#### FAIRFIELD TOWNSHIP RESOLUTION NO. 20-48

# 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

- 2026 Harvard Avenue Junk/Debris
- 2697 Lenox Avenue Junk/Debris
- 1508 Harvard Avenue Junk/Debris
- 2461 Eastridge Avenue Junk/Inoperable vehicle
- 2461 Eastridge Avenue Junk/Debris
- 2150 Lenox Avenue Junk/Inoperable vehicle
- 5234 Red Bird Lane Exceeds
- 3473 Wood Ct Commercial Vehicle

**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.

<b>SECTION 3:</b>	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: March 11, 2020

Board of Trustees	Vote of Trustees
Shannon Hartkemeyer: July Harthuye	yes
Joe McAbee: Que m when	Yes
Susan Berding: Susan Berding	Yes
AUTHENTICATION  This is to certify that this is a resolution which was duly passed, and filed Fiscal Officer this day of	l with the Fairfield Township _, 2020.
ATTEST: Shelly Schultz, Fairfield T	Cownship Fiscal Officer
APPROVED AS TO FOI	RM:
Lawrence E. Barbiere, To	wnshin Law Director



#### 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 #: 19-233

Date: December 30, 2019

Property Owner: WOODROW HENSLEY III YOLANDA HENSLEY

2150 LENOX AVE

HAMILTON OH 45015 1233,

Location: 2150 LENOX AVE

Parcel #:A0300016000024

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2150 LENOX AVE in Fairfield Township, Butler County, Ohio has determined the need for proper storage or removal of all junk/inoperable vehicle(s). Violation(s) are in reference to Section <u>6.23 JUNK CAR STORAGE</u>, 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.

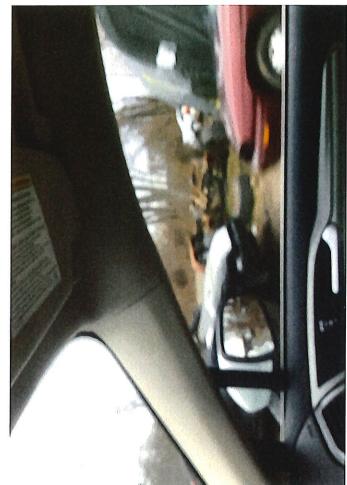
If you have any questions, contact Nathan Wall at 513-785-2262 or at nwall@fairfieldtwp.org.

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

Zoning Inspector

Date

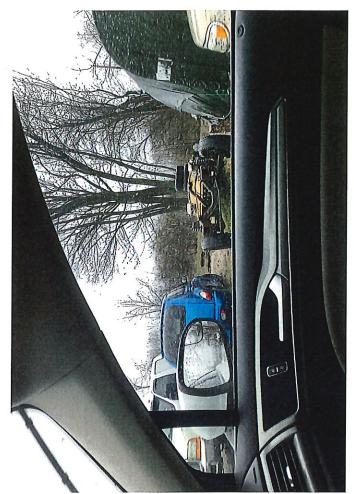


















# Fairfield Township, Butler County, Ohio

# 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 #: 20-013

Date: February 14, 2020

Property Owner: CHRISTOPHER & SHERRY BARRETT

2461 EASTRIDGE DR HAMILTON OH 45011 2010,

Location: 2461 EASTRIDGE DR

Parcel #: A0300067000021

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2461 EASTRIDGE DR in Fairfield Township, Butler County, Ohio has determined the need for proper storage or removal of all 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.

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If you have any questions, contact at or at.

Please contact me at upon compliance with this section of the Fair	rfield Township Zoning Dogolytics
latterllall	
JONETHOUS	2-(4-20)
Zoning Inspector	
	Date



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 #: 20-005

Date: February 14, 2020

Property Owner: CHRISTOPHER & SHERRY BARRETT

2461 EASTRIDGE DR

HAMILTON OH 45011 2010,

Location: 2461 EASTRIDGE DR

Parcel #:A0300067000021

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2461 EASTRIDGE DR in Fairfield Township, Butler County, Ohio has determined the need for removal of all junk and debris from the entire property. Violation(s) are in reference to Section 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.

