

SYMMES TOWNSHIP

HAMILTON COUNTY, OHIO

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BOARD OF TRUSTEES

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RESOLUTION G2012-25

RESOLUTION ADOPTING POLICY ON STORM DEBRIS REMOVAL

WHEREAS, Symmes Township is affected by weather conditions that may cause accumulation of storm debris in the form of fallen branches, downed trees and the like; and

WHEREAS, Symmes Township does not provide storm debris or yard waste removal services for private landowners; and

WHEREAS, Symmes Township by contract does provide a location for Township residents to dispose of yard waste and storm debris during the months of March through November at no charge to the resident; and

WHEREAS, in the past during the aftermath of some unusually severe storm events the Board of Trustees has recognized that a threat to public health and safety exists and therefore has provided for curbside removal of storm debris; and

WHEREAS, to preserve scarce fiscal resources, the Township must be judicious in providing new or expanded government services that may not directly contribute to the general public benefit; and

WHEREAS, the Board desires to state clearly its policy that limits removal of storm debris from private property, including curbside pickup in the aftermath of severe storm events.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Symmes Township, Hamilton County, Ohio:

- Section 1. To the extent it remains financially feasible, Symmes Township shall continue to contract annually with a landscaping or debris collection facility to provide a place where Township residents may free of charge drop off yard waste, including debris from severe storm events.

Section 2. The Township does not provide services to enter onto private property to remove or assist in the removal of yard waste or storm debris.

Section 3. The Township does not remove yard waste or storm debris that originates on private property that has been deposited curbside.

Section 4. The Township does not repair or remove storm damage to private structures or property, but may address such conditions as provided in the Ohio Revised Code and Resolutions of Symmes Township under nuisance authority after a reasonable time has passed for repair or removal.

Section 5. Township is authorized to remove storm debris that falls in public right of way controlled by the Township. If a tree or limb falls partially in right of way and partially on private property, the Township shall remove and dispose of that part of the fallen tree or limb that is located within the right of way. If a tree, limb or other debris falls in right of way not controlled by the Township, Township staff shall assist in reporting that damage to Hamilton County or the Ohio Department of Transportation, as applicable. The Township Administrator, Services Director or their designee may exercise discretion and authorize Township assistance to the County or State agency to remove storm debris from non-township right of way.

Section 6. In the event of a severe storm event, such as a tornado or hurricane, that causes extensive damage and creates an ongoing and serious threat to the public health and safety exists, the Township through use of Township staff or contractors may assist in the removal of storm debris that originates on private property and that has been brought to curbside subject to the following: Prior to the expenditure of any Township resources for such removal, the Board of Trustees shall first meet and 1) declare a state of emergency within the Township and find an immediate and ongoing threat to the public health and safety exists due to the presence of the storm debris, 2) appropriate the necessary anticipated funds to pay for the curbside pickup and disposal of the storm debris, and 3) establish the time frame that the curbside removal will begin and end. In determining whether to declare such an emergency, the Board may also take into consideration if the possibility for reimbursement by other agencies of such anticipated expenses is likely or not.

Section 7. In the event of a severe storm event such as a tornado or hurricane, township staff shall track incoming requests for assistance with storm damage and debris removal to gauge the severity of the event, but shall not create a list of names and/or addresses that would create a false expectation of removal. In the event the Board takes action as described in Section 3 above, then Township staff shall publicize the availability of the emergency service through a prominent posting on the Township website. Township staff shall advise residents to monitor the Township website. In the event the Township website is disabled, staff shall publicize the service through other means, such as print advertisement.

Section 8. In the event that a tree, large limb or other debris blocks access to private property during the course of an emergency services response from the fire department, including debris within the private property, Township personnel may assist in moving the debris out of the way to the extent necessary to aid the emergency response.

Section 9. Township staff may compile a list of contractors that have reported to the township their availability to assist residents with the removal of storm debris, and staff may provide such list to residents needing assistance. Any contractor reporting to the township its availability shall provide proof of liability and workers compensation insurance. It is within staff's discretion to not include contractors that staff believes to be unqualified for such work. However, maintaining and distributing such list shall not be viewed as an endorsement of the contractor by the Township, and residents using the services of such contractor shall do so at their own expense and risk.

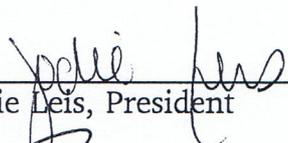
Section 10. In the event of a disaster the severity of which calls for activation of procedures under the Township's Emergency Operations Plan, then the limitations of this Resolution may be temporarily suspended pursuant to any contrary emergency legislation that may be approved by the Board of Trustees.

ADOPTED SEPTEMBER 4, 2012

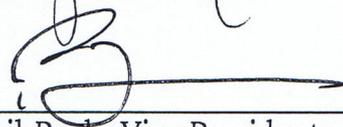
Vote Record: Mrs. Leis AYE Mr. Beck AYE Mr. Bryant AYE

RESOLUTION G2012-25

BOARD OF TRUSTEES:



Jodie Leis, President

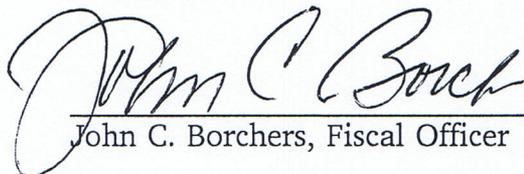


Phil Beck, Vice-President



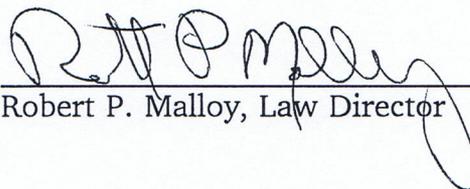
Kenneth Bryant, Trustee

ATTEST:



John C. Borchers, Fiscal Officer

APPROVED AS TO FORM:

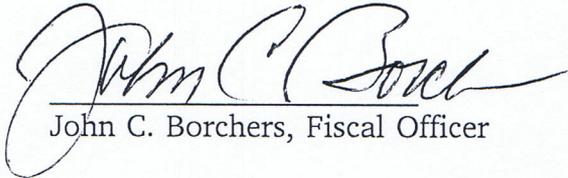


Robert P. Malloy, Law Director

CERTIFICATE OF FISCAL OFFICER

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution G2012-25 adopted by this Board of Symmes Township in regular session the 4th day of September, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Fiscal Officer of Symmes Township this 4th day of September, 2012.


John C. Borchers, Fiscal Officer