

**The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio,** met in regular session at 6:00 p.m., on the 9<sup>th</sup> day of April, 2013, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Dennis P. Deters, Jeffrey F. Ritter, Melinda Rinehart

Mr./Ms. Rinehart introduced the following resolution and moved its adoption:

**RESOLUTION NO. 39 -13**

**RESOLUTION FOR DEMOLITION OF THE PROPERTY AT 2715 NIAGARA**

WHEREAS, Ohio Revised Code §505.86 provides that, at least thirty days prior to providing for the removal, repair, or securance of any building or structure which has been declared insecure, unsafe, or structurally defective by the Township Fire Prevention Officer, or by the Hamilton County Building Department, or has been declared unfit for human habitation by the Hamilton County General Health District, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS, the structures at 2715 Niagara were found by the Colerain Township Fire Department to be structurally deteriorating, uninhabitable, unsafe and insecure in a memorandum dated December 13, 2012.

WHEREAS, the conditions on this property are negatively impacting the adjacent properties; and

WHEREAS, a hearing was held on March 12, 2013, before the Board of Trustees of Colerain Township, at which all witnesses were duly sworn, gave testimony and presented evidence to the Board that the property is unsafe and insecure; and

WHEREAS, the owner of the land and any and all lien holders of record upon the land were given thirty days notice of the March 12, 2013 hearing as required by R.C. §505.86; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. The Board specifically finds and hereby determines based on the evidence and testimony presented by duly sworn witnesses at its hearing on March 12, 2013, that the conditions found at 2715 Niagara constitute an unsafe and structurally insecure building within the meaning of Ohio Revised Code §505.86, rendering the structure uninhabitable, insecure and negatively impacting adjacent properties, and that all owners and lienholders of the land were given proper notice of at least thirty days as required by R.C. §505.86; and

2. That the Colerain Township Board of Trustees hereby orders the owners of said property to demolish the house thereon within 30 days from today's April 9, 2013 hearing whereby they were given notice. If said building is not demolished by the said owners, or if no agreement for removal, repair or abatement of conditions on the property is reached between the Township and the owners and lienholders of record within thirty days after April 9, 2013, or if no appeal of the Board's decision is filed on or before May 9, 2013 the Zoning Inspector shall cause the

building to be demolished, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code §505.86.

3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

4. That this Resolution shall be effective at the earliest date allowed by law.

Mr./Ms. Ritter seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Deters aye, Mr. Ritter aye, Ms. Rinehart aye

ADOPTED this 9<sup>th</sup> day of April, 2013.

BOARD OF TRUSTEES:

[Signature]  
Dennis P. Deters, Trustee

[Signature]  
Jeffrey F. Ritter, Trustee

[Signature]  
Melinda Rinehart, Trustee

ATTEST:

[Signature]  
Heather E. Harlow,  
Fiscal Officer

Resolution prepared by and approved as to form:

[Signature]  
Lawrence E. Barbieri (0027106)  
5300 Socialville Foster Rd., Suite 200  
Mason, OH 45040  
(513) 583-4200  
Colerain Township Law Director

### AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 9<sup>th</sup> day of April, 2013.



Heather E. Harlow,  
Colerain Township Fiscal Officer