

**1496.99 PENALTY; EQUITABLE REMEDIES.**

(a) Whoever violates any of the provisions of the International Property Maintenance Code, for which no penalty is otherwise provided, is guilty of a minor misdemeanor and shall be fined not more than ~~one hundred dollars (\$100.00)~~ *one hundred and fifty dollars (\$150)* for each *the first* offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

*(b) Whoever violates any of the provisions of the International Property Maintenance Code for the second offense of the same violation within a twenty-four month period, is guilty of a fourth degree misdemeanor and shall be fined not more than two hundred and fifty dollars (\$250) and a maximum of thirty (30) days in jail. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.*

~~(b)~~ *(c) The application of the penalty provided in subsection (a) or (b) hereof shall not be deemed to prevent the enforced removal of prohibited conditions or the application of any other equitable remedy.*

*(d) Whenever, upon inspection by the safety service director, determines that there are reasonable grounds to believe that there is a violation of this code resulting in the existence of an actual or potential public nuisance, or whenever there exist conditions that adversely affect the health, safety or welfare of any person, and when at least two written notices are mailed to the tax mailing address of record, do not alleviate such a public nuisance or condition, the Safety Service Director may:*

*(1) Cause the correction or abatement of any condition which violates any section of this code in regards to the sanitary maintenance of premises, the sanitary maintenance of animals, the control and abatement of rodents, insects, vermin or other pests, and the control and abatement of public nuisances and may employ the necessary labor to perform the task;*

*(2) Upon performance of the labor mentioned in division (1), with respect to abatement of the above-mentioned public nuisances, the Safety Service Director shall with respect to each parcel of land report to City Council a statement of the charge for the services, the amount paid for performing the labor, and the fees of the officers who made the service of the notice and return;*

*(3) Upon receipt of the statement and approval thereof by council, the clerk of council shall make a return in writing to the auditor of the applicable county of such statement which shall be entered upon the tax duplicate of the county, all in accordance with Ohio Revised Code, Sections 731.51-731.54.*