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## MIAMI TOWNSHIP

6101 MEIJER DRIVE • MIAMI TOWNSHIP, OH 45150-2189

### RESOLUTION 2022-48

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session 15, 2022, with the following members present: Mark Schulte, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

**RESOLUTION ORDERING THE REMOVAL OF THE STRUCTURE LOCATED ON CLERMONT COUNTY PARCEL NO. 181427A047P WITH A MAILING ADDRESS OF 5888 COOK ROAD ON THE REAR OF THE PROPERTY AND FINDING IT TO BE UNSAFE AND UNFIT FOR HUMAN HABITATION.**

**WHEREAS**, on October 18, 2022, pursuant to Section 505.86(B) of the Ohio Revised Code, the Board of Township Trustees (the "Board") unanimously passed Resolution 2022-40 calling for the demolition and removal of the structure located on the rear portion of the real property known as Clermont County Parcel No. 181427A047P with a mailing address of 5888 Cook Road (the "Property"); and

**WHEREAS**, following the adoption of Resolution 2022-40 by the Board, proper written notice was provided to William Fiedler, the owner of the Property (the "Owner"), advising him of his right to a hearing; and

**WHEREAS**, pursuant to Section 505.86(C), the owner of the Property timely requested a hearing before the Board which was set for November 15, 2022 at 7:00 p.m. at the Miami Township Civics Center located at 6101 Meijer Drive; and

**WHEREAS**, the Board held a hearing on November 15, 2022 at which time the Owner appeared and presented evidence regarding the Property; and

**WHEREAS**, after carefully reviewing the evidence presented by Township staff, the Owner, and the record in this matter, the Board hereby adopts this Resolution and Order affirming the decision determining that the structure located on the rear of the Property is unsafe, and unfit for human habitation, and should be demolished and removed.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 505.86 of the Ohio Revised Code, as follows:

**SECTION 1:** After carefully reviewing the evidence presented at the November 15, 2022 hearing by Township staff, the Owner of the Property, and the record in this matter, the Board hereby affirms its findings as detailed in Resolution 2022-40, and orders that the structure located on the rear of the Property is unsafe, and unfit for human habitation, and should be demolished and removed.

**SECTION 2:** The Township Administrator is authorized to undertake the demolition and removal of the structure on the Property and enter into any necessary contracts or agreements to accomplish the remediation work.

**SECTION 3:** The Board further finds and authorizes that pursuant to Section 505.86 of the Ohio Revised Code, the costs for the demolition and removal of the unsafe structure on the Property shall be paid by the Township, and the costs for this work to be performed shall be collected from the Owner, or assessed against the Property.

**SECTION 4:** The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

**SECTION 5:** That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 6:** This Resolution shall take effect at the earliest period allowed by law.


First Reading:            November 15, 2022  
Second Reading:        Dispensed with  
Effective:                November 15, 2022

The motion was seconded, and the resolution was adopted.

Resolution 2022-48 adopted November 15, 2022

ATTEST:

APPROVED AS TO FORM:

  
Eric C. Ferry  
Township Fiscal Officer

  
Joseph J. Braun  
Township Law Director

**CERTIFICATION**

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.

  
Eric Ferry, Fiscal Officer