

If at any point during that two-year period another nuisance activity or felony drug activity occurs at the property, the two year period shall restart from the date of that activity. The two-year period shall restart for any subsequent nuisance or felony drug activity.

- (d) In addition to other relief ordered, a court of competent jurisdiction may authorize the City to physically secure the property against all access, use or occupancy in the event that the owner fails to do so within the time specified by the court. In the event that the city is authorized to secure the property, all costs reasonably incurred by the City to physically secure the property shall be paid to the City by the owner and may be included in the City's money judgment, including court costs. The court may in its discretion, award attorney fees to the prevailing party.

#### **521.07. OTHER PENALTIES**

- (a) In addition to any other civil penalties contained herein, whoever is assessed a civil penalty under the terms and conditions set forth in Section 521.06 above may also be charged with a minor misdemeanor and shall be fined up to one hundred and fifty dollars (\$150.00). No culpable mental state is required to commit an offense; it being the express intent of this Chapter to impose strict criminal liability for each offense.
- (b) A separate offense shall be deemed committed each day on which a violation occurs or continues.
- (c) Permits, including those for occupancy, health, etc., granted to the owner may be subject to revocation based on the declaration that a property is a chronic nuisance property.
- (d) The declaration of a nuisance property, an order to abate a nuisance, or the assessment of costs by the City on a property do not affect or limit the City's right or authority to bring a criminal prosecution or other legal action against any person for violation of the City's ordinances or the Ohio Revised Code, including those provided for in ORC 3767.06.
- (e) The cost of abating or lessening the severity of such public nuisance, or of such other action taken by the city pursuant to this Chapter, shall be recovered in the following manner:
  - (1) The owner shall be billed directly by certified mail for the cost of abating or lessening the severity of such public nuisance. The bill for the costs thereof shall be paid within 60 days after receipt of the bill.
  - (2) If the costs are not so recovered, the City may collect the costs by any of the following methods:
    - (A) The City may cause of abating or lessening the severity of such public nuisance to be levied as an assessment and recovered in accordance with Ohio Revised Code Section 715.261.
    - (B) The City may commence a civil action to recover the costs from the owner as provided in Ohio Revised Code Section 715.216.

#### **521.08 THIS CHAPTER NOT EXCLUSIVE**

- (a) This Chapter shall not be deemed to be a limitation or restriction of any department, division, official, or employee of the City, but shall be deemed as an enlargement of any authority existing by virtues of the statutes of the State of Ohio or any ordinance heretofore enacted by Council.

#### **521.09 REPUTATION**

- (a) In any case in which it is necessary to prove that a property is a public nuisance as defined in this Chapter, evidence as to the reputation of such place shall be admissible on the question of whether the property is or is not a public nuisance, and every owner and every person responsible for the premises shall be presumed to have knowledge of the reputation of the place.