

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 19-82**

**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

- 2590 Hancock Avenue
- 6392 Walden Ponds Circle

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: June 26, 2019

Board of Trustees

Shannon Hartkemeyer:

Joe McAbee:

Susan Berding:

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 26th day of June, 2019.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L. E. Barbieri

Lawrence E. Barbieri, Township Law Director



Fairfield Township Zoning Department

Fairfield Township, Butler County, Ohio

NOTICE OF NUISANCE ABATEMENT VIOLATION

Under Fairfield Township Zoning Resolution 2008

(ORC 505.87 & ORC 505.871) & FTZC09-2C ZONING AMENDMENTS 5-18-09

Case #: 19-058

Date: June 03, 2019

Property Owner: CHARLES D HARVILLE SR
2622 HAMILTON MASON RD
HAMILTON OH 45011 5357,

Location: 2590 HANCOCK AVE

Parcel #:A0300029000083

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2590 HANCOCK AVE in Fairfield Township, Butler County, Ohio has determined the need for removal of all junk and debris from the entire property, properly store or remove junk/inoperable vehicle(s). Violation(s) are in reference to Section **6.23 JUNK CAR STORAGE**, of the Fairfield Township Zoning Resolution and section 505.87 of the Ohio Revised Code. A complete copy of the Nuisance Abatement is available upon request from the Fairfield Township Zoning Department at 6032 Morris Rd, Hamilton, Ohio 45011.

You are also notified that in the case the above-mentioned violation(s) are not addressed within TEN (10) days upon receipt of this notice Fairfield Township will repair at once said premises so owned by you in such a manner as considered best, as provided by law.

If this violation cannot be resolved within TEN (10) days, you are required to contact the Fairfield Township Zoning Department to discuss a revised timeline.

In the event that this violation is not resolved, Fairfield Township will invoice you for the cost of all work done to the property to obtain compliance for the above-mentioned violation(s) as well as the cost of postage and administrative costs. 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 costs shall be placed upon the tax duplicate and to be collected as other taxes are collected.

If you have any questions, contact Nathan Wall at 513-785-2262 or at nwall@fairfieldtwp.org.

Please contact me at 513-785-2262 upon compliance with this section of the Fairfield Township Zoning Resolution.

Zoning Inspector

6-3-19

Date

Fairfield Township Zoning Department
6032 Morris Road
Hamilton, OH 45011
(513) 887-4400







Fairfield Township Zoning Department

Fairfield Township, Butler County, Ohio

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Case #: 19-074

Date: May 22, 2019

Property Owner: WILMINGTON SAVINGS FUND SOCIETY FSB
9990 RICHMOND AVE Suite 400S
HOUSTON TX 77042,

Location: 6392 WALDEN PONDS CIR

Parcel #: A0300144000108

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 6392 WALDEN PONDS CIR in Fairfield Township, Butler County, Ohio has determined the need for the lawn to be mowed. Violation(s) are in reference to Section **6.22 GENERAL MAINTENANCE STANDARDS**, of the Fairfield Township Zoning Resolution and section 505.87 of the Ohio Revised Code. A complete copy of the Nuisance Abatement is available upon request from the Fairfield Township Zoning Department at 6032 Morris Rd, Hamilton, Ohio 45011.

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