



**RESOLUTION G2014-23**

Resolution Declaring Emergency and  
Providing for Clearing Undedicated Roadway

WHEREAS, the Ohio Revised Code Section 505.82 provides for the Board of Trustees to adopt a resolution declaring that an emergency is imminent which threatens life or property within the unincorporated territory; and

WHEREAS, the O.R.C. Section 505.82 requires that certain procedures be followed for the removal of snow and ice from an undedicated street, where the owner does not cause such snow and ice to be removed from such street; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio has determined that an emergency is imminent requiring the removal of snow and ice from undedicated streets as listed on Exhibit "A"; and

WHEREAS, the owners of the property have not provided for the removal of snow and ice from streets as listed on Exhibit "A".

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

- Section 1. The Board of Trustees declares an emergency is imminent which threatens life or property, by reason of the accumulations of snow and ice on these undedicated streets.
- Section 2. The Township Director of Public Works is hereby ordered to remove the snow and ice from the said undedicated streets on which the owners thereof have not caused the removal of such snow and ice.
- Section 3. Prior to such removal, the Township Director of Public Works shall give, or make a good faith attempt to give oral notice to the owners of the subject streets, notice of the Trustees' intent to clear the said streets and to impose a service charge for doing so.
- Section 4. An amount established as just and equitable service charges for such removal, which shall be paid by the owners of said streets, shall be \$100.00 per hour or any portion of an hour.

If such owners fail to promptly pay such service charges after written notification, the said charges shall be certified to the Hamilton County Auditor to be included on the owner's tax bill and collected as a lien on the property.

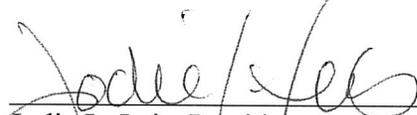
Section 5. The emergency declared herein shall expire six (6) months after date hereof, unless extended by unanimous resolution of this Board pursuant to O.R.C. Section 505.82.

Section 6. This Resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community.

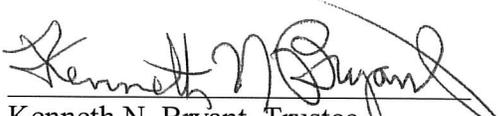
ADOPTED NOVEMBER 4, 2014

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

BOARD OF TRUSTEES:

  
\_\_\_\_\_  
Jodie L. Leis, President

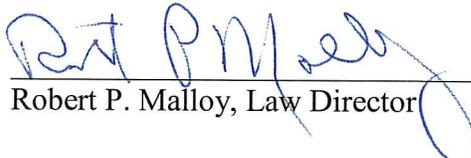
  
\_\_\_\_\_  
Philip J. Beck, Vice-President

  
\_\_\_\_\_  
Kenneth N. Bryant, Trustee

ATTEST:

  
\_\_\_\_\_  
Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Robert P. Malloy, Law Director