

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 5:00 p.m., on the 9th day of August, 2016 at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Greg Insco, Jeffrey F. Ritter

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

RESOLUTION NO. 38

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

	<u>Address</u>	<u>Book</u>	<u>Page</u>	<u>Parcel No.</u>
2430	CHOPIN DR	510	0053	0118
9006	COOGAN DR	510	0053	0009
-----	DAY RD	510	0170	0079
2550	HIGHGROVE CT	510	0073	0124
2667	HOUSTON RD	510	0022	0013
11881	KITTRUN CT	510	0012	0167
2752	MANCELONA CT	510	0044	0185
2568	MARIPOSA ST	510	0051	0077
2601	ONTARIO ST	510	0051	0179
10137	PIPPIN RD	510	0044	0134
3214	SOVEREIGN DR	510	0064	0130

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control or removal of any vegetation, garbage, refuse, or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

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

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, 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 Section 505.87;
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 the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

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

Vote Record: Mr. Inderhees Aye, Mr. Insko Aye, Mr. Ritter Aye

ADOPTED this 9th day of August, 2016.

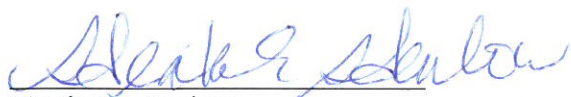
BOARD OF TRUSTEES:

Michael Inderhees
Michael Inderhees, Trustee

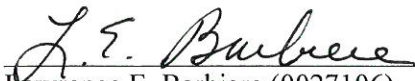
Greg Insko
Greg Insko, Trustee

Jeffrey Ritter
Jeffrey Ritter, Trustee

ATTEST:



Heather E. Harlow,
Colerain Township Fiscal Officer
Resolution prepared by and approved as to form:



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 9th day of August, 2016.



Heather E. Harlow
Colerain Township Fiscal Officer