

APPLICATION FOR APPEAL

PROPERTY MAINTENANCE BOARD OF APPEALS
VANDALIA, OHIO

Pursuant to law, application is hereby made to the Property Maintenance Board of Appeals for a hearing relative to the enforcement of this code.

Address of Appeal _____

Housing/Property Maintenance Code Section to be appealed _____

Name of Applicant _____

Mailing Address _____

Telephone Number _____ Cell Phone Number _____

Name of Owner _____

Mailing Address _____

Telephone Number _____ Cell Phone Number _____

CASE DESCRIPTION

A Violation Notice was issued by the Code Official on _____

Please attach a copy of the Violation Notice

Reason for Notice _____

I/we request this Hearing on the grounds that the Code Official:

- Misinterpreted or Misapplied the Code (Please check one)

Please specify _____

Applicant: I/we hereby depose and say that all the statements contained herein or in the material attached hereto are true and are an accurate representation of the facts as they exist.

Signature of owner or agent for owner

Appeal filed on _____ Hearing Date _____ Case No. _____

FEE \$50.00 RECEIPT # _____

2/15

CITY OF VANDALIA BUILDING AND HOUSING CODE

1482.21. APPEALS.

(a) Application for Appeal. Any person aggrieved by a decision or order of the Code Official shall have the right to appeal that matter to the Property Maintenance Board.

(1) Written notification. A written notice of appeal must be signed by the person and filed with the office of the City Manager within ten working days after the date service of the decision or order has been completed.

(2) Contention of Misinterpretation or Misapplication of Code. An appeal shall be a means of obtaining a hearing on a contention that the Code Official misinterpreted or misapplied some provision of this Code.

(3) Grounds. The notice of appeal shall specify the decision or order appealed from and shall set forth the grounds of the appeal.

(4) Stay of proceedings. An appeal shall stay all proceedings on the decision or order from which the appeal is taken, unless the Code Official certifies to the Property Maintenance Board that a stay would cause imminent peril to life or imminent risk of substantial damage to property. In the event the Code Official so certifies, the proceedings to enforce the order or decision appealed from shall not be stayed, except by an injunction or other equitable order issued by a court, after notice to the City.

(5) Hearing on appeal. The Board shall select a time and place for a hearing on the appeal. Notice of the hearing date shall be given to the appellant and the City in the same manner as service is to be made under Section 1482.23(c). If the appellant is not the owner of the property in question, such notice shall also be given to that property owner in the same manner.

(6) Board decision. The Board may affirm, modify or reverse the order or decision appealed from. The decision of the Board on an appeal shall be limited to the application of this Code. The Board may not disregard, vary or modify the Code language. Any such decision of the Board shall be deemed to be a final administrative order appealable to the courts. The City shall be deemed to be adversely affected and aggrieved by a Board decision which modifies or reverses an order or decision of the Code Official, and the City shall have the right to appeal such a decision to the court. An appeal to the court shall stay enforcement proceedings in the same manner as described in paragraph (a)(4) hereof.

1482.99 PENALTY.

(a) Whoever violates any provision of this Housing/Property Maintenance Code shall, upon conviction thereof, be subject to the following penalties:

(1) For the first offense, a minor misdemeanor, and shall be fined not more than one hundred dollars (\$100.00) for each offense.

(2) For the second offense (whether or not of the same section of this Code), occurring not sooner than twenty days and not later than two years after the first offense, a misdemeanor of the fourth degree, and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense.

(3) For the third offense (whether or not of the same section of this Code), occurring not sooner than twenty days of the second offense and not later than two years after the first offense, a misdemeanor of the first degree, and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, for each offense.