

FAIRFIELD TOWNSHIP
RESOLUTION NO. 22-47

**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

- **Exeter St 720 Objectionable, Noxious, or Dangerous Uses, Practices or Conditions**

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: February 8, 2022

Board of Trustees

Michael Berding:

Shannon Hartkemeyer:

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 08 day of February, 2022.

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:	1/4/2022	Courtesy Notice Date:	1/5/2022
Fairfield Twp Violation #	22-001	NOV Issue Date:	1/31/2022
Address of Violation:	EXETER ST	Final NOV Issue Date:	
Complainant Name:			
Description:	Building in disrepair, unsafe		
Disposition:	Issued Final NOV		
Assigned to:	Nick Armstrong		

Property

Parcel #	Address	Owner Name
A0300037000131	EXETER ST	GRUBBS, DOUGLAS W

Violations

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

Status: In Violation

No land or building in any district shall be occupied or used, including home occupations, in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time: 1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire protection equipment or by such safety devices as are normally required for such activities. 2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved; 3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency; 4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency; 5. Objectionable noise due to volume, frequency or beat is present; 6. Vibration discernible without instruments is present on an adjoining lot or property; 7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district; 8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property; 11 9. Water pollution or contamination, if present, is in violation of regulations of the Ohio Environmental Protection Agency or the local storm water management and sediment control regulations.

Date: 1/5/2022 9:45:00 AM

Required Actions: Property, seen in photo is unsafe. The building is in disrepair and quick action is needed for the overall safety of the neighborhood.





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: 22-001

Date: 1/31/2022

Property Owner: GRUBBS, DOUGLAS W
2025 MILTON ST
FAIRFIELD TOWNSHIP, OH 45015

Address in Violation: EXETER ST
FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300037000131

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 EXETER ST.

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

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

Status: In Violation

No land or building in any district shall be occupied or used, including home occupations, in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time: 1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire protection equipment or by such safety devices as are normally required for such activities. 2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved; 3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency; 4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency; 5. Objectionable noise due to volume, frequency or beat is present; 6. Vibration discernible without instruments is present on an adjoining lot or property; 7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district; 8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property; 111 9. Water pollution or contamination, if present, is in violation of regulations of the Ohio Environmental Protection Agency or the local storm water management and sediment control regulations. Required Actions: Property, seen in photo is unsafe. The building is in disrepair and quick action is needed for the overall safety of the neighborhood.

Comments/Notes:



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

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

Thank you in advance for your cooperation.



Nick Armstrong
Zoning Inspector

1/31/2022

Date



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

Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution
(ORC 505.87 & 505.871)

Case Number: 22-001

Date: 1/5/2022

Property Owner: GRUBBS, DOUGLAS W
2025 MILTON ST
FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300037000131

Property in Violation: EXETER ST
FAIRFIELD TOWNSHIP, OH 45015

This Courtesy Notice is being sent to you in regards to your property at EXETER ST. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

Code: 720. Objectionable, Noxious, or Dangerous Uses, Practices or Conditions.

Status: In Violation

No land or building in any district shall be occupied or used, including home occupations, in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect surrounding areas or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions are found to exist at any time: 1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire protection equipment or by such safety devices as are normally required for such activities. 2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved; 3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency; 4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency; 5. Objectionable noise due to volume, frequency or beat is present; 6. Vibration discernible without instruments is present on an adjoining lot or property; 7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district; 8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property; 11 9. Water pollution or contamination, if present, is in violation of regulations of the Ohio Environmental Protection Agency or the local storm water management and sediment control regulations.

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Nick Armstrong
Zoning Inspector

1/5/2022
Date