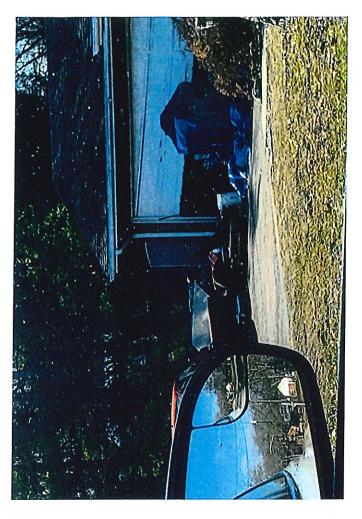
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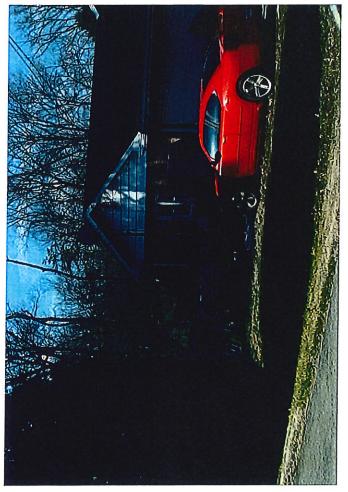
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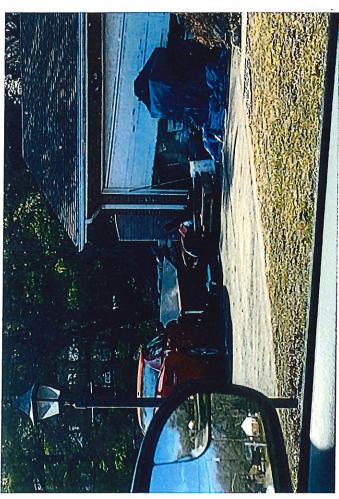
If you have any questions, contact at or at.

Please contact me at upon compliance with this section	of the Fairfield Township Zoning Resolution.
Jarvoullall	2-14-20
Zoning Inspector	Date











#### 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 #: 19-202

Date: September 26, 2019

Property Owner: BRUCE AND TAMMY AUGSPURGER

5234 RED BIRD LN HAMILTON OH 45011 2021,

Location: 5234 RED BIRD LN

Parcel #:A0300024000024

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 5234 RED BIRD LN in Fairfield Township, Butler County, Ohio has determined the need for lawful amount of pets to be maintained at the property (to have four or fewer). Violation(s) are in reference to Section KEEPING OF ANIMALS. The keeping of up to four (4) animals customarily considered as house pets shall be allowed provided that such animals are not vicious, as determined by the Butler County Dog Warden, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, these regulations shall not prohibit the keeping of any number of fish in aquarium The keeping of up to four (4) animals customarily considered as house pets shall be allowed provided that such animals are not vicious, as determined by the Butler County Dog Warden, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, these regulations shall not prohibit the keeping of any number of fish in aquarium. 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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Please contact me at 513-785-2262 upon compliance with this section of the Fairfield Township Zoning Resolution.

Zoning Inspector

Date





BUTLER COUNTY AUDITOR

#### Office Phone: 513-887-3154 Office Fax: 513-887-3149

130 High Street Hamilton, Ohio 45011



TAMMY AUGSPURGER 5234 RED BIRD LANE HAMILTON, OH 45011

Roger Reynolds, CPA

Owners Name: TAMMY A	UGSPUR	GER   Str	reet Address: 5234 RED BIRD LANE	Phone no: 5136737601
Age Y   M   Sex   Spay Neuter	Hair Lor S	Colors	Breed	Tag Number
0 5  F  N	Short	Black, Tan,	SHEPHERD-GERMAN	6575
Invoice number : DOG2019	112635	Sal	le Date: 01/02/2019   Total Paid = 5	14,00
	*********		The second secon	Control of the second s
officer makes at a sea . There is not determined.			S. S. Bandin and C. S.	
AUGSPURGER TAMMY				,
Name				
5234 RED BIRD LANE				
Address		•		
HAMILTON			Ohlo 4501	1
City			State Zip C	ode
5136737601				·
Phone Number			Alt Phone No.	The state of the s
TMAUGSPURGER@CINCI.	RR.COM			
Email Addrose				

Thank you for your online purchase. An Ohio dog tag is valid for the entire calendar year for which it is issued and is valid anywhere in the State of Ohio. If a dog is received as a gift or sold to another person and that dog has a valid Ohio license, the license may be transferred upon payment of a \$5.00 fee and the recording of a Transfer of Ownership Certificate at the Butler County Auditor's Office. The Auditor's Office is located at 130 High Street, Third Floor, Hamilton, Ohio 45011. The telephone number is 513-887-3043. Office hours are 8 a.m. to 5 p.m. Monday through Friday.

