

RESOLUTION NO. 79-12

\_\_\_\_\_ Hamilton \_\_\_\_\_ County, Ohio

**Be it Resolved** by the Township Trustees of \_\_\_\_\_ Colerain \_\_\_\_\_ Township, that

**RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT**

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

	<u>Book-Page-Parcel No.</u>
3522 Alamosa	510-111-87
2715 Niagara	510-52-32
5277 Old Blue Rock	510-204-33
3210 Sienna	510-123-56
2827 Springdale	510-42-107

**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

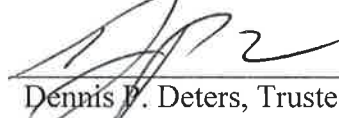
**BE IT RESOLVED** (1) That the Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87; and

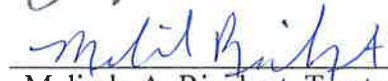
(2) That the Colerain Township Board of Trustees hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said

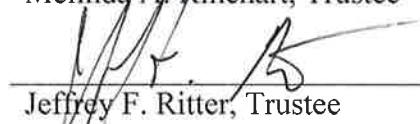
owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87.

Adopted this 11<sup>th</sup> day of December, 2012.

BOARD OF TRUSTEES:

  
Dennis P. Deters, Trustee

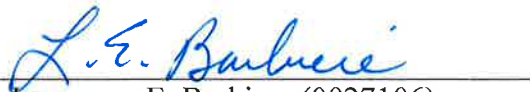
  
Melinda A. Rinehart, Trustee

  
Jeffrey F. Ritter, Trustee

Attest:

  
Heather E. Harlow  
Colerain Township Fiscal Officer

Resolution 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 11<sup>th</sup> day of December, 2012.

  
Heather E. Harlow  
Colerain Township Fiscal Officer