

ORDINANCE CREATING CHAPTER \_\_\_\_ OF THE MARION CITY CODE

WHEREAS, the Council has found that vacant and foreclosed properties and buildings are a nuisance and contribute to blight within the city, necessitate additional governmental services and costs, and significantly interfere with the use and enjoyment of neighboring properties.

WHEREAS, the Council finds it to be in the best interests of the citizens of Marion to create the Chapter \_\_\_\_ Vacant Property Registration,

BE IT ORDAINED by the Council of Marion, Marion County, Ohio:

CHAPTER \_\_\_\_

Vacant Property Registration

- \_\_\_\_ .01 Findings and purpose.
- \_\_\_\_ .02 Definitions.
- \_\_\_\_ .03 Registry.
- \_\_\_\_ .04 Registration of properties in default and REO properties.
- \_\_\_\_ .05 Exemptions.
- \_\_\_\_ .06 Inspection, maintenance and security requirements.
- \_\_\_\_ .07 Public nuisance.
- \_\_\_\_ .08 Severability.
- \_\_\_\_ .09 Penalty

\_\_\_\_ .01 FINDINGS AND PURPOSE.

The City of Marion finds, determines and declares that:

(a) Vacant and Foreclosed properties and buildings, and properties in the foreclosure process, that remain vacant and unoccupied for any appreciable period of time become an attractive nuisance to children, a harborage for rodents, an increased fire hazard, and an invitation to derelicts, vagrants and criminals as a temporary residence and as a place to engage in illegal conduct, frequently including illegal drug-related activity; that unkempt and unsecured grounds surrounding such buildings invite the dumping of garbage and trash thereon and the congregation of unauthorized persons who use the property for illegal activity; that such buildings contribute to the growth of blight within the City, necessitate additional governmental services and costs, significantly interfere with the use and enjoyment of neighboring properties, and depress market values of surrounding properties, thereby reducing tax revenues; and that such buildings accordingly create an

unhealthy and unsafe condition affecting the public and constitute an unreasonable use of property and a public nuisance.

(b) Protection of the public health, safety and welfare requires the establishment and enforcement of the means by which such nuisance conditions may be prevented and abated.

(c) Vacant properties that are going through or have been through the foreclosure process are frequently the responsibility of banks, lenders, and/or servicers.

(d) Vacant Properties are the responsibility of the property owner.

(e) Even one vacant property that is not actively and well maintained can cause blight and crime.

(f) It is in the interest of the welfare of neighborhoods in the city that property owners, banks, lenders, and/or servicers which fail to maintain vacant properties that they own or have an interest in be subject to the imposition of fines.

#### \_\_\_\_ .02 DEFINITIONS.

For the purposes of this chapter:

(a) "Beneficiary" means the current beneficiary (either the original beneficiary or the assignee(s)), including, but not limited to, a lender, under a note secured by a deed of trust.

(b) "Beneficiary's designated agent" means an entity, including, but not limited to, a servicing company that has contracted with the Beneficiary to perform duties related to the note secured by a deed of trust, including, but not limited to, the collection of installment payments on the note and administration of any default and foreclosure process.

(c) "Days" means calendar days.

(d) "Evidence of vacancy" means any condition visible from the exterior of the property that alone or in combination with other existing conditions would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown and/or dead vegetation; unmaintained pools or spas; an accumulation of newspapers, circulars, flyers and/or mail; past due utility notices and/or disconnected utilities; an accumulation of trash, junk and/or debris; the absence of window coverings such as curtains, blinds and/or shutters; the absence of furnishings and/or personal items consistent with residential habitation; statements by neighbors, passersby, delivery agents, and/or government employees that the property is vacant.

(e) "Legal owner" means the person or entity having record title to the property as shown in the county recorder's office.

(f) "Legal owner's designated agent" means an entity, including, but not limited to, a servicing company, that has contracted with the legal owner to perform duties related to the property.

(g) "Neighborhood standard" means those conditions that are present on a simple majority of properties within a 300-foot radius of the relevant property. A vacant property, or a property in default or a REO property that is vacant or shows evidence of vacancy within a 300-foot radius of the relevant property shall not be counted toward the simple majority.

(h) "Property in default" means a residential property within the city that is subject to a current Notice of Default and/or Notice of Trustee's Sale.

(I) "REO property" ("Real-Estate Owned" property) means a residential property within the city for which title has transferred to the mortgagee, including, but not limited to, a lender or servicing company, as the result of a foreclosure sale or deed in lieu of foreclosure.

