

**The Board of Trustees of Colerain Township, County of Hamilton, Ohio**, met in regular session at 7:00 p.m., on December 13, 2011, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr. Dennis P. Deters; Mr. Jeffrey F. Ritter; and Mr. Joseph R. Wolterman

Mr. Wolterman introduced the following resolution and moved its adoption:

**RESOLUTION NO. 74 -11**

**RESOLUTION FOR DEMOLITION OF 2671 BARTHAS PLACE**

WHEREAS, the property at 2671 Barthas Place. (parcel ID 510-61-366) has been found to be Condemned and Unfit for Human Habitation by the Hamilton County Department of Public Health as of December 5, 2011, a copy of which Official Order is attached as Exhibit A; and

WHEREAS, the property has been vacant since at least May of 2007, and water service was shut off in 2007, gas and electric have also been disconnected; and

WHEREAS, the property was damaged by fire in November of 2009, with no repairs made since; and

WHEREAS, the Colerain Township Fire Department has marked the property unsafe for entry; and

WHEREAS, the property has outstanding Property Maintenance Code violations including holes in the roof and broken windows, with notice sent in July 2010; and

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

WHEREAS, Ohio Revised Code Section 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

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

1. That the Board specifically finds and hereby determines that the conditions found at 2671 Barthas Pl. constitute an Unsafe building within the meaning of Ohio Revised Code Section

505.86, 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 505.86; and

2. That the Colerain Township Board of Trustees hereby orders the owners of said property to demolish the structure thereon within 30 days after notice of this order is given to the owners and lienholders of record. 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 notice is given, 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 Section 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 of 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 Section 121.22 of the Ohio Revised Code.

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

Mr. 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, Mr. Wolterman aye

ADOPTED this 13<sup>th</sup> day of December, 2011.

BOARD OF TRUSTEES:

  
\_\_\_\_\_  
Dennis P. Deters, Trustee

  
\_\_\_\_\_  
Jeffrey F. Ritter, Trustee

  
\_\_\_\_\_  
Joseph R. Wolterman, Trustee

Attest:



Heather E. Harlow,  
Fiscal Officer

Prepared by and approved as to form:



James E. Reuter (0011414)  
3025 W. Galbraith Road  
Cincinnati, Ohio 45239-4222  
(513) 521 - 8400  
Attorney for Board of Trustees

**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Colerain Fiscal Officer, this 13<sup>th</sup> day of December, 2011.



Heather E. Harlow,  
Colerain Township Fiscal Officer



PREVENT. PROMOTE. PROTECT.

*Timothy I. Ingram  
Health Commissioner*

*250 William Howard Taft Road, 2nd Floor  
Cincinnati, OH 45219*

*Phone 513.946.7800  
Fax 513.946.7890*

*hamiltoncountyhealth.org*

# Notice of Condemnation

12/5/2011

CHASE BANK  
PO BOX 24696  
COLUMBUS, OH 43224

Re: 2671 Barthas Pl                      Colerain Township                      Nuisance Report #35599

Dear Property Owner:

A site investigation was conducted on December 1, 2011 at the above referenced property in response to a complaint received by Hamilton County General Health District. This letter details the observations made during the investigation, existing violations of the Ohio Revised Code (ORC), the Hamilton County District Board of Health Environmental Sanitation Regulation No. 1-67, and corrective actions required to obtain compliance with the applicable regulations.

## Observations

On December 1, 2011, I observed two large holes in the roof of the residence. Additionally, garbage and waste was observed scattered throughout the interior of the building. Utilities are not present at the current time. Additionally, the home has been declared unsafe by the Hamilton County Building Department.

## Required Corrective Actions

**Your home is condemned and considered unfit for human habitation under the authority of the Hamilton County General Health District. Environmental Sanitation Regulation No. 1-67 states:**

- 6.1 Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the health commissioner.
  - (a) One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin infested that it creates a serious hazard to the health or safety of the occupants or of the public.
  - (b) One that lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.
  - (c) One which because of its general condition or location is insanitary, or otherwise dangerous to the health or safety of the occupants or of the public.

As the owner of the property, you are responsible for maintaining the property in a clean and sanitary condition. You must ensure no one lives in the building until all issues have been abated. If the home is to be lived in again, ensure that the holes in the roof are repaired, any water damaged and mold affected surfaces are sanitized and repaired or replaced, all waste is removed from the interior of the property, and all utilities are restored and are fully functioning.

**The above actions must be completed before anyone moves into the dwelling. Failure to do so may result in referral of this case to the Environmental Division at the Office of the Hamilton County Prosecuting Attorney.**

A re-inspection of the property by the Environmental Health Division of Hamilton County Public Health will be conducted at the request of the property owner to ensure corrective actions have been made to remedy the situation. In addition, continued surveillance of the property will be conducted to verify compliance.

Please feel free to contact me if you have any questions or concerns at (513) 946-7839.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Puthoff". The signature is fluid and cursive, with the first name "Scott" and last name "Puthoff" clearly distinguishable.

Scott Puthoff, RS  
Supervisor  
Environmental Health Division

CC: Jeremy Hessel, EH Division Director  
Colerain Township Fire Department  
Colerain Township Zoning Department