

FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-168

**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, improper parking of vehicles, and/or refuse, junk, and debris were reported at the properties listed below; and

- **6248 Greens Way- Inoperable 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 Fairfield Township zoning resolution outlines zoning guidelines to promote public health, safety, comfort, and welfare of the residents of Fairfield Township. Violations of a provision of the resolution have been observed and proper notice has been delivered; 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 inoperable vehicles, improperly stored vehicles, 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: December 8, 2021

Board of Trustees

Susan Berding: _____

Shannon Hartkemeyer: _____

Joe McAbee: _____

Vote of Trustees

yes

yes

absent

AUTHENTICATION

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 8th day of December, 2021.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L. E. Barbieri

Lawrence E. Barbieri, Township Law Director



FAIRFIELD TOWNSHIP PLANNING & ZONING DEPARTMENT
6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400

| | | | |
|---------------------------|------------------------|-----------------------|------------|
| Case Date: | 11/5/2021 | Courtesy Notice Date: | 11/5/2021 |
| Fairfield Twp Violation # | 21-312 | NOV Issue Date: | 11/16/2021 |
| Address of Violation: | 6248 GREENS WAY | Final NOV Issue Date: | |
| Complainant Name: | | | |
| Description: | I op veh | | |
| Disposition: | Issued Courtesy Notice | | |
| Assigned to: | Nick Armstrong | | |

Property

| | | |
|----------------|-----------------|-------------------|
| Parcel # | Address | Owner Name |
| A0300138000025 | 6248 GREENS WAY | COLLINS,INA JEWEL |

Violations

Code: 805. Parking of Inoperable Vehicles.

Status: In Violation

The parking of an inoperable vehicle within a residential district shall be prohibited, except that such vehicle may be stored in an enclosed garage or other accessory building, provided that no business shall be conducted in connection therewith while such vehicle is parked or stored.

Date: 11/5/2021 3:45:00 PM

Required Actions:



Notes

Date: 11/15/2021 **By:** Nick Armstrong

Note: Vehicle has no visible signs of being inoperable. Left a tag on the vehicle and no one contacted us. HOA has taken several complaints that it has not moved in months.

Date: 12/2/2021 **By:** Nick Armstrong

Note: Two letters have been sent to the vehicle owner. The HOA has sent letters also. I placed a tag on the car on 11/05/21 and it has not been removed nor has the vehicle moved.



Fairfield Township Zoning Department

COURTESY NOTICE OF VIOLATION

Under Fairfield Township Zoning Resolution 2020

For the Address: GQC 9016

☐ Junk/Debris (Section 533)

☒ Inoperable/Unregistered Vehicle
(Section 533)

☐ Recreational Vehicle-Commercial
Vehicle and/or Trailer (Section 532)

☐ High Grass/Vegetation (Section 534)

☐ Other/Notes: Please call FFWP

Towing M-F 8am + 4:30pm

We would appreciate your cooperation in this matter. Please address this within 10 days or contact our Zoning Department at 513-887-4400.

Sincerely,



Zoning Inspector

Date: 11/5/21



FAIRFIELD TOWNSHIP PLANNING & ZONING DEPARTMENT
6032 MORRIS ROAD
FAIRFIELD TOWNSHIP, OHIO 45011
513-887-4400

NOTICE OF NUISANCE ABATEMENT VIOLATION

Under Fairfield Township Zoning Resolution and
(ORC 505.87 & 505.871)

Case Number: 21-312

Date: 11/16/2021

Property Owner: COLLINS, INA JEWEL
6248 GREENS WAY
FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6248 GREENS WAY
FAIRFIELD TOWNSHIP, OH 45011

Parcel ID: A0300138000025

YOU ARE HEREBY NOTIFIED that you are in Violation of the Fairfield Township Zoning Resolution and/or sections 505.87 & 505.871 of the ORC at the property located at 6248 GREENS WAY.

In accordance with the Fairfield Township Zoning Resolution, your property is in violation of the following section(s):

Code: 805. Parking of Inoperable Vehicles.

Status: In Violation

The parking of an inoperable vehicle within a residential district shall be prohibited, except that such vehicle may be stored in an enclosed garage or other accessory building, provided that no business shall be conducted in connection therewith while such vehicle is parked or stored.

Required Actions:

Comments/Notes:



You must remedy the situation within **TEN (10) days** before further action is taken by Fairfield Township.

Please contact at (513) 887-4400 or at with any questions or once you are in compliance with the above notice violation(s).

Thank you in advance for your cooperation.

11/16/2021

Date