(j) "Responsible party" means, for a property in default, the beneficiary and/or the beneficiary's designated agent; and for a REO property, the legal owner and/or the legal owner's designated agent. In the event that there is more than one responsible party for a single property, each responsible party shall be jointly and severally liable for compliance with the provisions of this ordinance.

(k) "Vacant" means property that is unoccupied by the legal owner or by persons with the consent of the legal owner for a period of more than 90 days; or which presents evidence of vacancy for a period of more than 90 days and which is not occupied by the legal owner or an individual with the consent of legal owner for the purposes of occupation.

#### \_\_\_\_ .03 REGISTRY.

The City of Marion shall maintain a registry of the properties described in Section \_\_\_\_ .01(a) in order to permit the City to determine which properties are at risk of becoming subject to and/or in violation of Section \_\_\_\_ .06, and to inspect such properties for compliance with Section \_\_\_\_ .06 and any other applicable requirements. The City shall regularly inspect registered properties at times and in a manner to be determined by the Safety Director (or designee). The Safety Director (or designee) may have all registered properties inspected, or a sample of such properties selected randomly or by criteria determined by the Safety Director (or designee).

#### \_\_\_\_ .04 REGISTRATION OF VACANT PROPERTIES, PROPERTIES IN DEFAULT AND REO PROPERTIES.

(a) Application. The registration requirements contained in this section shall apply to:

- (1) All vacant properties.
- (2) All properties in default.
- (3) All REO properties.

(b) Registration.

The responsible party for any vacant property shall register with the Zoning/Compliance Department within 30 days of vacancy.

The responsible party for a property owner, property in default, including, but not limited to, a lender or servicing company, shall register the property with the Zoning/Compliance Department within 30 days of the recording of the notice of default or, if the notice of default was issued prior to the effective date of this chapter, within 60 days of the effective date of this chapter.

The responsible party for a REO property, including, but not limited to, a lender or servicing company, shall register the property with the Zoning/Compliance Department

within 30 days of the transfer of title or, if the title was transferred prior to the effective date of this chapter, within 60 days of the effective date of this chapter.

The registration shall be filed on city-approved forms (See Appendix 1) which shall require the following information, as well as any additional information deemed necessary by the Safety Director (or designee):

(1) The name and mailing address of the responsible party, and whether the party is the beneficiary, beneficiary's designated agent, legal owner, or legal owner's designated agent.

(2) A direct contact name and phone number for the responsible party.

(3) Whether the property is vacant or shows evidence of vacancy.

(4) If the property is vacant or shows evidence of vacancy, a statement describing the expected period of vacancy, a detailed plan for the regular maintenance of the property during the period of vacancy, and a timeline for the lawful re-occupancy of the property or for the rehabilitation or demolition of the property is required.

(5) If the property is vacant or shows evidence of vacancy and the responsible party is located more than 30 miles outside of the city limits, the name, street address, telephone and facsimile number of a local property management or property preservation company responsible for the maintenance and security of the property is required.

(c) Maintenance Bond. (*See Appendix 2*) Any owner of a vacant and/or foreclosing property shall provide a cash bond acceptable to the Safety Director (or designee), in the sum of not less than ten thousand dollars (\$10,000.00), to secure the continued maintenance of the property throughout its vacancy and remunerate the city for any expenses incurred in inspecting, securing, marking or making such building safe. A portion of said bond shall be retained by the city as an administrative fee to fund an account for expenses incurred in inspecting, securing, and marking said building and other such buildings that are not in compliance with this section. Any owner of a vacant or foreclosing property providing a bond pursuant to this section must also provide bonds for all other vacant or foreclosing properties owned in the city.

(d) Updating the Registry. Any change in the information provided to the registry including, but not limited to, a change in the identity of the responsible party, a change in the vacancy status of the property, and any change in contact information, shall be provided to the registry within ten (10) days of the date of the change.

(e) Annual Renewal. The initial registration shall be effective for the duration of the calendar year in which it is made. For any registered property that is still subject to the registration requirements of this section on January 1 of each year, the responsible party must submit a renewed registration by no later than January 31 of that year.

