

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 7:00 p.m., on the 11TH day of December, 2012, 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. Deters introduced the following resolution and moved its adoption:

RESOLUTION NO. 76 -12

RESOLUTION FOR DEMOLITION OF THE PROPERTY AT 2421 ROOSEVELT AVENUE

WHEREAS, the property at 2421 Roosevelt Avenue, in Colerain Township, (parcel no.: 510-0031-0493-00) was condemned and found to be unfit for human habitation by Hamilton County Public Health in a memorandum dated September 5, 2012; a copy of which is attached as Exhibit A; and

WHEREAS, the Colerain Township Fire Department found the property to be structurally deteriorating, uninhabitable, unsafe and insecure in a memorandum dated November 19, 2012, a copy of which is attached as Exhibit B; and

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

WHEREAS, Ohio Revised Code §505.86 provides that, at least thirty days prior to the 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, as follows:

1. The Board specifically finds and hereby determines that the conditions found at 2421 Roosevelt Avenue constitute an unsafe and structurally insecure building within the meaning of Ohio Revised Code §505.86, rendering the structure uninhabitable and negatively impacting adjacent properties, and the Board directs that notice of this action be given to the owners of the said property and lienholders in the manner required by Ohio Revised Code §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 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 §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. Rinehart 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 11th day of December, 2012.

BOARD OF TRUSTEES:


Dennis P. Deters, Trustee



Jeffrey F. Ritter, Trustee


Melinda Rinehart, Trustee

ATTEST:



Heather E. Harlow,
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 11th day of December, 2012.


Heather E. Harlow,
Colerain Township Fiscal Officer



Colerain Township

Trustees
DENNIS P. DETERS
MELINDA A. RINEHART
JEFFREY F. RITTER

Fiscal Officer
HEATHER E. HARLOW

Administrator
JAMES M. ROWAN

ADMINISTRATION

4200 Springdale Road • Colerain Township, Ohio 45251-1419
(513) 385-7500 FAX (513) 245-6503 • www.coleraintwp.org

To: Chief Bruce Smith
From: Fire Inspector James Bowman
Re: 2421 Roosevelt Drive
Date: December 10, 2012

On November 19, 2012, I visited the property located at 2421 Roosevelt Drive in Colerain Township to evaluate the mobile home and accessory structures for unsafe conditions. These structures have been damaged by years of neglect, are insecure and shows evidence of water damage. The structures have become an attractive nuisance to thieves and vandals in an already at risk neighborhood.

2421 Roosevelt Drive is uninhabitable in its current condition and is structurally deteriorating.

Hamilton County General Health District issued the attached notice of condemnation on 09/05/2012. In compliance with ORC Section 505.86 (B), I am declaring the property at as unsafe and insecure.

It is my opinion that this property should be brought up to standards or demolished.







Certified Mail # 7008 1830 0002 0321 9644
Receipt Requested



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 Violation Notice of Condemnation

September 5, 2012

HUBERT FEDLER
2563 BYRNESIDE DR
CINCINNATI OH 45239

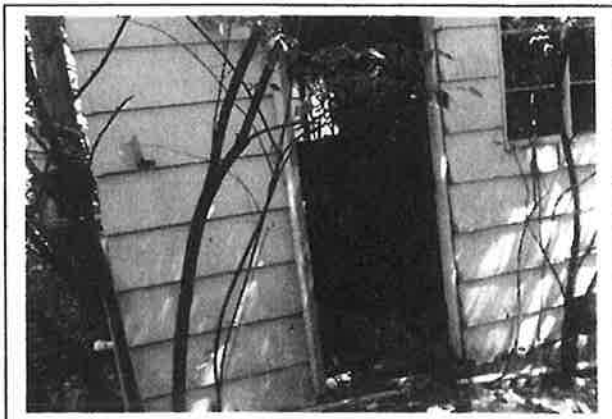
Re: 2421 Roosevelt Av Colerain Twp Nuisance # 37159

Dear Mr. Fedler

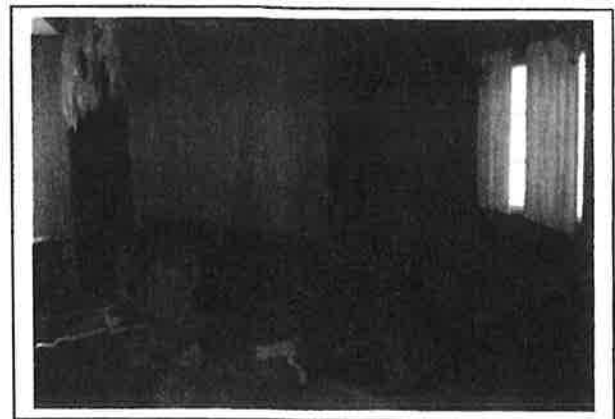
A site investigation was conducted on September 4, 2012 at the above referenced property in response to a complaint received by Hamilton County General Health District. This letter details the observations made during the investigation, existing violations of the Ohio Revised Code (ORC), the Hamilton County District Board of Health Environmental Sanitation Regulation No. 1-67, and corrective actions required to obtain compliance with the applicable regulations.

Observations

At the time of the inspection I observed the home to be without utilities, with evidence of raccoon entry (raccoon droppings were observed inside), left unsecure (front door open and most windows busted out), and with extreme clutter within. In addition the following pictures were taken:



9/4/12 Garage door left open TS



9/4/12 Clutter within TS



9/4/12 Vegetation around home TS



9/4/12 Broken windows TS

Violations

ORC 3707.01 states: “The board of health of a city or general health district shall abate and remove all nuisances within its jurisdiction. It may, by order, compel the owners, agents, assignees, occupants, or tenants of any lot, property, building, or structure to abate and remove any nuisance therein, and prosecute such persons for neglect or refusal to obey such orders.”

You are currently in violation of **Hamilton County District Board of Health Environmental Sanitation Regulation No. 1-67:**

Section 4.06: All plumbing shall be properly installed and maintained in good working condition, free from defects, leaks, and obstructions

Section 4.18: Every window, exterior door and basement shall be reasonably weathertight, watertight and rodent proof.

Furthermore, you are currently in violation of Ohio Revised Code (ORC) Section 3707.01 – Public Health Nuisance.

Pursuant to ORC 3707.99 this/these violation(s) constitute a minor misdemeanor on the first offense and a misdemeanor of the fourth degree on each subsequent offense, if you are found guilty of the original minor misdemeanor.

In addition, 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 which 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.

Required Corrective Action

As the owner of the property, you are responsible for maintaining the property in a clean and sanitary condition. You shall remove all clutter and debris, restore all utilities, and secure the home by replacing all broken windows and doors.

The above actions must be complete by October 4, 2012. 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 on or after **October 5, 2012** 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) 946-7833

Sincerely,



Tucker Stone RS
Environmental Health Division

cc: Jeremy Hessel, Environmental Health Director
Jim Bowman, Colerain Fire