FAIRFIELD TOWNSHIP RESOLUTION NO. 22-83

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

• 2310 Imlay Ave- Junk & Debris, Inoperable Vehicle

• 3588 Dawn Drive- Commercial Vehicle

• 6380 Osage Drive- Junk & Debris, Parking of Vehicle

• 6767 Lester Ave- Junk & Debris

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: May 10, 2022

Board of Trustees	Vote of Trustees	
Shannon Hartkemeyer:	therney yes	
Michael Berding:	425	
Joe McAbee: Gel M (U)	yes	
AUTHENTICATION This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this		
	ATTEST:	
	Shellyschultz	
	Shelly Schultz, Pairfield Township Fiscal Officer	
APPROVED AS TO FORM:		
	Lawrence E. Barbiere, Township Law Director	



Case Date:	4/14/2022	Courtesy Notice Date:	4/14/2022
Fairfield Twp Violation #	22-078	NOV Issue Date:	4/25/2022
Address of Violation:	2310 IMLAY AVE	Final NOV Issue Date:	
Complainant Name:			
Description:	IN OP Junk		
Disposition:	Issued Courtesy Notice		
Assigned to:	Nick Armstrong		

Property

Parcel#

Address

Owner Name

A0300041000061

2310 IMLAY AVE

AMERICAN ESQUIRE TRUST

Violations

Code: 533 Junk **Status:** In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Date:

4/14/2022 1:26:00 PM

Required Actions:



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:

4/14/2022 1:26:00 PM

Required Actions:

Code: 532.3 Licencing of Vehicles/Trailers

Status: In Violation

No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other

than in a completely enclosed building. Date:

Required Actions:

4/14/2022 1:26:00 PM

Notes

Date:

4/25/2022

By: Nick Armstrong

Note:

assetmanager@acilegacygroup.com

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NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 22-078

Date: 4/25/2022

Property Owner: AMERICAN ESQUIRE TRUST

11956 BERNARDO PLAZA DR # 252

SAN DIEGO, CA 92128

Address in Violation: 2310 IMLAY AVE

FAIRFIELD TOWNSHIP, OH 45015

Parcel ID: A0300041000061

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 2310 IMLAY AVE.

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

Code: 533 Junk Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Required Actions:

Comments/Notes:



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:

Code: 532.3 Licencing of Vehicles/Trailers

Status: In Violation

No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other than in a completely enclosed building.

Required Actions:

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 4/25/2022



Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution (ORC 505.87 & 505.871)

Case Number: 22-078

Date: 4/14/2022

Property Owner: AMERICAN ESQUIRE TRUST

Parcel ID: A0300041000061

11956 BERNARDO PLAZA DR # 252

SAN DIEGO, CA 92128

Property in Violation: 2310 IMLAY AVE

FAIRFIELD TOWNSHIP, OH 45015

This <u>Courtesy Notice</u> is being sent to you in regards to your property at 2310 IMLAY AVE. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

Code: 533 Junk

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Required Actions:

Comments/Notes:



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:

Code: 532.3 Licencing of Vehicles/Trailers

Status: In Violation

No vehicles or trailers of any type without current license plates shall be parked or stored in any Zoning District other than in a completely enclosed building.

Required Actions:

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

4/14/2022



Case Date:	4/11/2022	Courtesy Notice Date:	4/11/2022
Fairfield Twp Violation #	22-076	NOV Issue Date:	4/25/2022
Address of Violation:	3588 DAWN DR	Final NOV Issue Date:	
Complainant Name:			
Description:			
Disposition:	Issued Courtesy Notice		
Assigned to:	Nick Armstrong	9	

Property

Parcel # A0300106000004

Address

Owner Name

3588 DAWN DR

BRACKEN, STAN R AND CONNIE

Status: In Violation

Violations

Code: 532.2 Commercial Vehicle Commercial Equipment Parking

No commercial vehicles or commercial equipment, (including but not limited to commercial tractors, commercial trucks, buses, box trucks and semi-trailers) shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials, and equipment is to be performed during the actual time of parking.

Date:

4/11/2022 3:54:00 PM

Required Actions:



Code: 533 Junk Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Date:

4/11/2022 3:57:00 PM

Required Actions:

Notes



Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution (ORC 505.87 & 505.871)

Case Number: 22-076

Date: 4/11/2022

Property Owner: BRACKEN, STAN R AND CONNIE

Parcel ID: A0300106000004

3500 RED BANK RD CINCINNATI ,OH 45227

Property in Violation: 3588 DAWN DR

FAIRFIELD TOWNSHIP, OH 45011

This <u>Courtesy Notice</u> is being sent to you in regards to your property at 3588 DAWN DR. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

Code: 532.2 Commercial Vehicle Commercial Equipment Parking

Status: In Violation

No commercial vehicles or commercial equipment, (including but not limited to commercial tractors, commercial trucks, buses, box trucks and semi-trailers) shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials, and equipment is to be performed during the actual time of parking.

Required Actions: Comments/Notes:



Code: 533 Junk Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Required Actions:

Comments/Notes:

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.

4/11/2022

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

Nick Armstrong Zoning Inspector



NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 22-076

Date: 4/25/2022

Property Owner: BRACKEN, STAN R AND CONNIE

3500 RED BANK RD CINCINNATI, OH 45227

Address in Violation: 3588 DAWN DR

Parcel ID: A0300106000004

FAIRFIELD TOWNSHIP, OH 45011

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 3588 DAWN DR.

