

TITLE

AN ORDINANCE FOR THE PURPOSE OF ENACTING A SECTION 139.07 ("MOW TO OWN ADJACENT LOT DISPOSITION PROGRAM" TO CHAPTER 139 ("DEPARTMENT OF COMMUNITY DEVELOPMENT") OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN FOR THE PURPOSE OF CREATING A MOW TO OWN ADJACENT LOT DISPOSITION PROGRAM TO PROVIDE BLIGHTED, UNBUILDABLE, VACANT, ABANDONED AND TAX DELINQUENT PARCELS TO ADJACENT PROPERTY OWNERS INTO PRODUCTIVE NEIGHBORHOOD COMMUNITY ASSETS LOCATED IN THE CITY OF WARREN.

ORDINANCE NO. 12979/2020

WHEREAS, Chapter 139, Section 139.05 ("Land Reutilization Program") of the Codified Ordinances of the City of Warren, Ohio, and Section 5722.01 of the Ohio Revised Code facilitates the effective reutilization of non-productive land situated within the boundaries of the City of Warren through the Land Reutilization Program of the Community Development Department of the City of Warren, Ohio; and

WHEREAS, in order to enhance the effectiveness of the Land Reutilization Program and reduce the number of vacant parcels owned and maintained by the City of Warren, the Mow to Own Adjacent Lot Disposition Program would encourage, stabilize and strengthen adjacent property owners' investments in their neighborhoods by transferring unbuildable vacant, abandoned and tax delinquent parcels to adjacent property owners that meet the criteria of the Mow to Own Adjacent Lot Disposition Program through the Community Development Mow To Own Program in the City of Warren, Ohio; and

WHEREAS, this Council is of the opinion that the transfer of eligible vacant City-owned land is in the public interest and that said land is not needed for public use; and

WHEREAS, this Council deems it necessary to enact an Ordinance for the purpose of creating a Mow To Own Adjacent Lot Disposition Program to provide blighted, unbuildable, vacant, abandoned and tax delinquent parcels to adjacent property owners in neighborhoods located in the City of Warren, Ohio into productive community assets; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That Section 139.07 be, and the same hereby is, enacted to and within Chapter 139 ("Department of Community Development") of the Codified Ordinances of the City of Warren as follows:

"139.07 MOW TO OWN ADJACENT LOT DISPOSITION PROGRAM"

(a) For the purpose of this Section, the following words and phrases defined hereunder when used in this Section shall have the meanings therein respectively ascribed to them, unless a different meaning is clearly indicated by the context.

"Mow to Own Adjacent Lot Disposition Program" shall mean a program to enhance the effectiveness of the Land Reutilization Program in order to reduce the number of vacant parcels owned and maintained by the City of Warren that will encourage, stabilize and strengthen adjacent property owners' investments in their neighborhoods by transferring unbuildable, vacant, abandoned and tax delinquent parcels to adjacent property owners that meet the criteria of the Mow to Own Adjacent Lot Disposition through the Land Reutilization Program in the City of Warren, Ohio.

(b) Qualified property parcels eligible for inclusion in the Mow to Own Adjacent Lot Disposition Program shall meet all of the requirements pursuant to the City of Warren's Land Reutilization Program Policy and Procedures set forth in Chapter 139, Section 139.05 "Land Reutilization Program" of the Codified Ordinances of the City of Warren, Ohio, and Section 5722.01 of the Ohio Revised Code and shall meet the following minimum criteria:

- (1) Only lots designated by the City of Warren Land Reutilization Program are eligible. Said lots being designated by the Mayor, Director of Public Service and Safety and the Director of Community Development or any combination thereof.
- (2) The City of Warren has the absolute right to exclude properties from this program at its discretion based upon decision reached upon by the Mayor, Director of Public Service and Safety and the Director of Community Development or any combination thereof.
- (3) The property shall be adjacent to the owner occupied real property with a significant common boundary line.
- (4) Situations not herein defined or deemed to be unusual shall be resolved at the discretion of the Mayor, Director of Public Service and Safety and the Director of Community Development or any combination thereof.

