

RESOLUTION NO. 109 (22-23)

A Resolution to authorize the Law Director of the City of Marietta, Ohio, or his designee, pursuant to O.R.C. 733.53 to commence legal proceedings in the Common Pleas Court of Washington County, Ohio, against Deborah Streight (a.k.a. Deborah Littleton), and Brian Streight, owners of property located within the corporation limits of Marietta, Ohio on South Sixth Street, because said owners are unlawfully operating a junk yard upon said property, without a license to do so, which is in violation of Chapter 4737 of the Ohio Revised Code and Chapter 729 of the Codified Ordinances of the City of Marietta, and declaring an EMERGENCY.

WHEREAS, Deborah Streight (a.k.a. Deborah Littleton) owns real and personal property located within the corporations limits of Marietta, Ohio, situated on South Sixth Street where she resides with Brian Streight; and

WHEREAS, the property, known for street purposes as 221 South Sixth Street, is situated in a "C-3" Zoning District; and

WHEREAS, the Streights are operating a junk yard on the property and are in violation of Chapter 4737 of the Ohio Revised Code and Chapter 729 of the Codified Ordinances of the City of Marietta, Ohio; and

WHEREAS, the Codified Ordinances of the City of Marietta, Ohio, prohibit the operation of a junk yard in a "C-3" Zoning District; and

WHEREAS, there have been numerous complaints from various citizens of the City of Marietta, Ohio, concerning the junk yard located on South Sixth Street; and

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WHEREAS, the Chief of Police for the City of Marietta, has inspected the property and given the owners a deadline in which to clean the property of all debris and blight, and further Ordered that the parties cease the operation of their junk yard business; and

WHEREAS, the owners of the property at 221 South Sixth Street have failed to abate the property of debris and junk, as ordered by the Chief of Police; and

WHEREAS, the owners continue to operate a junk yard from the property located on South Sixth Street in violation of Chapter 4737 of the Ohio Revised Code and Chapter 729 of the Codified Ordinances of the City of Marietta, Ohio; and

WHEREAS, the Law Director of the City of Marietta, Ohio, or his designee, is requesting a Resolution authorizing and directing the Law Director or his designee to file a lawsuit seeking damages and/or injunctive relief, on behalf of the City of Marietta, Ohio against Deborah Streight (a.k.a. Deborah Littleton) and Brian Streight, pursuant to Codified Ordinance No. 729.09, in an effort to have the junk and debris abated and the junk yard closed; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

Section 1: That the Marietta City Council shall and does hereby authorize and direct the Law Director of the City of Marietta, Ohio, or his designee, to file a lawsuit seeking damages, and/or injunctive relief, in the Washington County Common Pleas Court against Deborah Streight (a.k.a. Deborah Littleton) and Brian Streight, pursuant to Codified


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Ordinance No. 729.06, in an effort to have the junk and debris located on the property on South Sixth Street, Marietta, Ohio, abated, and the junk yard business closed.

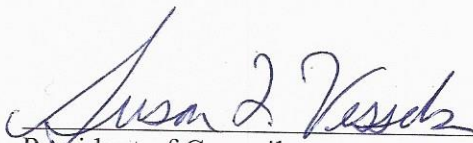
Section 2: That this Resolution shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health, and safety of the City of Marietta, Ohio, and for the further reason that the property located on South Sixth Street, Marietta, Ohio, continues to be a nuisance, and the parties are continuing to operate a commercial junk yard at the property, which is in violation of Chapter 4737 of the Ohio Revised Code and Chapter 729 of the Codified Ordinances of the City of Marietta, Ohio.

WHEREFORE, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Introduced by the Planning, Zoning, Annexation & Housing Committee, Geoff Schenkel, Chairman.

  
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Geoff Schenkel, Chairman

Passed this 6<sup>th</sup> day of July, 2023.

  
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President of Council

ATTEST:

Michelle Newbanks  
Clerk of Council

Approved this 6<sup>th</sup> day of July, 2023.



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Mayor

First Reading July 6, 2023

Second Reading Suspended

Third Reading Suspended