

JUST THE FACTS ABOUT CODE ENFORCEMENT

1. **The City can cite owners of property not in compliance with code.** This is false. Unless the situation is an immediate emergency, the City must first give owners a period of time to comply in a notice of violation, which can range from three (3) days to thirty (30) days depending on the seriousness of the violation. The owners can also appeal the City's order to the Board of Property Maintenance Appeals if they believe the City is in error or there is some other remedy. An appeal halts enforcement action until it is considered by the Board. If the owner fails to correct the violation after being given time to comply, the matter is referred to the Prosecutor for court action.
2. **The property owner is responsible for maintenance.** This may or may not be true, depending upon the circumstances. The code generally states that the City is to notify the "owner or person responsible" when a violation is found. The person responsible could be a tenant or land contract holder in many cases. If a lease or land contract identifies a tenant or land contract holder as the person responsible for certain work, the owner should notify the City and provide a copy of the agreement, after which the tenant or land contract holder will be notified to correct the violation.
3. **The City owns the lots where houses have been demolished.** This is false in most cases. The City only places a lien on the property where the demolition occurs. It does not take ownership of lots. Ownership of and responsibility for the lots remains with the person(s) listed on the deed which can be found in the Office of the Jefferson County Recorder.
4. **It is difficult to enforce the code with absentee owners.** This is true. The facts are that there is little the City can do to enforce the code if an owner cannot be located, is deceased with no estate, or resides outside of Jefferson County, Ohio. The City will attempt to serve these owners with a notice of violation, and if the violation is not corrected, will refer the matter to the Prosecutor for court action. If the absentee owner does not appear in court, the court may issue an arrest warrant for failure to appear. An arrest warrant for a misdemeanor case however cannot be served by the Police Department if the owner cannot be located or does not live in Jefferson County, Ohio. The case is closed at this point and the City will take no further action (other than demolition if the property is in dilapidated condition and funds are available) unless new information regarding the owner becomes available.
5. **After the City inspects a property, the code enforcement process is lengthy.** This is true. Due to workloads and court schedules, it could take up to six (6) months from the date of the first inspection until court action. Demolition could take much longer if funds are unavailable.