(f) Fees. The responsible party shall pay a non-refundable fee of one hundred twenty-five dollars (\$125.00) for each registered property to cover the costs of the registry including, but not limited to, initial creation of the registry; ongoing maintenance of the registry; inspection and investigation of registered properties to ensure that the information recorded in the registry is current and accurate; inspection and investigation of registered properties conducted by Zoning/Compliance Department to ensure that they have not fallen into disrepair or are otherwise not in compliance with the requirements of Section .05 and/or any other applicable requirements; and the administrative costs

incurred in determining the appropriate fee. These costs shall be determined annually by the City.

This fee shall be paid with the initial registration and with each annual renewal.

(g) Penalties. Any responsible party that fails to comply with the registration requirements of this section shall become personally responsible for a penalty of one hundred dollars (\$100.00) per day for each day of non-compliance; except that commencing ten (10) calendar days after the date of the Safety Director's (or designee's) notification of failure to comply, the penalty shall be two hundred dollars (\$200.00) per day for each day for non-compliance, with a maximum total penalty of one hundred thousand dollars (\$100,000.00).

If the Safety Director (or designee) determines that a responsible party has failed to comply with the registration requirements of this section, the Safety Director (or designee) shall notify such party within ten (10) days of this determination at the last known address of the failure to comply with this section, the penalties currently due, and the daily accrual of penalties.

A responsible party shall be liable for interest on any unpaid penalties accrued at the same annual rate as civil judgments.

(h) Terminating Registration. If a registered property becomes no longer subject to the registration requirements of this section, the responsible party shall report this information to the registry within ten (10) days. *(See Appendix 3)*

#### \_\_\_\_.05 EXEMPTIONS.

(a) A building under active construction, reconstruction or renovation and having a valid building permit at the time of initial inspection shall be exempt from registration until the expiration of the longest running, currently active building permit.

(b) A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from registration requirement for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Safety Director (or designee), This request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building. One extension of not more than 90 days duration may be granted for good cause shown.

(c) A building that is listed for sale with a licensed State of Ohio Realtor shall be exempted for a period of 12 months from the start of vacancy, provided that the owner submits proof to the Zoning/Compliance Department of such listing and for sale status, and the building and premises is maintained free of any property maintenance violations. A building that has been granted an exemption pursuant to the following: Any owner of a vacant building may voluntarily register the same and request an exemption provisions of this chapter by filing a written application with the Service Director (or designee), who shall timely consider same. In determining whether a request for exemption should be granted, the Service Director shall consider the following: the applicants prior record as it pertains to the City Zoning Code, City Nuisance Code and or building violations; the amount of the vacant property the applicant currently has with the City; the length of time that the building for which the exemption is sought has been vacant; the reasons for the vacancy;

and the difficulty or expense involved in any necessary remediation or demolition. No exemption from registration shall be granted unless the owner or representative first completes a vacant building plan and addresses any and all existing code violations, an owner who believes he or she has been denied for exemption for arbitrary or capricious reasons may file an appeal within ten days with the Board of Building Appeals, which may sustain, overturn or modify the action of the Safety Director (or designee)

\_\_\_\_ .06 INSPECTION, MAINTENANCE, AND SECURITY REQUIREMENTS.

(a) Application. This section shall apply to all properties that are:

- (1) A property in default or a REO property; and
- (2) Vacant or showing evidence of vacancy.

A responsible party that presents the Zoning/Compliance Department with documentary evidence that it does not have the legal right to inspect, maintain, and/or secure the property, where such evidence is accepted as adequate by the Safety Director (or designee), shall be exempt from the requirements of this section.

(b) Placard. The property subject to this section shall be placarded in accordance with the Ohio Fire Code.

(c) Inspections. The responsible party for a property subject to this section shall perform an inspection of the property no less than once every seven (7) days to ensure the property is in compliance with this section.

(d) Maintenance. Properties subject to this section shall be, in comparison to the neighborhood standard, kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), discarded personal items including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is vacant.

(1) The property shall be maintained free of graffiti, tagging or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior of the structure.

(2) Visible front and side yards shall be landscaped and maintained to the neighborhood standard. Landscape includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings; and decorative rock, bark or artificial turf/sod designed specifically for residential installation. Landscape does not include weeds, gravel, broken concrete, asphalt, decomposed granite, plastic sheeting, indoor-outdoor carpet or any similar material. Maintenance of yards includes, but is not limited to, regular watering, irrigation, cutting, pruning, mowing and removal of all trimmings.

(3) Pools and spas shall be kept in working order so the water remains clear or free of pollutants and debris or drained and kept dry. In either case, properties with pools and/or spas must comply with the minimum-security fencing requirements of the State of the Ohio.

