the proposed change a placement notification form that includes the following information:

- (1) The lot number and make and model of the replacement manufactured home;
- (2) Information regarding the proposed placement or replacement of freestanding auxiliary buildings;
- (3) Information regarding the proposed construction of room additions, or other accessory structures to any manufactured home;
- (4) Information regarding the proposed installation of blocking, support, and tiedown systems; and
- (5) Information regarding any other permanently identifying characteristics of the manufactured home.

This is not an inclusive list of the Manufactured Home Park rules that are in effect, only specific sections that applied to the replacement of homes in this particular manufactured home park.

If you have any other questions, please let me know.

Jon Lindsay RS
 Director of Environmental Health
 Henry County Health Department
 1843 Oakwood Avenue
 Napoleon, OH 43545
 Phone: 419-599-5545
 Fax: 419-592-6400
 Email: jlindsay@henrycohd.org

Confidentiality Notice: "This e-mail is intended for the sole use of the intended recipient and may contain privileged, sensitive, or protected health information. If you are not the intended recipient, be advised that the unauthorized use, disclosure, copying, distribution, or action taken in reliance on the contents of this communication is prohibited. If you have received this e-mail in error, please notify the sender via telephone or return e-mail and immediately delete this e-mail."

[Reply](#) [Reply & Delete](#) [Reply All](#) [Forward](#) [Redirect](#) [Source](#) [Full headers](#) [Previous](#) [Next](#) [Delete](#) [Print](#)

Message -
1/11

Move message to

Powered by [IceWarp Software Merak Email Server](#)

**IN THE ADMINISTRATIVE HEARING BY CITY MANAGER
OF CITY OF NAPOLEON, OHIO**

Case No. 06-ADM0001

IN THE MATTER OF:

**Countryside Estates
Brenda Strong
29512 Glenwood Rd.
Perrysburg, Ohio 43551-3029**

ORDER

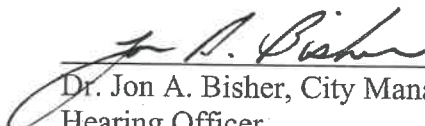
The matter of an alleged nuisance existing on the property located at 558 Beckham Street, Napoleon, Henry County, Ohio, consisting of a structure used as a maintenance building and manufactured homes, specifically, 7, 8, 9, 11, 15 A&B, 16 A&B, and Maintenance Building, came on for hearing this 14th day of July, 2006 at the Napoleon City Conference Room. Present were Tom Zimmerman, Zoning Administrator, Robert Weitzel, Chief of Police and David M. Grahn, City Law Director and Brenda Strong.

Evidence was produced by the Zoning Administrator and Police Chief, by way of photographs and testimony, as solicited by City Law Director David Grahn, demonstrating to the satisfaction of this hearing officer that a nuisance does in fact exist. Brenda Strong placed her position regarding the nuisance on record.

FINDING: That, notice in regard to this hearing was properly served; further, based on the evidence presented, it is the finding of this hearing officer that the park's condition fits the definition of nuisance under 503.02 (c); further, that the nuisance is specific and exists pursuant to 503.03(g) and that there exists violations of 503.06 (a) and (e), all of the sections of the City's Codified Code.

ORDER: The nuisance shall be abated as follows: the following manufactured homes 7, 8, 9, 11, 15 A&B, 16 A&B, and Maintenance Building shall be removed within sixty (60) days from the making of this Order (from July 14, 2006); in the event that the compliance is not accomplished, subject to further review of this hearing officer, then the City officials may abate the nuisance by removal and disposal of the manufactured homes and structure, cost to be assessed pursuant to City Ordinance 503.10 and other pertinent sections of chapter 503 of the City Code.

It is so **ORDERED**.



