



Special Meeting of the Board of Trustees - May 30, 2022

May 30, 2022

1. **Opening of Meeting 9:00 AM**
2. **New Business**
 - Public Safety**
 - a. Resolution Declaring Nuisance and Ordering Abatement
3. **Adjournment**

COLERAIN

PUBLIC SAFETY

Department: Police

Department Mark Denney, Police Chief
Director:

Strategic Plan Strategic Goal #2: Engage the New Economy with Green Initiatives
Goal:

Resolution Declaring Nuisance and Ordering Abatement

Recommend ADOPTION of the Resolution.

Rationale:

This resolution allows for the removal of uncontrolled vegetation and/or refuse at the following properties:

2583 Berthbrook	510-0044-0093-00
6598 Blue Rock	510-0330-0104-00
6600 Blue Rock	510-0330-0056-00
6600 Blue Rock	510-0330-0103-00
2562 Bracebridge	510-0021-0034-00
2860 Brampton	510-0041-0439-00
2780 Byrneside	510-0074-0042-00
9930 Capstan	510-0111-0201-00
8927 Cheviot	510-0092-0054-00
9686 Colerain	510-0103-0117-00
9705 Dunraven	510-0041-0186-00
9743 Dunraven	510-0041-0192-00
3169 Elkhorn	510-0052-0474-00
2545 Haverknoll	510-0011-0279-00
2821 Hyannis	510-0052-0135-00
8371 Jackies	510-0061-0024-00
2741 Jonrose	510-0071-0357-00
9449 Loralinda	510-0052-0653-00
9620 Loralinda	510-0052-0400-00
2562 Mariposa	510-0051-0078-00
9871 Marino	510-0041-0035-00
6268 Mullen	510-0350-0267-00
3274 Niagara	510-0102-0023-00
3380 Niagara	510-0102-0039-00
3251 Orangeburg	510-0112-0164-00
3506 Poole	510-0104-0140-00
2448 Roosevelt	510-0031-0443-00
2448 Roosevelt	510-0031-0444-00
2468 Roosevelt	510-0031-0439-00
2480 Roosevelt	510-0030-0436-00
8261 Sandy	510-0090-0089-00
2907 Sheldon	510-0071-0137-00
10752 Shipley	510-0032-0344-00
3385 Springdale	510-0112-0212-00
6604 Springdale	510-0350-0261-00
9870 Weik	510-0320-0058-00
2560 Wenning	510-0051-0047-00
12059 Westerly	510-0011-0373-00
2997 Wheatfield	510-0041-0086-00
9966 Voyager	510-0183-0224-00

All properties that are abated by the Township will have their property taxes assessed in order to reimburse the Township for the abatement services. This resolution and the Township's abatement process comport with the Ohio Revised Code for nuisance violations.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in special session at 9:00 a.m., on the 30th day of May 2022, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Matthew Wahlert, Cathy Ulrich, Dan Unger

Mr(s). _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
2583 Berthbrook	510-0044-0093-00
6598 Blue Rock	510-0330-0104-00
6600 Blue Rock	510-0330-0056-00
6600 Blue Rock	510-0330-0103-00
2562 Bracebridge	510-0021-0034-00
2860 Brampton	510-0041-0439-00
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9871 Marino	510-0041-0035-00
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3380 Niagara	510-0102-0039-00
3251 Orangeburg	510-0112-0164-00
3506 Poole	510-0104-0140-00
2448 Roosevelt	510-0031-0443-00
2448 Roosevelt	510-0031-0444-00
2468 Roosevelt	510-0031-0439-00
2480 Roosevelt	510-0030-0436-00
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2907 Sheldon	510-0071-0137-00
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6604 Springdale	510-0350-0261-00
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12059 Westerly	510-0011-0373-00
2997 Wheatfield	510-0041-0086-00
9966 Voyager	510-0183-0224-00

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven 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; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills; therefore

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

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;
3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr. seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Wahlert_____, Mrs. Ulrich_____, Mr. Unger_____

ADOPTED this 30th day of May 2022.

BOARD OF TRUSTEES:

Matthew Wahlert, Trustee

Cathy Ulrich, Trustee

Dan Unger, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer

this 30th day of May 2022.

Jeff Baker
Colerain Township Fiscal Officer