(e) Security. Properties subject to this section shall be maintained in a secure manner so as to not be accessible to unauthorized persons.

Secure manner includes, but is not limited to, the closure and locking of windows, doors (walk-through, sliding, and garage), gates and any other opening of such size that it may

allow a child to access the interior of the property and or structures(s). In the case of broken windows, securing means the re-glazing or boarding of the window.

(e) Additional Authority. In addition to the requirements of this section, the Safety Director (or designee) shall have the authority to require the responsible party for any property subject to the requirements of this section to implement additional maintenance and/or security measures including, but not limited to, securing any door, window or other openings; installing additional security lighting; increasing on-site inspection frequency; employment of an on-site security guard; or other measures as may be reasonably required to arrest the decline of the property.

#### \_\_\_\_.07 PUBLIC NUISANCE.

(a) Public Nuisance. It shall be a public nuisance for any property subject to the requirements of Section \_\_\_\_ .06 to fail to comply with any of those requirements.

(b) Notice of Violation/Demand to Abate. Whenever the Safety Director (or designee) determines that a property is a public nuisance pursuant to paragraph (a), the Safety Director shall issue a notice of violation and demand to abate directed to the responsible party and to the legal owner, if the legal owner is different than the responsible party.

The notice shall contain:

(1) The street address and such other description as is required to identify the property.

(2) A statement that specifies the conditions that constitute the violation.

(3) A description of the measures necessary to correct the violation.

(4) An order that the responsible party take the necessary measures to correct the violation and abate the nuisance within ten (10) days from the date of the notice; unless the violation constitutes a violation of any provision of the Ohio Building Standards Code, in which case the notice shall order the responsible party to take the necessary measures to correct the violation and abate the nuisance within thirty (30) days from the date of the notice.

(5) A statement that if the responsible party fails to take the necessary measures to abate the nuisance within the specified time period, the responsible party will be subject to penalties pursuant to paragraph (d), and the City may take all necessary legal or administrative action, including performing the necessary measures, with the cost of such performance to be assessed against the responsible party.

(6) A statement that the responsible party may, during the specified time period in which it is ordered to correct and abate, request in writing a hearing before the Safety Director (or designee) regarding the conditions that constitute the violation and the measures necessary to correct the violation.

(7) A notice of the fee due, as provided in paragraph (c).

(8) The written notice shall be served on the responsible party and legal owner either by personal delivery or by first class mail.

(c) Fees. A responsible party to whom the Zoning/Compliance Department has sent a notice of violation and demand to abate pursuant to paragraph (b) shall pay a fee of one hundred fifty dollars (\$150.00) to cover the costs of the notice of violation and demand to abate including, but not limited to, administrative costs related to the notice; inspection

and investigation of properties to determine whether they are public nuisances (other than inspections or investigations conducted pursuant to Section 1129.05); inspection and investigation of properties subject to a notice of violation and demand to abate to determine whether they have complied with such demand; increased inspection and investigation of properties formerly subject to a notice of violation and demand to abate to ensure that such properties remain in compliance; and the administrative costs incurred in determining the appropriate fee. These costs shall be determined annually by the city.

(f) **Penalty for Failure to Abate.** Any responsible party served with a notice of violation that fails to take the necessary measures set forth in the notice shall become personally responsible for an administrative penalty in an amount up to one hundred dollars (\$100.00) per day for each day of non-compliance after the specified time period set forth in the notice has passed, with a maximum total penalty of one hundred thousand dollars (\$100,000.00), unless the responsible party provides documentary evidence to the Safety Director (or designee) that the structure is the subject of an active building permit for repair, rehabilitation or demolition and the responsible party is proceeding diligently in good faith to complete the repair, rehabilitation or demolition, where such evidence is accepted as adequate by the Safety Director (or designee).

A responsible party shall be liable for interest on any unpaid penalties accrued at the same annual rate as civil judgments.

(g) **Abatement by City.** In the event the violation is not abated within the time specified in the notice, the city may take all necessary actions to abate such violation, and the responsible party shall become personally indebted to the city for the actual and reasonable costs of abatement as adopted by the city at a public hearing.

After the city has taken abatement actions, the Safety Director (or designee) shall send a notice to the responsible party by first class mail advising the responsible party of the abatement action by the city. The notice shall also inform the responsible party that he/she is responsible for the actual and reasonable costs of abatement and notify the responsible party of the date and location of the public hearing at which the costs will be determined.