Dr. Jon A. Bisher, City Manager
Hearing Officer
7/14/2006

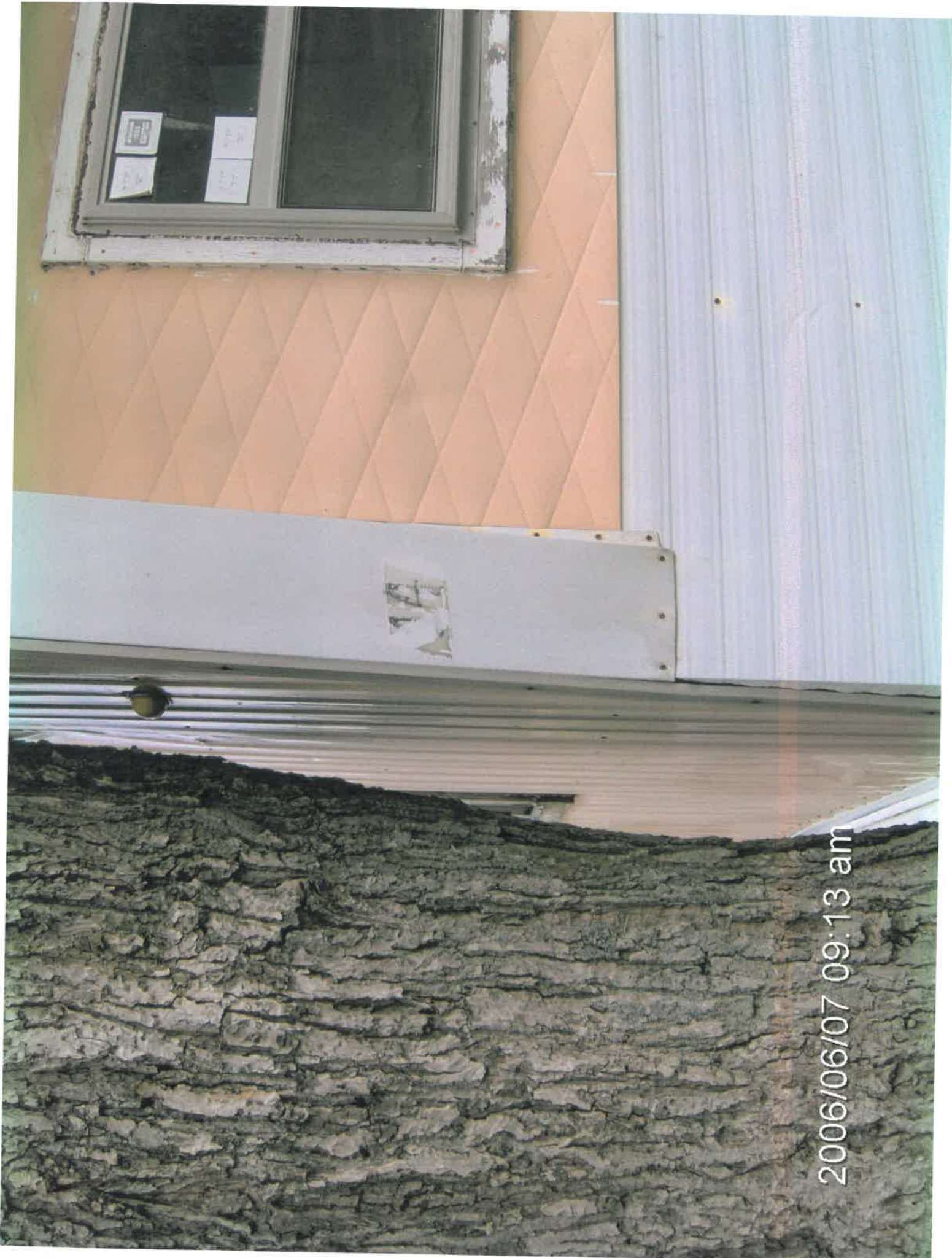
You may appeal this decision in accordance with Section 503.11 of the Codified Ordinances of the City of Napoleon, Ohio, within ten (10) business days by filing notice with the City Finance Director.

*503.11 APPEALS.

