

SYMMES TOWNSHIP

HAMILTON COUNTY, OHIO

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BOARD OF TRUSTEES

WILMA BERGER
JAMES A. BUCKMAN
MICHAEL G. BURROUGHS

CLERK

M. ELIZABETH KRUMMEL
ROAD SUPERINTENDENT
HOWARD E. GLASS

RESOLUTION G-8707

PROVIDING FOR THE ABATEMENT, CONTROL, OR REMOVAL
OF VEGETATION, GARBAGE, REFUSE, AND OTHER DEBRIS
FROM LAND IN THE TOWNSHIP

WHEREAS, the Symmes Township Board of Trustees is authorized by 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, or other debris constitutes a nuisance, and

WHEREAS, the Symmes Township Board of Trustees finds it necessary to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township,

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

SECTION 1. That subject to the procedures outlined hereinafter, the Board of Trustees may in its discretion order 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.

SECTION 2. That at least seven (7) days prior to providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land that:

(a) The owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the Owner's maintenance of which has been determined by the Board to be a nuisance: . . .

(b) If such vegetation, garbage, refuse, or debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made within seven days, the Board will provide for the abatement, control, or removal, and any expenses incurred by the Board in performing that task will be entered in performing that task will be a lien upon the land from the date of entry.

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The Board shall send the notice to the owner of land by certified mail if the owner is a resident of the township or is a nonresident whose address is known, and by certified mail to lienholder of record. If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once in a newspaper of general circulation in the township. The owner of the land or holders of liens may enter into an agreement with the Board of Trustees providing for either party to the agreement to perform the abatement, control, or removal prior to the time the Board is required to provide for the abatement, control, or removal under Section 3 of this Resolution.

Section 3. That is, within seven (7) days after notice is given, the owner of the land fails to abate, control, or remove the vegetation, garbage, refuse, or debris, or no agreement for its abatement, control, or removal is entered into under Section 2 of this Resolution, the Board of Trustees shall provide for the abatement, control, or removal and may employ the necessary labor, materials, and equipment to perform the task. All expenses incurred shall, when approved by the Board, be paid out of the township general fund from moneys not otherwise appropriated.

Section 4. That the Board of Trustees shall make a written report to the County Auditor of the Board's action under this section: The Board shall include in the report a statement of all expenses incurred in providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris as provided by Section 3 of this Resolution, including the Board's charges for its services, notification, the amount paid for the labor, materials, and equipment, and a proper description of the premises. The expenses incurred, when allowed, shall be entered upon the tax duplicate, are a lien upon the land from the date of entry, and shall be collected as other taxes and returned to the township and placed in the township general fund.

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Section 5. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed by Wilma Berger, Jim Buckman, and Mike Burroughs, Trustees.

August 18, 1987

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