(h) **Summary Abatement.** If, in the opinion of the Safety Director (or designee), there exists a specific condition on any property subject to the requirements of this section which is of such a nature as to be an imminent threat to the public health, safety or welfare, the same may be abated by the city forthwith without compliance with the provisions of paragraph (b). The actual and reasonable costs of any abatement measures taken by the City pursuant to this paragraph shall be the responsibility of the responsible party as provided in paragraph (e).

(I) **Appeals.** Any person aggrieved by any of the requirements of this section may appeal as provided under Chapter 160, Board of Building Appeals.

#### \_\_\_\_.08 SEVERABILITY.

Should any provision, section, paragraph, sentence or word of this chapter be determined or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this chapter shall remain in full force and effect.



\_\_\_\_.09 PENALTY.

Whoever fails to comply with such written notice within the time set forth in 1129.07 is guilty of a minor misdemeanor. This penalty is in addition to any other remedy of the municipality contained in this chapter.

## Section 2.

This ordinance shall take effect on the earliest date allowed by law.

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Todd Schneider  
President of Council

APPROVED:

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Mayor Scott Schertzer

Attest;

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Clerk of Council

# Appendix 1

## City of Marion Ohio

### RESIDENTIAL VACANT & FORECLOSED PROPERTY REGISTRATION FORM

**OFFICE USE ONLY**

Date & Amount Paid: \_\_\_\_\_

Check Number: \_\_\_\_\_

**Section 1 - OWNER:**

**Owner refers to person or persons with legal title**

**Type of Owner:** Individual  Sole Proprietorship  Partnership  Corporation  Trust  Other

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone #: \_\_\_\_\_

Emergency Phone #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Social Security/Tax ID#: \_\_\_\_\_ Email Address: \_\_\_\_\_

Statutory Agent of corporation or partnership: \_\_\_\_\_

**If owner is a partnership, corporation or trust, complete the following for one partner, officer or trustee:**

Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Section 2 - RESPONSIBLE PARTY (Complete if Responsible Party is Different from the Owner):**

**Responsible Party's Relationship to Owner:**

Beneficiary

Beneficiary's Designated Agent

Legal Owner

Legal Owner's Designated Agent

Name of responsible party: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Tax ID# of corporation or partnership: \_\_\_\_\_

***If responsible party is a partnership, corporation or trust, complete the following for one partner, officer or trustee:***

Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
\_\_\_\_\_

**Section 3 - PROPERTY INFORMATION:**

Address: \_\_\_\_\_

Apartment numbers if multi-family unit: \_\_\_\_\_

Type of Property: Single-family  Duplex  Tri-plex  Multi-family (4+ Units)  Commercial  Rooming House  If

multi-family, list the number of units in the property:

If a rooming house, list the number of sleeping rooms in \_\_\_\_\_ the property:

UNKNOWN

Is the property currently vacant or showing signs of vacancy: YES NO

**Section 4 – MAINTENANCE AND RE-OCCUPANCY PLAN:**

If the property listed in Section 3 of this form is vacant or is showing signs of vacancy, please provide a statement detailing:

(1) Anticipated period of vacancy

(2) A detailed plan for the regular maintenance of the property during the period of vacancy

(3) A timeline for the anticipated re-occupancy of the property

(4) Rehabilitation plan for the property (if applicable)

(5) Demolition plan for the property (if applicable)

**Section 5 – PROPERTY MANAGEMENT OR PRESERVATION AGENT (If Applicable):**

**If the property is vacant or shows evidence of vacancy AND the responsible party (listed in Section 2) is located more than thirty (30) miles outside of the City limits, please provide the following information for the responsible property management or property preservation company that will oversee maintenance and security of the property:**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Emergency Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Contact Person Name & Title: \_\_\_\_\_

Direct Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**VACANT AND FORECLOSED PROPERTY REGISTRATION FEE**

Annual fee per vacant property is \$125.00. Please make all checks payable to the City of Marion and mail to:

**City of Marion  
Zoning/Compliance Department  
233 W. Center St.  
Marion, OH 43302**

*Please note, this initial registration shall be effective for the duration of the calendar year in which it is made. For any registered property that is still subject to the registration requirements on January 1 of each year, the responsible party must submit a renewed registration by no later than January 31<sup>st</sup> of that year.*