VOXIL

Sincerely,

Roger Reynolds, CPA Butler County Auditor





BUTLER COUNTY AUDITOR

#### Office Phone: 513-887-3154 Office Fax: 513-887-3149 130 High Street

Hamilton, Ohio 45011

2019 DOG REGISTRATION



TAMMY AUGSPURGER 5234 RED BIRD LANE HAMILTON, OH 45011

Roger Reynolds, CPA

Ago 1	Spay   Hair		Address: 5234 RED BIRD LANE	The state of the s
Y M Sex	Neuter L or	s Colors	Breed	Tag Number
11 5 F	YS	GOLD	RETRIEVER-GOLDEN	5613
17 8 M	Y S	BLACK WHITE	SHEPHERD-AUSTR	5616
11]8 ]F	] Y L	RED	COLLIE MIX	5615
19 6   F	Y	WHITE TAN	GREAT PYRENEES	5614
AUGSPURGER T	AMMY			
lame				
5234 RED BIRD L	ANE			
ddress			•	
ddress			Ohio 45011	
			Ohio 45011 State Zip Code	

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Alt Phone No.

Sincerely,

Phone Number

Email Address

TMAUGSPURGER@CINCI.RR.COM

Roger Reynolds, CPA Butler County Auditor





## Office Phone: 513-887-3154 Office Fax: 513-887-3149



130 High Street Hamilton, Ohio 45011

TAMMY AUGSPURGER 5234 RED BIRD LANE HAMILTON, OH 45011

Roger Reynolds, CP	A	BUTLEF	R COUNTY AUDITOR	2019 DOG REGISTRATION
Owners Name: TAMM	IY AUGSPURC	ER	Street Address: 5234 RED BIRD LANE	Phone no: 5136737601
Age Y   M Sex Si	nay Hair enter Lor S	Colors	Breed	Tag Number
812 F Y		WHITE	GREAT PYRENEES	5609
Invoice number : DOG	2019111886	outset filts	Sale Date: 12/29/2018 Total Pa	id = \$14.00
Name 5234 RED BIRD LANE		•		
5234 RED BIRD LANE Address				
HAMILTON			Ohio	45011
City				Zip Code
513-673-7601				
Phone Number TMAUGSPURGER@CI Email Address	NCI.RR,COM		Alt Phone No.	

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Sincerely,

Roger Reynolds, CPA Butler County Auditor Case #: 19240
Case Date: 09/25/19

Fairfield TWP Violation #: 19-202
Complainant Name: Preston Eversole
Complainant Address: 5228 Redbird Ln
Complainant Phone: 513-317-2703
Complainant Email:
Description: Neighbor has ten (10) dogs that bark constantly
Corrective Action: lawful amount of pets to be maintained at the property (to have four or fewer)
Status: Open-Nuisance violation
Action to be taken: Follow up

#### **Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
A0300024000024	5234 RED BIRD LN	532 ENT	BRUCE AND TAMMY AUGSPURGER	513-673-7601	

#### **Violations**

Date	Violation	Description	Notes	Status
09/25/2019	Animal Occupancy	KEEPING OF ANIMALS. The keeping of up to four (4) animals customarily considered as house pets shall be allowed provided that such animals are not vicious, as determined by the Butler County Dog Warden, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, these regulations shall not prohibit the keeping of any number of fish in aquarium		1. Open
09/26/2019	TOO MANY ANIMALS	The keeping of up to four (4) animals customarily considered as house pets shall be allowed provided that such animals are not vicious, as determined by the Butler County Dog Warden, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, these regulations shall not prohibit the keeping of any number of fish in aquarium.		1. Open

#### Notes

Date	Note	Created By:
2020-01-07	Spoke with Tammy Augspurger. Informed her about the violation. She told me that her attorney advised her not to accept the certified letter. During the conversation she informed me that she currently has 8 dogs living on the property. She stated that two of the dogs are "emotional support dogs." She stated that she would send me proof of certification. She also mentioned that one of the dogs belongs to her son, who is staying with her. She also stated that one of the dogs is a neglected pitbull that she recently adopted. During the conversation I stated, several instances, that the maximum number of dogs permitted in Fairfield Township is 4. She expressed that she was not interested in complying with the 4 dog Law. During the conversation she also mentioned that she has had several conversations with Jamie who works for the Butler County Dog Warden. Mrs. Augsburger stated that she was told by Jamie that emotional support dogs are exempt from being counted as a dog, and that she is permitted to own 5 dogs.	Chuck Goins
2020-01-07	I have not received any contact from the property owner and have not found immediate proof of 5+ dogs at the property.	Nathan Wall
2020-01-07	After the phone call I emailed Mrs. Augspurger. The email is attached below.	Chuck Goins
	CG	· · · · · · · · · · · · · · · · · · ·
2019-09-25	I left a message with the Butler County Auditor's office (887-3043) to see how many dogs are registered at the property.	Chuck Goins
	Janet - emailed me documentation showing that there are 6 dogs registered at the address.	

