

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 6:00 p.m., on the 13th day of August, 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. 95-13

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>
6691 Acre	510-74-315
9568 Amarillo	510-51-287
8273 Brownsway	510-63-187
4951 Blue Meadow	510-201-124
6600 Blue Rock	510-330-56
8154 Blanchetta	510-71-145
7429 Boleyn	510-83-432
2693 Breezy Way	510-74-109
6700 Cheviot	510-80-138
2939 Compton	510-54-168
9743 Dunraven	510-41-192
9832 Dunraven	510-41-229
8244 Georgianna	510-90-67
8245 Georgianna	510-90-59
10876 Gosling	510-260-18
2644 Grant	510-31-130
11403 Gravenhurst	510-21-142
2530 Haverknoll	510-11-286
2578 Haverknoll	510-11-292
8151 Hollybrook	510-72-137
9865 Islandview	510-184-265
8299 Jackies	510-61-16
7258 Jamerine	510-71-457
2816 Klondike	510-34-232
2571 Lincoln	510-31-696
9669 Loralinda	510-52-410
9759 Loralinda	510-52-418
2456 Mars	510-62-58
2636 Monette	510-53-382
3324 Niagara	510-102-31
3140 Nightfall	510-42-85
8285 Pippin	510-61-254
8863 Planet	510-62-79
9184 Pippin	510-53-318

8813 Planet	510-62-86
2701 Royal Glen	510-71-317
10018 Skyridge	510-251-72
12059 Spalding	510-11-383
10209 Spirit Knoll	510-181-48
9143 Trelawney	510-54-411
12009 Westerly	510-11-361
2531 Wenning	510-51-66
8949 Zoellner	510-54-37


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.  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 13th day of August, 2013.

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 13th day of August, 2013.



Heather E. Harlow,
Colerain Township Fiscal Officer