

FAIRFIELD TOWNSHIP
RESOLUTION NO. 22-149

**A RESOLUTION ORDERING THE REMOVAL AND DEMOLITION OF AN UNSECURE
AND UNSAFE BUILDING AT 6767 LESTER AVENUE**

WHEREAS, on September 13, 2022, the Board adopted Resolution 22-119 authorizing the removal, repair or securance of an unsecure and/or unsafe building at 6767 Lester Avenue; and

WHEREAS. Resolution 22-119 specifically determined that the structure located at 6767 Lester Avenue, Hamilton, Ohio, 45011/PIN A0300058000042 to be unsafe, unsecure and structurally defective, thereby constituting a direct threat to the public health and safety and requiring removal pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, in Section 2 of Resolution 22-119 the Board declared its intention to make entry on to the property identified for the purpose of taking any and all actions necessary to secure the unsafe structure and remove the direct threat to the public health, safety and welfare situated therein; and

WHEREAS, in accordance with Section 3 of Resolution 22-119 the Board gave notice to all parties in interest on 9-21-2022, that the securance, removal or demolition of the structure would occur at least 30 days after the date upon which the Board of Township trustees gave notice to each party in interest; and

WHEREAS, Section 5 of Resolution 22-119 advised each party in interest they were entitled to a hearing if a hearing was requested within 20 days after the date of the mailing of the notice; and

WHEREAS, all parties in interest were notified in accordance with the notice attached hereto, incorporated herein by reference and designated Exhibit A; and

WHEREAS, no party in interest has requested a hearing since the adoption of Resolution 22-119; and

WHEREAS, Section 9 of Resolution 22-119 states if no hearing is requested by a party in interest that the Board issue an order directing the removal, repair or securance of the building or of the structures on the property.

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

SECTION 1. All of the above whereas clauses are incorporated into the Board's determinations as set forth herein.

SECTION 2. In accordance with Section 9 of Resolution 22-119 the Board hereby orders the removal, repair and/or securance of the buildings or of the structures located at 6767 Lester Avenue, Hamilton, Ohio, 45011 on or after November 15, 2022, which is at least 30 days after the date upon which the Board of Trustees gave notice to each party in interest.

SECTION 3. The Trustees of Fairfield Township upon majority vote do hereby dispense with any requirements that this resolution be read on two separate days, and hereby authorize adoption of this resolution upon its first reading.

SECTION 4. 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.

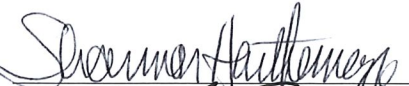
SECTION 5. This Resolution shall take effect on the earliest date allowed by law.

SECTION 6. This Resolution is hereby declared to be an emergency measure, pursuant to RC 504.11, necessary for the immediate preservation of the public peace, health, safety, or welfare of the residents of Fairfield Township.

Adopted: November 8, 2022

Board of Trustees

Vote of Trustees

Shannon Hartkemeyer: 

yes

Michael Berding: 

yes

Joe McAbee: 

yes

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 November, 2022.

ATTEST:


Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:


Lawrence E. Barbieri, Township Law Director

**NOTICE OF THE REMOVAL, REPAIR, OR SECURANCE OF
UNSECURE AND/OR UNSAFE BUILDINGS**

**6767 Lester Avenue
Hamilton, OH 45011
Parcel Ids: A0300058000042**

To All Property Owners and Lien Holders:

TAKE NOTICE that the Fairfield Township Board of Trustees have adopted a resolution, dated September 13, 2022 for the removal, repair, or securance of all unsafe and structurally unsecure buildings located at 6767 Lester Avenue, OH 45015, located in Fairfield Township. The structures have been declared unsecure, unsafe, and structurally defective by the the Fairfield Township Fire Department in a memorandum dated August 30, 2022. A copy of the resolution and supporting notices will be available for review at the Fairfield Township Administration Building.

Owners and/or lien holders may request a hearing regarding this resolution by providing written request to the Fairfield Township Fiscal Officer within 20 days of the mailing of the notice of this resolution pursuant to Ohio Revised Code §505.86 (C)(1).

If said building is not secured by the said owners, or if no agreement for abatement of conditions on the property is reached between the Township and the owners and lienholders of record within thirty days after notice is given, the Township Administrator shall cause the building to be removed, repaired, and/or secured, and the Township shall notify the Butler County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code §505.86.

Fairfield Township Trustees
Shannon Hartkemeyer, Michael Berding, Joe McAbee
Shelly Schultz, Fiscal Officer
Julie Vonderhaar, Administrator

Publish Date 9-21-2022