#### **Chuck Goins**

From:

Chuck Goins

Sent:

Tuesday, January 7, 2020 3:56 PM

To:

tmaugspurger@cinci.rr.com

Cc:

Nathan Wall

Subject:

Fairfield Township Zoning: 6 dogs registered

Attachments:

5667469-5234 Red Bird Lane - Dog Tags.pdf

Good afternoon Mrs. Augspurger

I am reaching out to you about the zoning notice of violation for the number of Dogs on your property. The attached document shows that you have 6 dogs registered as of September of 2019. The legal number of dogs permitted in Fairfield Township is 4 dogs per the Fairfield Township Zoning Resolution. During our conversation you mentioned that you currently have 8 dogs on your property. You mentioned that you recently adopted a pitbull, whom you are looking for a home. You also mentioned that one of the dogs belongs to your son.

During our conversation you mentioned that two of the dogs on your property are "emotional support dogs."

<u>Please provide me with the documentation that you mentioned that shows that two of your dogs are certified emotional support dogs.</u>

Below is a link to a local pitbull group. I believe they might be able to help you find a home for the pitbull.

#### https://www.cincinnatipitcrew.org/contact

Please let me know if you have any questions.

#### Chuck Goins

Assistant Administrator/Zoning Administrator 6032 Morris Road Fairfield Township, OH 45011 (513) 785-2266



### 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 #: 20-018

Date: February 21, 2020

Property Owner: AFFORDABLE HOUSING IN 513 INC

350 S C ST

HAMILTON OH 45013 3344,

Location: 2697 LENOX AVE

Parcel #: A0300037000193

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 removal of all junk and debris from the entire property. Violation(s) are in reference to Section <u>6.22 GENERAL MAINTENANCE STANDARDS</u> 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.

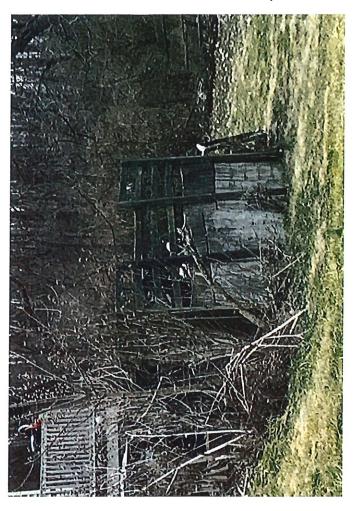
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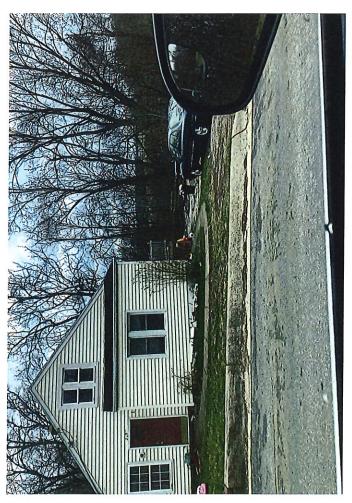
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Please contact me at 513-785-2262 upon compliance with the	nis section of the Fairfield Township Zoning Resolution.
Jerthallal	2-21-20
Zoning Inspector	Date











### 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 #: 20-016

Date: February 21, 2020

Property Owner: RODNEY W & CYNTHIA L HIBBARD

1508 HARVARD AVE

HAMILTON OH 45015 1316,

Location: 1508 HARVARD ST

Parcel #:A0300036000009

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 1508 HARVARD ST in Fairfield Township, Butler County, Ohio has determined the need for removal of all junk and debris from the entire property. 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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### 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 #: 20-019

Date: February 21, 2020

Property Owner: KEITH BARGER

2009 HARVARD ST

HAMILTON OH 45015 1321,

Location: 2026 HARVARD ST

Parcel #:A0300037000025

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 2026 HARVARD ST in Fairfield Township, Butler County, Ohio has determined the need for removal of all junk and debris from the entire property. Violation(s) are in reference to Section <u>6.22 GENERAL</u> <u>MAINTENANCE STANDARDS</u> 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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Zoning Inspector

2-21-20

Date







### 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 #: 20-011

Date: February 10, 2020

Property Owner: DAVID S ARNOLD JR

3473 WOOD CT HAMILTON OH 45011,

Location: 3473 WOOD CT

Parcel #:A0300166000029

You are hereby notified that Fairfield Township has received a complaint and upon reviewing property owned by you being located at 3473 WOOD CT in Fairfield Township, Butler County, Ohio has determined the need for removal of commercial vehicles from property. Violation(s) are in reference to Section 6.33 COMMERCIAL VEHICLES. Commercial vehicles are prohibited from being stored or parked in any R District unless otherwise permitted in this resolution. 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.
Please contact me at 513-785-2262 upon compliance with this s	1-10-20
Zoning Inspector	Date

