

**RESOLUTION G2021-97**

**RESOLUTION DECLARING AN EMERGENCY AND PROVIDING FOR CLEARING OF UNDEDICATED ROADWAYS**

**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 ORC 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 in the Stonewood Subdivision – Stonewood Court; and

**WHEREAS**, the owners of the property have not provided for the removal of snow and ice from streets in the Stonewood Subdivision – Stonewood Court.

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

- Section 1.** That the Board of Trustees of Symmes Township of Hamilton County, Ohio hereby declares that an emergency is imminent which threatens life or property, by reason of the accumulations of snow and ice on these undedicated streets.
- Section 2.** That the 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 hereon, unless extended by unanimous resolution of this Board pursuant to ORC Section 505.82.

**Section 6.** It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 7.** 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 8.** This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

**ADOPTED DECEMBER 7, 2021 – RESOLUTION G2021-97**

Vote Record: Mr. Bryant \_\_\_\_\_ Ms. Leis \_\_\_\_\_ Mr. Beck \_\_\_\_\_

**BOARD OF TRUSTEES:**

\_\_\_\_\_  
Kenneth N. Bryant, President

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

\_\_\_\_\_  
Philip J. Beck, Trustee

**ATTEST:**

**APPROVED AS TO FORM:**

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Joseph C. Grossi, Fiscal Officer

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Jeff Forbes, Law Director