

FAIRFIELD TOWNSHIP
RESOLUTION NO. 18-163

**RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT ON THE
PROPERTIES LISTED BELOW AND FURTHER AUTHORIZING THE ZONING
ADMINISTRATOR TO INITIATE COMPLAINT.**

WHEREAS: Uncontrolled vegetation, unsecured property, and/or refuse, junk and debris were reported at the properties listed below; and

- **2697 Lenox Ave. (A0300037000193) - Junk and Debris, High Grass**
- **2045 Harvard St. (A0300037000032) – Junk and Debris, High Grass**

WHEREAS: The 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, or securing the property, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS: The 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;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

SECTION 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.

SECTION 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 Administrator 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.

SECTION 3: The Board hereby dispense with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

SECTION 4: This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

SECTION 5: 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 meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 6: This resolution shall be declared an emergency and shall take effect at the earliest period allowed by law and to facilitate remediation of the nuisance throughout the growing season.

Adopted: October 10, 2018

Board of Trustees

Susan Berding: Susan Berding
Shannon Hartkemeyer: Shannon Hartkemeyer
Joe McAbee: Joe McAbee

Vote of Trustees

yes
yes
yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed, and filed with the Fairfield Township Fiscal Officer this 10th day of October, 2018.

ATTEST:

Shelly Schultz
Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L.E. Barbieri
Lawrence E. Barbieri, Township Law Director



Est. 1803

FAIRFIELD TOWNSHIP

TRUSTEES

SUSAN BERDING

SHANNON HARTKEMEYER

JOE McABEE

FISCAL OFFICER

SHELLY SCHULTZ

Fairfield Township Zoning Department FAIRFIELD TOWNSHIP, BUTLER COUNTY, OHIO

FIRST NOTICE OF NUISANCE ABATEMENT VIOLATION (ORC 505.87)

**TO: AFFORDABLE HOUSING IN 513 INC, 324 S C ST
HAMILTON, OH 45013
Violation #: 18-104**

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2697 Lenox Ave in Fairfield Township, Butler County, Ohio has determined the need for you to secure your house and remove all junk and debris on the property and repair the needs on the house. A complete copy of the Nuisance Abatement is available upon request from the Fairfield Township Zoning Department at 6032 Morris Rd, Hamilton, Ohio 45011 or Phone (513) 887-4400.

You are also notified that in case the house is not secured and the junk and debris are not removed from your house and entire property within SEVEN (7) days upon receipt of this notice, Fairfield Township will repair at once said premises so owned by you and to cause house to be secured and said junk and debris to be removed in such a manner as considered best, as provided by law in such case.

Fairfield Township will invoice you for the cost of securing the house and removal of said junk and debris. If the invoice is not paid by you within thirty (30) days of mailing, the clerk will certify to the Auditor of this County the cost of removal of said junk and debris to be placed upon the tax duplicate and to be collected as other taxes are collected.

Chuck Shultz
Zoning Inspector

Date 9/5/2018

6032 MORRIS ROAD
FAIRFIELD TWP., OHIO
45011-5118

(513) 887-4400
FAX (513) 887-4405
www.fairfieldtwp.org

FAIRFIELD TOWNSHIP
6032 MORRIS RD.
HAMILTON, OHIO 45011
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Est. 1803

FAIRFIELD TOWNSHIP

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Fairfield Township Zoning Department FAIRFIELD TOWNSHIP, BUTLER COUNTY, OHIO

FIRST NOTICE OF NUISANCE ABATEMENT VIOLATION (ORC 505.87)

Violation #: 18-106

TO: DEBRA L ESTES & JEFF KETCHAM
2045 HARVARD ST
FAIRFIELD TOWNSHIP OH 45015

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2045 HARVARD ST in Fairfield Township, Butler County, Ohio has determined the need for you to secure your house and remove all junk and debris on the property and cut lawn. A complete copy of the Nuisance Abatement is available upon request from the Fairfield Township Zoning Department at 6032 Morris Rd, Hamilton, Ohio 45011 or Phone (513) 887-4400.

You are also notified that in case the house is not secured and the junk and debris are not removed from your house and entire property within **TEN (10) days** upon receipt of this notice, Fairfield Township will repair at once said premises so owned by you and to cause house to be secured and said junk and debris to be removed in such a manner as considered best, as provided by law in such case.

Fairfield Township will invoice you for the cost of securing the house and removal of said junk and debris. If the invoice is not paid by you within thirty (30) days of mailing, the clerk will certify to the Auditor of this County the cost of removal of said junk and debris to be placed upon the tax duplicate and to be collected as other taxes are collected.

Chuck Gartin

Zoning Inspector

Date 9/5/2018

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