

RESOLUTION #42-03 FOR CONTROL OF STORAGE
OF JUNK MOTOR VEHICLES

Colerain Township, Hamilton County, Ohio

WHEREAS, the Board of Trustees has received numerous complaints of junk motor vehicles on public and private property within Colerain Township; and

WHEREAS, the Board of Trustees finds that junk motor vehicles on public and private property within Colerain Township are unsafe and unsightly, and are detrimental to property values, and are injurious to the health, safety, welfare, and morals of the community; and

WHEREAS, Ohio Revised Code Section 505.173 authorizes boards of township trustees to adopt such resolutions as deemed necessary to regulate the storage of junk motor vehicles on private or public property within the unincorporated areas of their townships; and

WHEREAS, the Board of Trustees hereby determines that it is necessary to adopt a resolution pursuant to Ohio Revised Code Section 505.173 to regulate the storage of junk motor vehicles on private and public property within the unincorporated area of Colerain Township, to protect property values, and preserve the health, safety, welfare, and morals of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF COLERAIN TOWNSHIP, HAMILTON COUNTY, OHIO, THAT:

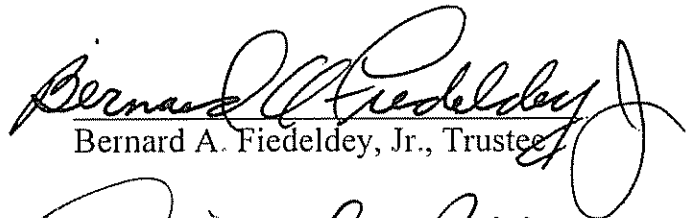
1. As used in this Resolution, "Junk Motor Vehicle" means a motor vehicle, including a collector's vehicle, that meets all of the following criteria:
 - (a) Three model years old, or older;
 - (b) Apparently inoperable;
 - (c) Extensive damaged, including, but not limited to, any of the following: missing wheels, tires, engine, transmission.

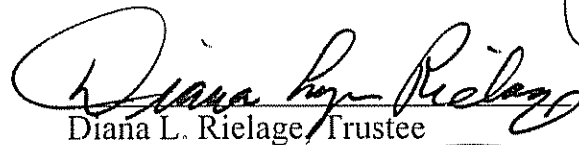
2. The Board of Trustees may cause a notice to be sent by certified mail, return receipt requested, or hand-delivered to the person or persons who have the right of possession of real property within Colerain Township, that such persons may not store a Junk Motor Vehicle on said property except within an enclosed garage.

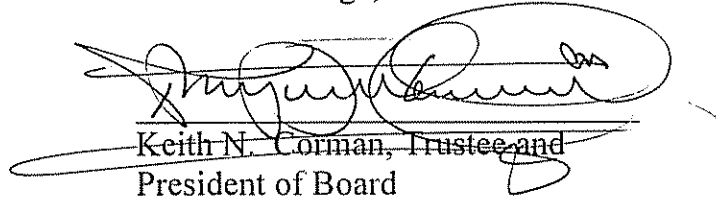
3. No person having the right of possession of real property within the incorporated area of Colerain Township shall willfully leave a Junk Motor Vehicle on such real property outside of an enclosed garage for more than ten (10) days after receipt of a notice as provided in the preceding paragraph. The fact that a Junk Motor Vehicle is so left is prima-facie evidence of a willful failure to comply with the notice.
4. Whoever violates this resolution is guilty of a minor misdemeanor, and the eleventh (11th) and each subsequent day after receipt of the said notice that a Junk Motor Vehicle continues to be so left constitutes a separate offense. Fines levied and collected under this section shall be paid into the township general fund.
5. Nothing herein shall restrict the operation of a scrap metal processing facility licensed under authority of sections 4737.05 to 4737.12 of the Ohio Revised Code; the operation as a motor vehicle salvage dealer, salvage motor vehicle auction or salvage motor vehicle pool of a person licensed under Chapter 4738 of the Ohio Revised Code; or the provision of towing and recovery services conducted under sections 4513.60 to 4513.63 of the Ohio Revised Code, including the storage and disposal of junk motor vehicles removed from public or private property in accordance with those sections.

Adopted in regular session on this 12th day of AUGUST, 2003.

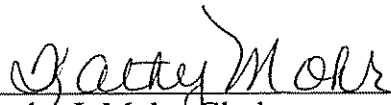
BOARD OF TRUSTEES,
COLERAIN TOWNSHIP,
HAMILTON COUNTY, OHIO


Bernard A. Fiedeldey, Jr., Trustee



Diana L. Rielage, Trustee


Keith N. Corman, Trustee and
President of Board

Attest:


Kathy J. Mohr, Clerk

Prepared by, and approved as to form:


James E. Reuter (OH Reg. 0011414)
1025 W. Galbraith Road
Cincinnati, Ohio 45239-4222
(513) 521 - 8400
Attorney for Board of Trustees