



RESOLUTION G2017-33

RESOLUTION TO ASSESS 12135 BIRCH DRIVE FOR A NUISANCE ABATEMENT

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is authorized under Ohio Revised Code §505.87 to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the Board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio is further authorized under Ohio Revised Code §505.86 to remove, repair, or secure buildings or structures that have been declared insecure, unsafe, or structurally defective by the fire department or building department, or buildings or structures that have been declared unfit for human habitation by the board of health; and

WHEREAS, the Board of Trustees passed resolution G2013-20 to abate the nuisance located at **12135 Birch Drive (Parcel 620-0061-0849-00)** ("property") and resolution G2017-17 to hire Freeze Underground to remove the debris from the nuisance property; and

WHEREAS, the Symmes Township Board of Trustees will assess property owners one hundred percent (100%) for the expense incurred in the abatement, control or removal of vegetation and debris in accordance with O.R.C. 505.87; and

WHEREAS, the Township Administrator asserts that the work authorized by the Board to remove the debris from 12135 Birch Drive has been completed by Freeze Underground and the amount shown is true and accurate expenses incurred by Symmes Township to abate the nuisance.

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

Section 1. That the Board of Trustees does hereby authorize the assessment of the 12135 Birch Drive (parcel 620-0061-0849-00) in the amount of \$6,594.22. This includes Freeze Underground expenses in the amount of \$6,500.00 plus all postage fees (\$94.22).

Section 2. That the Fiscal Officer is hereby authorized to complete and file the referenced assessments with the County Auditor's Office.

Section 3. This 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 statue as a Limited Home Rule Township.

Section 4. That it is hereby found and determined that all formal actions of the 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 Section 121.22 of the Ohio Revised Code.

Section 5. Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

Section 6. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED JUNE 6, 2017 – RESOLUTION G2017-33

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

BOARD OF TRUSTEES:

Jodie L. Leis
Jodie L. Leis, President

Kenneth N. Bryant
Kenneth N. Bryant, Vice-President

Philip J. Beck
Philip J. Beck, Trustee

ATTEST:

Carol A. Sims
Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:

Kevin McDonough
Kevin McDonough, Law Director