(c) Applicant Eligibility shall meet the following minimum criteria:

- (1) All applicants must own and reside in the adjacent property.
- (2) The applicant shall not be delinquent on any and all taxes and fees both state and local to include any department within the state or the City of Warren, Ohio. The applicant shall not have any property maintenance, nuisance and/or building code violations on any properties they own.
- (3) If an owner-occupant applicant owns rental properties in the City of Warren, Ohio, all such properties shall be registered through the Warren City Health Department Rental Registration.

(d) Eligible activities for applicants of the Mow to Own Adjacent Lot Disposition Program shall meet the following minimum criteria:

- (1) Applicant must maintain the property in an acceptable manner to the City of Warren, Ohio. Decisions to be made by the Mayor, Director of Public Service and Safety and the Director of Community Development or any combination thereof. Maintenance shall include such items as: mowing and trimming the lot, weed removal, clearing leaves, trash and removing snow from the sidewalks and other areas.
- (2) Applicants may improve the lot with landscaping, fencing subject to proper permitting, tree removal, grass restoration, gardening and other improvements that benefit the neighborhood subject to the approval of the Mayor, Director of Public Service and Safety and the Director of Community Development or any combination thereof.

- (3) Parking of cars, storage of any kind, construction of buildings or parking lots is strictly prohibited unless permission is granted by the City of Warren, Ohio under the Mow to Own Adjacent Lot Disposition Program.

(e) Acquisition Process for applicants of the Mow to Own Adjacent Lot Program shall meet the following minimum criteria:

- (1) The City of Warren will identify the Mow to Own adjacent lots available thru this program on its websites. Interested adjacent property owners who are occupants of said property shall submit an application through the Community Development Department.
- (2) Applicants must submit to the Community Development Department of the City of Warren this signed application provided by this Department and shall identify the eligible property to be acquired under this program and demonstrate that the applicant is eligible as set forth in this Ordinance to participate in the Mow to Own Adjacent Lot Disposition Program of the City of Warren, Ohio.
- (3) A non-refundable \$190.00 administration fee and recording fee necessary to transfer the deed be submitted by the applicant in order for the application to be processed.
- (4) Once the City receives the application and the non-refundable application fee, the City will review the application for determination of eligibility. The application will require the maintenance schedule for the vacant lot to be based upon any investment and time or labor that the City of Warren has incurred in said property to be divided equally among six months between April and September of the applicant year. Applications for this program shall be submitted during the months of January, February or March in order to be considered for that application year.
- (5) Upon approval of the application, the City of Warren and the applicant will enter into an agreement specifying the program requirements and outline of the maintenance plan.
- (6) The Mow To Own Adjacent Lot Disposition Program will be an annual program for (6) six months, April thru September.
- (7) The property will be transferred to the applicant by January of the following year once the applicant completes the Mow to Own Adjacent Lot Program subsequent to September and written notice to the Councilperson is given of the transfer.
- (8) The deed for the vacant lot acquired through this program will contain deed restrictions, included, but not limited to a limitation that the acquired vacant property may not be resold without written approval from the City of Warren, Ohio for five years after the closing date and such other deed restrictions as the Mayor, the Director of Public Service and Safety and the Director of Community Development deem appropriate for this specific property.

Section 2: That this Ordinance is hereby necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that the integrity of the environment of the City of Warren may be more fully insured at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 10TH day of November, 2020.

SIGNED:

[Signature]
PRESIDENT OF COUNCIL

ATTEST:

[Signature]
CLERK

FILED WITH THE MAYOR:

11-10-2020

DATE APPROVED:

11-10-2020

[Signature]
MAYOR, CITY OF WARREN, OHIO

WARREN CITY COUNCIL
2020-2021

YES	NO	
		GRAHAM
		RUCKER
		STEINBECK
		BROWN
		WHITE
		SAFFOLD
		MACPHERSON
		FORTE
		GREATHOUSE
		NOVAK
		LARSON

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