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

Code: 532.2 Commercial Vehicle Commercial Equipment Parking

No commercial vehicles or commercial equipment, (including but not limited to commercial tractors, commercial trucks, buses, box trucks and semi-trailers) shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials, and equipment is to be performed during the actual time of parking.

Required Actions:

Comments/Notes:



Code: 533 Junk

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents. Required Actions:

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 4/25/2022



Case Date:	3/22/2022	Courtesy Notice Date:	3/22/2022
Fairfield Twp Violation #	22-065	NOV Issue Date:	4/11/2022
Address of Violation:	6380 OSAGE DR	Final NOV Issue Date:	
Complainant Name:			
Description:	Junk and Debris, Watercraft parking		
Disposition:	Issued Courtesy Notice		
Assigned to:	Nick Armstrong		

Property

Parcel#

Address

6380 OSAGE DR

Owner Name

PENA, JOSE A AVILA

Violations

Code: 533 Junk

A0300064000013

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Date:

3/22/2022 12:51:00 PM

Required Actions:





Code: 532.1 Parking of Vehicles

Status: In Violation

Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.

Date:

3/22/2022 12:50:00 PM

Required Actions:

Notes

Date: 3/22/2022

By: Nick Armstrong

Note:

Good afternoon,

While in your neighbor I noticed a bit of Junk and Debris on your property as well as two jet skis parked on dirt. These are both violations of the Fairfield Township resolution. I noticed we had your contact information due to your recent pool permit and I was hopping to get this resolved without having to send a letter.

Please advise



NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 22-065

Date: 4/11/2022

Property Owner: PENA, JOSE A AVILA

6380 OSAGE DR

FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6380 OSAGE DR

Parcel ID: A0300064000013

FAIRFIELD TOWNSHIP, OH 45011

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 6380 OSAGE DR.

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

Code: 533 Junk

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents. Required Actions:

Comments/Notes:





Code: 532.1 Parking of Vehicles

Status: In Violation

Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open offstreet parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.

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.

4/11/2022



NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 22-065

Date: 4/11/2022

Property Owner: PENA, JOSE A AVILA

6380 OSAGE DR

FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6380 OSAGE DR

Parcel ID: A0300064000013

FAIRFIELD TOWNSHIP, OH 45011

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 6380 OSAGE DR.

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

Code: 533 Junk

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents. Required Actions:

Comments/Notes:





Code: 532.1 Parking of Vehicles

Status: In Violation

Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open offstreet parking areas shall be graded, and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobblestone or similar hard surface approved by the Zoning Inspector.

Required Actions:

Comments/Notes:

	Date
4/11	/2022
Thank you in advance for your cooperation.	
Please contact at (513) 887-4400 or at with any questions or once you are in compliance with the above notice violation(s).	
Tou must remedy the situation within TEN (10) days before further action is taken by Fairfield Township.	



Case Date:	3/20/2022	Courtesy Notice Date:	3/28/2022
Fairfield Twp Violation #		NOV Issue Date:	4/25/2022
	6767 LESTER AVE	Final NOV Issue Date:	
Complainant Name:	- Resident Complaint		
Description:	lots of trash in the yard and fence line. They have no running water. Poon and nee in		
	Containers laying around. Depends/diapers in the yard, been and on going thing for		
	years, nothing ever gets done about it. Very unsanitary conditions.		
Disposition.	Issued Courtesy Notice		1344
Assigned to:	Nick Armstrong		

Property

Parcel #

Address

6767 LESTER AVE

Owner Name

REYNOLDS, JIMMY

Violations

Code: 533 Junk

A0300058000042

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

Date:

3/28/2022 1:53:00 PM

Required Actions:



Notes



Courtesy Notice of Violation

Under Fairfield Township Zoning Resolution (ORC 505.87 & 505.871)

Case Number: 22-059

Date: 3/28/2022

Property Owner: REYNOLDS, JIMMY

Parcel ID: A0300058000042

6767 LESTER AVE

FAIRFIELD TOWNSHIP, OH 45011

Property in Violation: 6767 LESTER AVE

FAIRFIELD TOWNSHIP, OH 45011

This Courtesy Notice is being sent to you in regards to your property at 6767 LESTER AVE. In accordance to the Fairfield Township Zoning Resolution, your property violates section(s):

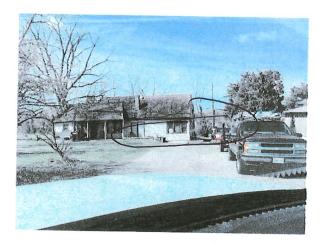
Code: 533 Junk

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents.

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.



NOTICE OF NUISANCE ABATEMENT VIOLATION

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

Case Number: 22-059

Date: 4/25/2022

Property Owner: REYNOLDS, ЛММУ

6767 LESTER AVE

FAIRFIELD TOWNSHIP, OH 45011

Address in Violation: 6767 LESTER AVE

Parcel ID: A0300058000042

FAIRFIELD TOWNSHIP, OH 45011

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 6767 LESTER AVE.

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

Code: 533 Junk

Status: In Violation

The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, or any other discarded objects or debris shall be prohibited, outside of an approved junk yard, in order to protect residents from unsightly conditions and/or an environment conducive to the infestation and breeding of vermin, insects, and rodents. 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.

4/25/2022