

BOARD OF TRUSTEES
KARL B. SCHULTZ
KENDAL A. TRACY
MARY MAKLEY WOLFF



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248-3725
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COMMUNITY DEVELOPMENT
248-3731
SERVICE DEPARTMENT
248-3728
POLICE DEPARTMENT
248-3721
FIRE / EMS
248-3700
PARKS / RECREATION
248-3727

FISCAL OFFICER
ERIC C. FERRY

ADMINISTRATOR
JEFFREY A. WRIGHT

MIAMI TOWNSHIP
6101 MEHER DRIVE - MILFORD, OH 45150-2189
RESOLUTION 2016-73

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Building on October 18, 2016 with the following members present: Karl Schultz, Ken Tracy and Mary Makley Wolff.

MR. TRACY made a motion to adopt the following resolution:

Resolution Providing for the Declaration of Nuisance and to Secure Open and Unsafe Structures for the Property Located at 5544 Dry Run Road and Authorizing all Necessary Steps to Undertake Action, Dispensing with the Second Reading and Declaring an Emergency

WHEREAS, the Board of Trustees is authorized under Ohio Revised Code §505.86 to remove, repair, or secure buildings or structures that have been declared unsecure, unsafe, or structurally defective by the fire department or building department, or that have been declared unfit for human habitation by the board of health, and collect the costs of said actions; and

WHEREAS, complaints have been received regarding the condition of the property located at 5544 Dry Run Road (Parcel 182406C078) ("property"); and

WHEREAS, inspections by various agencies have determined the presence of open and unsecure principal and accessory buildings present on the property, including unsecure doors, open windows, open garages and holes; and

WHEREAS, the Miami Township Fire Department has inspected the property and determined and declared that the house located thereon is unsecure and unsafe, and that property conditions contain other obstructions and safety hazards as documented in the September 27, 2016 report attached to the supporting Memorandum dated October 12, 2016.

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. The property is hereby declared to be a nuisance and the findings of the Miami Township Fire Department determining that the structure and conditions thereon are unsecure and unsafe are hereby adopted.
- SECTION 2. The Board of Trustees orders that the principal structure on the property be boarded up and otherwise made safe and secure, and that other hazardous conditions throughout the property be made safe and secure, or be removed.

SECTION 3. If structures are not made safe and secure by the owners, occupants, lien holders or other responsible parties within the time frame provide by the Ohio Revised Code, the Township Planning & Zoning Administrator is authorized to take all necessary steps to carry out Section 2 of this Resolution, including retaining contractors to complete the work to remove the nuisance conditions and secure the property.

SECTION 4. The cost of the removal of the nuisance conditions and securing the structures shall be assessed to the owner(s) of record, and the county auditor shall place the costs upon the tax duplicate. The costs are a lien upon the property from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

SECTION 5. That 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 6. This Resolution is declared to be an emergency measure necessary for the preservation of the health, safety and well-being of the residents of the Township for the reason that an emergency situation exists whereby the property conditions create an imminent threat to public health and/or safety.

SECTION 7. The Board of Trustees 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 8. This Resolution shall take effect at the earliest period allowed by law.

First Reading: October 18, 2016
Second Reading: Dispensed with
Effective: October 18, 2016

MS. WOLFF seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

Mr. Schultz	<u>AYE</u>
Mr. Tracy	<u>AYE</u>
Ms. Wolff	<u>AYE</u>

ATTEST:


Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:


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 C. Ferry, Fiscal Officer