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**VACANT AND FORECLOSED PROPERTY MAINTENANCE BOND**

*Any owner of a vacant and/or foreclosing property shall provide a cash bond acceptable to the City of Marion, in the sum of not less than ten thousand dollars (\$10,000), to secure the continued maintenance of the property throughout its vacancy and remunerate the City of Marion for any expenses incurred in inspecting, securing, marking or making such property safe. The City of Marion shall retain five hundred dollars (\$500) of said bond as an administrative fee to fund an account for expenses incurred in inspecting, securing and marking said property and other properties that are not in compliance. Any owner of a vacant or foreclosing property providing a bond pursuant to this registration, must also provide bonds for all other vacant or foreclosing properties owned within the City of Marion.*

**There is a one-time, per property cash maintenance bond of \$10,000 required as part of this registration. Please provide this cash bond payable to the City of Marion and mail to:**

**City of Marion  
Marion City Auditor  
233 W. Center St.  
Marion, OH 43302**

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**APPLICANT CERTIFICATION**

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Applicant Signature

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Applicant Printed Name

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Date

# Appendix 2

*Zoning/Compliance Division*

233 W. Center St.

Marion, Ohio 43302

740.383.4114

[www.marionohio.us](http://www.marionohio.us)

## VACANT PROPERTY REGISTRATION BOND DEPOSIT FORM

### OFFICE USE ONLY

Received:	Date: _____	Amount
	Check #:	
	Processed By:	
Account # -	—————→	\$500 (admin. fee)
Account # -	—————→	\$9,500 (balance)

**Section 1 - PROPERTY INFORMATION:**

Address: \_\_\_\_\_ Parcel Number: \_\_\_\_\_ Apartment numbers if multi-family property:

Type of property: Single-family  Duplex  Tri-plex  Multi-family (4+ Units)  Commercial  Rooming House

Is the property currently vacant or showing signs of vacancy: YES  NO  UNKNOWN

Vacant and foreclosed property registration form completed and submitted: YES  NO

Vacant and foreclosed property registration fee paid: YES  NO

Owner / Former Owner / Mortgagor: \_\_\_\_\_ Current Address:

Phone #: \_\_\_\_\_

**Section 2 – MORTGAGEE / BANK / LENDER / SERVICER INFORMATION:**

Phone #: \_\_\_\_\_

Name of entity:

Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name & Title of Contact Representative:

\_\_\_\_\_

Address:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email:

Phone #: \_\_\_\_\_

**Section 3 – FORECLOSURE INFORMATION (if applicable):**

Case #:

Filing Date:

Case Status: OPEN  CLOSED

**Section 5 – PROPERTY MANAGEMENT OR PRESERVATION AGENT (if applicable):**

Company Name:	
Address:	City: _____ State: _____ Zip: _____
Phone #: _____	Emergency Phone #: _____ Fax #: _____
Contact Person Name & Title: _____	
Direct Phone #: _____	Email: _____

*Any owner of a vacant and/or foreclosing property shall provide a cash bond acceptable to the City of Marion, in the sum of not less than ten thousand dollars (\$10,000), to secure the continued maintenance of the property throughout its vacancy and remunerate the City of Marion for any expenses incurred in inspecting, securing, marking or making such property safe. The City of Marion shall retain five hundred dollars (\$500) of said bond as an administrative fee. Any owner of a vacant or foreclosing property providing a bond pursuant to this registration, must also provide bonds for all other vacant or foreclosing properties owned within the City of Marion.*

**There is a one-time, per property cash maintenance bond of \$10,000 required as part of this registration. Please provide this cash bond payable to the City of Marion along with this form and mail or hand deliver to:**

City of Marion  
Zoning/Compliance Department  
233 W.  
Center St.  
Marion,  
OH 43302



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**CERTIFICATION**

*I certify that the information contained in this bond deposit form is true and accurate to the best of my knowledge and understand that completion of this bond deposit form does not relieve the owner of applicable obligations set forth in the City of Marion codified ordinances.*

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Applicant Signature

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Applicant Printed Name

Date

# Appendix 3

City of Marion

Zoning/Compliance Department  
233 Center St.

