Board of Trustees
Karl B. Schultz
Kendal A. Tracy
Mary Makley Wolff

Fiscal Officer
Eric C. Ferry

Administrator
Jeffrey A. Wright

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Administration
248-3725
248-3730 (fax)
Community Development
248-3731
Service Department
248-3728
Police Department
248-3721
Fire/EMS
248-3700
Parks / Recreation
248-3727

RESOLUTION 2019-39

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on October 15, 2019 with the following members present: Karl Schultz, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

RESOLUTION DECLARING AN EMERGENCY TO EXIST AND AUTHORIZING THE REMOVAL OF SNOW AND ICE FROM UNDEDICATED ROADS PURSUANT TO SECTION 505.82, OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, there currently exists in Miami Township an emergency condition requiring the use of Township resources to remove snow and ice from the undedicated roads in the township in which the owner(s) of the undedicated road(s) has not provided for removal of snow and ice; and

WHEREAS, said emergency constitutes an immediate danger to the health, safety and welfare of the inhabitants of the township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 505.82 of the Ohio Revised Code, as follows:

SECTION 1: An emergency is hereby declared, arising from the obstruction by snow and ice on certain undedicated road(s) in the township.

SECTION 2: The Township Service Director shall cause such road(s) to be cleared and shall keep a record of the costs incurred and submit the same to the Board of Trustees. An equitable charge shall be imposed on the owner(s) of the road for such services, in an amount sufficient to recover the costs incurred by the township.

SECTION 3: Prior to clearing the road, the Township Fiscal Officer or Service Director shall give, or make a good faith effort to give, oral notice to the owner of road(s) the intention of the Township to clear the road(s) and impose a service charge for the removal of snow and ice.

SECTION 4: When the service charge is determined and imposed, the Township Fiscal Officer shall notify the owner in writing of the amount of the charge, and certify the charge to the Clermont County Auditor, to be placed on a special tax duplicate and collected as other taxes and returned to the Township General Fund.

SECTION 5. Pursuant to Section 505.82 of the Revised Code, this Resolution shall remain in effect from October 15, 2019 through April 16, 2020.

SECTION 6: That this Resolution is hereby declared to be an emergency measure pursuant to Section 504.11 of the Ohio Revised Code, necessary for the immediate preservation of the public peace, health, safety, or welfare of Miami Township to ensure the Township will clear roads upon the arrival of inclement weather.

SECTION 7: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 8: This Resolution shall take effect at the earliest period allowed by law.

First Reading:	October 15, 2019
Second Reading:	N/A
Effective:	October 15, 2019

This motion was seconded and the resolution was unanimously adopted.

Resolution 2019-39 adopted October 15, 2019.

ATTEST:

Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:

Joseph J. Braun,
Township Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.

Eric C. Ferry, Fiscal Officer