- (a) **Right to Appeal:** An appeal to the City Council may be taken by any person aggrieved where it is alleged there is an error in any order, requirement, decision or determination made by the City Manager in the enforcement of this chapter.
- (b) **Notice of Appeal:** An appeal shall be taken within ten (10) City business days from the determination complained of by filing with the City Finance Director a notice of appeal, specifying the grounds thereof. The City Finance Director, upon receipt of notice, shall forthwith transmit to the Council and the City Manager true copies of all the paper constituting the record of the matter. Upon receipt of the record, the City Finance Director shall set the matter for public hearing before the Council. Notice of said public hearing shall be given by publication once in a news paper of general circulation in the City, and by sending regular U.S. mail to the last known address of the appealing party at least three (3) days in advance of the hearing. A thirty-five dollar (\$35.00) deposit is required for an appeal, refundable should the appealing party prevail; moreover, if expenses are incurred by the City in removing personal property as the subject of abatement, a bond covering the expense must be posted by the owner if release of the property is requested pending appeal. Said deposit and/or bond may be waived by the City Finance Director upon a showing of indigence.
- (c) **Council Action:** The Council shall hold a public hearing and may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as is consistent with this Ordinance and all other applicable resolutions, ordinances and statutes. The concurring vote of a majority of the current members of the Council shall be necessary to reverse any order of the City Manager.
- (d) **Stay of Proceedings:** An appeal stays all proceedings in furtherance of the action appealed from, unless the City Manager from whom the appeal is taken certifies to the Council, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in writing, a stay would in his/her opinion cause imminent peril to life or property.



2006/06/07 09:13 am



2006/06/07 09:13 am

503.03 NUISANCES AFFECTING HEALTH.

The following are hereby declared to be health nuisances affecting public health:

- (a) All decayed or unwholesome food offered for sale to the public;
- (b) All pools of stagnant water or vessels holding stagnant water in which mosquitoes can breed;
- (c) Carcasses of animals not buried or otherwise disposed of in a sanitary manner within twenty-four (24) hours after death;
- (d) Accumulations of manure, rubbish, litter, trash, rubble, refuse, debris, paper, combustible materials, offal or waste, or matter of any kind or form which is uncared for, discarded, or abandoned, or improperly stacked building materials all of which are potential breeding places for flies, mosquitoes or other vermin;
- (e) Leaking septic tanks or sewer lines or other sewage existing in an unsanitary manner and which could cause disease transmission;
- (f) Noxious weeds and other rank growths of vegetation upon private property that annoys, injures or endangers the safety, health, comfort or repose of others or takes away from the comfort of adjoining property including but not limited to:

(1)

Buckthorn	Perennial Sowthistle
Canada Thistle	Poison Hemlock
Corncockle	Poison Ivy
Cressleaf Groundsel	Poison Oak
Curly Dock	Poison Sumac
Dodder	Purple Loosestrife
Field Bindweed	Quackgrass
French Weed	Russian Knapweed
Hairy Whitetop	Russian Thistle
Hedge Bindweed	Serrated Tussock
Hoary Cress	Shatter Cane
Horsenettle	Wild Carrot
Johnsongrass	Wild Garlic
Leafy Spurge	Wild Mustard
Mile-A-Minute Weed	Wild Onion
Musk Thistle	Wild Parsnip
Oxeye Daisy	

(2) Grapevines when growing in groups of one hundred (100) or more and not pruned, sprayed, cultivated, or otherwise maintained for two (2) consecutive years;

(3) Bushes of the species of tall, common, or European barberry, further known as berberis vulgaris or its horticultural varieties;

(4) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding ten inches (10") on lots zoned business, commercial or industrial, or eight inches (8") on lots zoned residential. This paragraph (4) does not apply to sloped areas of properties

requiring excessive lengths to maintain the integrity of the slope; and

(5) All vegetation at any state of maturity which:

A. Regardless of height, harbors, conceals, or invites deposits or accumulation of refuse or trash,

B. Harbors rodents or vermin,

C. Gives off unpleasant or noxious odors,

D. Constitutes a fire or traffic hazard.

(g) All buildings, walls, and other structures which have been damaged by fire, decay, or otherwise and which endanger the health, peace and safety of the public;

(h) Any solid or industrial waste, including but not limited to garbage, tin cans, bottles, rubbish, refuse, trash, construction waste or demolition waste, tree trimmings, manufacturing waste or industrial waste dumped, thrown, burned, spilled or abandoned, except such waste disposed of lawfully in a landfill or incinerator;

(i) Trees damaged or dead to the extent that a limb, tree or part could fall;

(j) Garbage cans which do not have tight fitting lids or which are contrary to the ordinances, resolutions, rules or regulations relating thereto;

