



RESOLUTION G2016-13

Resolution Providing for the Declaration of Nuisance
for the Property Located at 9040 Foxhunter Lane
and Authorizing All Necessary Steps for the
Abatement of the Nuisance

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, complaints have been received regarding the condition of the property located at 9040 Foxhunter Lane (Parcel No. 620-0160-0083); and

WHEREAS, visual inspections of said property revealed significant overgrowth of grass and weeds, which are confirmed in photographs reviewed by the Board of Trustees; and

WHEREAS, Ohio Revised Code §3767.02 provides that any person, who uses, occupies, establishes, or conducts a nuisance, or aids or abets in the use, occupancy, establishment, or conduct of a nuisance; the owner, agent, or lessee of an interest in any such nuisance; any person who is employed in that nuisance by that owner, agent, or lessee; and any person who is in control of that nuisance is guilty of maintaining a nuisance and shall be enjoined from further maintaining such a nuisance; and

WHEREAS, R.C. 3767.03 provides that whenever a nuisance exists, the law director of a township that has adopted a limited home rule government under Chapter 504 of the Revised Code may bring an action in equity to abate the nuisance and to perpetually enjoin the person maintaining the nuisance from further maintaining it.

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

Section 1. That the property located at 9040 Foxhunter Lane (Parcel No. 620-0160-0083) is hereby declared to be a nuisance.

Section 2. That the Township Administrator is hereby directed to notify the property owner, any known occupants of and any known responsible party for the property, and any lien holders of record upon said parcel that the property has been declared a nuisance using notice language and manner of notice specified in R.C. §505.87 and this resolution.

Section 3. That if the nuisance is not abated by the owner, occupants, or responsible parties then the Township Administrator is authorized to take all necessary steps to abate the nuisance.

Section 4. That the Township Law Director may if necessary in the future be authorized by the Board to bring an action in equity to abate the nuisance and to enjoin perpetually the person maintaining the nuisance from further maintaining it, pursuant to R.C. 3767.03.

Section 5. That the Township Fiscal Officer shall pay out of the Township general fund for all expenses incurred for abating the nuisance and to bill the property owner for said expenses.

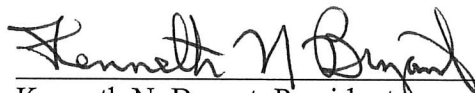
Section 6. That the Township Fiscal Officer shall enter upon the tax duplicate for said expenses if not paid within fourteen (14) days from date of billing.

Section 7. That, in addition to the authority granted the Township Law Director, the Township Administrator is directed to monitor said property for ninety (90) days to ensure compliance and is authorized to take appropriate measures to abate future nuisances after written notification is made to the property owner.

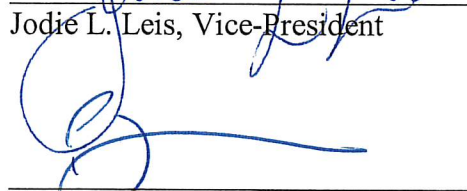
ADOPTED June 7, 2016

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

BOARD OF TRUSTEES:


Kenneth N. Bryant, President


Jodie L. Leis, Vice-President


Philip J. Beck, Trustee

ATTEST:


Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:


Kevin C. McDonough, Law Director