

BOARD OF TRUSTEES  
KARL B. SCHULTZ  
KENDAL A. TRACY  
MARY MAKLEY WOLFF

FISCAL OFFICER  
ERIC C. FERRY

ADMINISTRATOR  
JEFFREY A. WRIGHT



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

## MIAMI TOWNSHIP

6101 MEIJER DRIVE • MILFORD, OH 45150-2189

### RESOLUTION 2021-39

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on October 19, 2021, with the following members present: Mary Makley Wolff, Karl Schultz and Ken Tracy.

A motion was made to adopt the following Resolution:

#### **RESOLUTION AUTHORIZING THE ABATEMENT, CONTROL OR REMOVAL OF VEGETATION, GARBAGE, RUBBISH, OR DEBRIS AND DECLARING AN EMERGENCY**

**WHEREAS**, a Board of Trustees may provide for the abatement, control, or removal of vegetation, garbage, rubbish or other debris from land in a Township, if the Board determines that the owner's maintenance of such vegetation, garbage, rubbish or other debris constitutes a nuisance; and

**WHEREAS**, the Miami Township Community Development Department has investigated the condition of the properties listed in Exhibit A; and

**WHEREAS**, the Miami Township Community Development Department has documented the existence of non-maintained vegetation and/or the accumulation of garbage, rubbish or other debris (collectively "rubbish") on these properties and recommends to the Board that the existence of said vegetation and/or rubbish constitutes a nuisance; and

**WHEREAS**, the owner(s) of the aforementioned properties have received detailed documentation with specifications of the non-maintained vegetation and or items of rubbish that were to have been removed; and

**WHEREAS**, the owner(s) of record of the aforementioned properties failed to remove the vegetation and/or rubbish, or such efforts have been insufficient and therefore substantial nuisance conditions still remain; and

**WHEREAS**, the owner(s) of record and lienholder(s) of the aforementioned properties will be advised prior to the cutting and removal of the non-maintained vegetation and prior to the removal of the rubbish by Miami Township as authorized herein, and will be given yet further opportunity to remedy the non-maintained vegetation and accumulation of rubbish prior to action by Miami Township.

**NOW, THEREFORE, BE IT RESOLVED** that by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 505.87 of the Ohio Revised Code, as follows:

- SECTION 1:** The non-maintained vegetation and/or rubbish located on the listed properties in Exhibit A are declared a nuisance.
- SECTION 2:** The Board of Trustees orders the removal of the non-maintained vegetation and/or rubbish located on the properties listed in Exhibit A.
- SECTION 3:** The Board of Trustees gives notice to the owner(s) of record and lienholder(s) that the removal of the vegetation and/or rubbish located at the listed properties will occur no sooner than seven days after giving notice required under Ohio Revised Code Section 505.87(B).
- SECTION 4:** The cost of the removal of the vegetation and/or rubbish shall be assessed to the owner(s) of record and the county auditor shall place the costs upon the tax duplicate. The costs are a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.
- SECTION 5:** The Township Administrator is authorized to execute any agreement between the owner(s) of the aforementioned properties and Board of Trustees that is permitted pursuant to Section 505.87 of the Ohio Revised Code.
- SECTION 6:** The Board dispenses with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.
- SECTION 7:** The Board 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 is declared to be an emergency measure necessary for the preservation of the health, safety and well-being of the residents of the Township for the reason that an emergency situation exists whereby certain derelict properties are creating an imminent threat to public health and/or safety.
- SECTION 9:** This Resolution shall take effect at the earliest period allowed by law.

First Reading: October 19, 2021  
Second Reading: N/A  
Effective: October 19, 2021

This motion was seconded. On the roll call being called, the vote for this Resolution resulted as follows:

Ms. Wolff  
Mr. Schultz  
Mr. Tracy


Aye  
Aye  
Aye

Resolution 2021-39 adopted October 19, 2021.

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, Clermont County, Ohio, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been a true and correct copy of Resolution 2021-39 duly passed by the Board of Trustees of Miami Township, Clermont County, Ohio on the 19<sup>th</sup> day of October 2021.

  
Eric C. Ferry, Fiscal Officer