(k) Any animal or animals kept or maintained in an unsanitary condition or surroundings; and,

(l) Discharge into any part of the storm drainage system of any:

(1) Untreated sewage, sewage solids, process wastewater, refuse, explosive or combustible liquid, solid or gas, oils, greases, industrial waste or other polluted water, except where a federal, state or local permit for connections discharge or disposal has been obtained,

(2) Waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes or constituting a hazard to humans or animals or to cause corrosion, discoloration or deposition of structures and equipment, or,

(3) Any solid or viscous substances in such quantities or of such size capable of causing obstruction to the flow in the stormwater drainage system or other interference with the proper operation of the drainage system of the City.

(Ord. 73-02. Passed 7-15-02.)

7005 0390 0003 9874 8564

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.64



Sent To Countryside Estates
 Street, Apt. No.; or PO Box No. Brenda Strong
 City, State, ZIP+4 Perrysburgh, OH 43551-3029 **TZ**

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Countryside Estates
 Brenda Strong
 29512 Glenwood Rd
 Perrysburgh, OH 43551-3029

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Brenda C. Strong Agent
 Addressee

B. Received by (Printed Name) *BRENDA C. STRONG* C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

(Transfer from service label) 70 0003 9874 8564

503.08 ABATEMENT.

(a) Unless otherwise specifically provided, whenever an alleged nuisance comes to the attention of the office of the Building Inspector, Zoning Administrator, Nuisance Officer, Police Chief, Fire Chief, Fire Inspector, Health Officer, or other person designated by the City Manager, hereinafter collectively referred to as "Inspector" of the existence of a public nuisance as defined in this chapter, he or she shall promptly inspect or cause to be inspected the premises on which it is alleged a public nuisance exists. Should the Inspector, after such inspection find that a public nuisance does exist, he or she shall promptly notify the owner in the manner prescribed in division (c) of this section to abate the nuisance, setting forth a reasonable time period to accomplish the same (five (5) days for abating nuisances involving: litter, weeds, grass, plants, other rank growths of vegetation or the like, and fifteen (15) days for all other nuisances, except that a shorter period may be established jointly by the City Manager and Inspector in cases where there exists potential for physical harm to person or property, and a longer time period may be established jointly by the City Manager and the Inspector when the magnitude of the abatement requires the same).

(b) The Inspector shall cause a written report concerning the nuisance to be filed with the City Manager along with any photographs thereof stating his or her findings.

(c) Except as otherwise provided in division (e) of this section, notice shall be deemed to be properly served if a copy thereof is:

(1) Delivered to the owner of the premises personally; or

(2) Sent by certified mail or registered mail addressed to the owner at the last known address as found on the tax duplicate issued by the Henry County, Ohio Treasurer when real property is involved and the Henry County, Ohio Clerk of Courts, Title Department, when motor vehicles are involved, with return receipt requested.

If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place on, in or about the property, structure, or thing affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the property, structure, or other thing that is the subject of the nuisance shall constitute service of notice upon the owner. When the nuisance abatement action involves the removal or destruction of a titled motor vehicle or buildings, notice shall also be served in the same manner as the owner on persons having a recorded interest therein; moreover, when the removal or destruction of a building is involved, publication shall be made one (1) time each week for two (2) consecutive weeks in a newspaper of general circulation in the County.

(d) Notice to abate shall be in substantially the following form:

Notice to Abate Nuisance

The City of Napoleon to _____

You are hereby notified that the nuisance as defined in Rule/Law/Ordinance/Resolution _____ maintained, operated or permitted to exist by you at (address) _____, consisting of _____ must be abated by (removal) (destruction) (discontinuance) of the same and that if this notice is not complied with within _____ days of service of this notice, you are directed to appear before the undersigned in Room _____ at City Hall located at _____ on _____ (date and hour) and to show cause why the same shall not be abated and that upon your failure to so appear the undersigned will take necessary steps to abate such nuisance. The cost of abatement incurred by the City shall be assessed against you, and a lien may be imposed on the property to secure such payment. If the abatement concerns a motor vehicle or other personal property, you are advised that it may be sold or disposed of in order to abate and/or to cover the cost of abatement.