Marion, Ohio 43302

740.383.4114

[www.marionohio.us](http://www.marionohio.us)

## VACANT PROPERTY REGISTRATION BOND RELEASE FORM

	<b>OFFICE USE ONLY</b>
Date Request	_____
Received:	_____
Balance Issued Date:	_____
Check #:	_____
Amount to Release:	_____
City Official Sign Off: __	Date of City Sign Off: ____

### Section 1 - PROPERTY INFORMATION:

Address: \_\_\_\_\_ Parcel Number: \_\_\_\_\_

Type of property: Single-family  Duplex  Tri-plex  Multi-family (4+ Units)  Commercial  Rooming House

### Section 2 – MORTGAGEE / BANK / LENDER / SERVICER INFORMATION:

Name of entity: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**BOND RELEASE JUSTIFICATION (SELECT ONE)**

**Section 3 – SALE INFORMATION (IF APPLICABLE):**

New Owner's Name: _____
New Owner's Address: _____ Transfer Date: _____
New Owner Phone: _____

**Section 4 – FORECLOSURE DISMISSAL (IF APPLICABLE):**

Case Number: _____	Dismissal Date: _____
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**Section 5 – SERVICER TRANSFER (IF APPLICABLE):**

Transfer Date: _____	New Servicer Name: _____
New Servicer Address: _____	_____
Contact Person Name: _____	Contact Person Phone: _____

**Section 6 – BOND INFORMATION:**

Bond Paid by Check #: _____	Date of Check: _____
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**Section 7 – BOND RELEASE INFORMATION:**

Payee Name: _____	
Payee Address: _____	
Contact Person for Payee Name: _____	Phone: _____

**CERTIFICATION**

*I certify that the information contained in this bond release form is true and accurate to the best of my knowledge.*

\_\_\_\_\_

Applicant Signature

Date

\_\_\_\_\_

Applicant Printed Name

# Appendix 4

## City of Marion Ohio

### RESIDENTIAL VACANT & FORECLOSED PROPERTY EXEMPTION FORM

#### Section 1 - OWNER:

**Owner refers to person or persons with legal title**

**Type of Owner:** Individual  Sole Proprietorship  Partnership  Corporation  Trust  Other

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone #: \_\_\_\_\_

\_\_\_\_\_ Emergency Phone #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Social Security/Tax ID#: \_\_\_\_\_ Email Address: \_\_\_\_\_

Statutory Agent of corporation or partnership: \_\_\_\_\_

***If owner is a partnership, corporation or trust, complete the following for one partner, officer or trustee:***

Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

#### Section 2 - RESPONSIBLE PARTY (Complete if Responsible Party is Different from the Owner):

<b>Responsible Party's Relationship to Owner:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Beneficiary	<input type="checkbox"/>		
Beneficiary's Designated Agent		<input type="checkbox"/>	
Legal Owner			<input type="checkbox"/>
Legal Owner's Designated Agent			

Name of responsible party: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Tax ID# of corporation or partnership: \_\_\_\_\_

***If responsible party is a partnership, corporation or trust, complete the following for one partner, officer or trustee:***

Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
\_\_\_\_\_

**Section 3 - PROPERTY INFORMATION:**

Address: \_\_\_\_\_

Apartment numbers if multi-family unit: \_\_\_\_\_

Type of Property: Single-family  Duplex  Tri-plex  Multi-family (4+ Units)  Commercial  Rooming House  If multi-family, list the number of units in the property: \_\_\_\_\_

If a rooming house, list the number of sleeping rooms in \_\_\_\_\_ the property:  
  UNKNOWN

Is the property currently vacant or showing signs of vacancy: YES  NO

**Section 4 – VACANT BUILDING PLAN:**

If the property listed in Section 3 of this form is vacant or is showing signs of vacancy, please provide a statement detailing the request for exemption:

- (1) Name and contact information for listing agent. (if applicable)
- (2) Rehabilitation Plan for the property. (if applicable)
- (3) Demolition plan for the property (if applicable)

**Section 5 – PROPERTY MANAGEMENT OR PRESERVATION AGENT (If Applicable):**

**If the property is vacant or shows evidence of vacancy AND the responsible party (listed in Section 2) is located more than thirty (30) miles outside of the City limits, please provide the following information for the responsible property management or property preservation company that will oversee maintenance and security of the property:**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Emergency Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Contact Person Name & Title: \_\_\_\_\_

Direct Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

*Please note, this initial registration shall be effective for the duration of the calendar year in which it is made. For any registered property that is still subject to the registration requirements on January 1 of each year, the responsible party must submit a renewed registration by no later than January 31<sup>st</sup> of that year.*

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**APPLICANT CERTIFICATION**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Printed Name

\_\_\_\_\_  
Date