Special Notice to Responsible Party or Person Having a Recorded Interest:

You are notified that an abatement has been initiated involving real or personal property of which you have a recorded interest; therefore, to protect your interest therein you may appear at the above noted hearing.

Dated this _____ day of _____.

/s/ _____
(Title of Signer)

A copy of the foregoing notice was served on _____ on the _____ day of _____,
_____.
(manner of service)

/s/ _____
(Person serving)

(e) Notwithstanding any other notice requirement, the mere one (1) time publication of a general statement of the authority to abate under this chapter in a local newspaper of general circulation in the County naming generally owners and interested parties of the property in question shall likewise constitute sufficient notice when the nuisance to be abated consists of litter, weeds, other rank growths of vegetation, plants, grass or the like.

(f) At the time and place specified in the notice, the City Manager shall hear the matter. The rules of evidence shall not apply. The owner of the premises which is alleged to be the subject of the nuisance shall have the right to appear in person or by counsel. At the conclusion of the hearing, the City Manager may vacate the action, declare such condition to be a nuisance and order it abated (summarily when nonappearance by the owner or his representative without further notice) or, may abate the same in accordance with the statutes of this State then in force. Service of the order is deemed completed when the order is either delivered in person to the owner or representative, or by posting the order in a conspicuous place on, in or about the property, structure or thing affected by such notice with mailing of the same by regular U.S. mail to the last known address of the owner.

(g) It shall be unlawful for the owner of the premises who has received an abatement order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of the premises to another until the provisions of the abatement order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any abatement order or notice of violation and shall furnish to the Inspector a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such abatement order or notice of violation and fully accepting the responsibility without condition for abating the nuisance required by such abatement order or notice of violation. (Ord. 73-02. Passed 7-15-02.)

NOTICE TO ABATE NUISANCE

(503.03 (g) NAPOLEON CITY CODIFIED ORDINANCE)

The City of Napoleon to the following property owner:

**Countryside Estates
Brenda Strong
29512 Glenwood Rd
Perrysburg, OH 43551-3029**

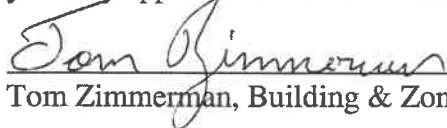
RE: Nuisance condition at 558 Beckham St. Napoleon Ohio.

You are hereby notified that a nuisance as defined in City Codified Ordinance 503.03 (g) and 503.06 (a)(e)* maintained, operated or permitted to exist by you at 558 Beckham St., and must be abated by removal of the same and that if this notice is not complied with within 15 days of service of this notice, you are directed to appear before the City Manager in the Conference Room at City Hall located at 255 W. Riverview, Napoleon, Ohio 43545 on July 11th, 2006 at 11:00 am and to show cause why the same shall not be abated and that upon your failure to so appear the City Manager will take necessary steps to abate such nuisance. The cost of abatement incurred by the City shall be assessed against you, and a lien may be imposed on the property to secure such payment.

Property at 558 Beckham has been declared a Nuisance because of the condition of the structures on lots 7, 8, 9, 11, 15, 16 and the maintenance building.

Special Notice to Responsible party or Person Having a Recorded Interest:

You are notified that abatement has been initiated involving real or personal property of which you have a recorded interest; therefore, to protect your interest therein you may appear at the above noted hearing.



Tom Zimmerman, Building & Zoning

*506.03 (g) All buildings, walls, and other structures which have been damaged by fire, decay or otherwise and which endanger the health, peace and safety of the public;

503.06 (a) Prohibition against nuisance in general; Except as provided in division (o) of this Section, no person shall create any nuisance in the City and no person shall be inaction permit a nuisance to occur or continue on any property under such person's control, nor shall any person permit a nuisance to occur involving any personal property under such person's control.

(e) Prohibition against unsanitary habitations: It shall be unlawful for any person to lease, let, permit the occupancy of, permit to continuation of the occupancy of, or continue the occupancy of a structure or building or any portion thereof used for human habitation, unless such structure or building or portion thereof is free from unclean and unsanitary conditions as defined in subsection (n) hereof and unless there is compliance with the provisions of the subsequent sections.