



# ROSS TOWNSHIP RESOLUTION NUMBER 2018-040

## RESOLUTION DECLARING A NUISANCE FOR ACCUMULATED DEBRIS, EXCESSIVE VEGETATION AND/OR JUNK MOTOR VEHICLE AT 2297 BIRCH DRIVE AND 2084 CARDINAL AVENUE

WHEREAS, Section 505.87 of the Ohio Revised Code authorizes the Board of Trustees to abate, control or remove vegetation, garbage, refuse or other debris determined to constitute a nuisance (“nuisance” or “nuisance conditions”); and

WHEREAS, Section 505.871 of the Ohio Revised Code authorizes the Board of Trustees to provide for the removal of junk motor vehicles from public or private property in the Township (“junk motor vehicles”); and

WHEREAS, the Ross Township Administrator has received information concerning accumulated debris, excessive vegetation or junk motor vehicle(s) located at 2297 Birch Drive and 2084 Cardinal Avenue; and

WHEREAS, the Ross Township Administrator has inspected the subject premises and the Ross Township Board of Trustees has determined that it contains accumulated debris, excessive vegetation or junk motor vehicle(s);

**BE IT RESOLVED** by the Board of Trustees of Ross Township, Butler County, Ohio, pursuant to Section 505.87 and Section 505.871 of the Revised Code, as follows:

### **SECTION 1-A:**

That based upon the evidence presented the Board of Trustees finds that the accumulated debris, excessive vegetation or junk motor vehicle(s) located at the premises known as 2297 Birch Drive, premises also known as K4620-006-000-042 of the Butler County Auditor’s Tax Plats; and also at the premises known as 2084 Cardinal Avenue, premises also known as K4620-063-000-094 of the Butler County Auditor’s Tax Plats, constitutes a nuisance and is detrimental to the health, safety and general welfare of all persons who live, work or own property within Ross Township and is hereby declared a nuisance.

### **SECTION 1-B:**

That the Ross Township Administrator is hereby directed to abate the nuisance in full compliance with Section 505.87 and Section 505.871 of the Ohio Revised Code including but not limited to notice to the owner and record lien holders that the owner is to remove all accumulated debris; cut and remove all excessive vegetation and remove any junk motor vehicle within the time specified and that upon the owner’s failure to failure to comply with this resolution, the Board of Trustees will provide for the abatement of the nuisance and that any expenses incurred by the Board of Trustees will be assessed to the owner’s property.

**SECTION 2:**

This resolution shall take effect on August 2, 2018 upon the filing of this resolution with the Ross Township Fiscal Officer.

**SECTION 3:**

It is hereby determined that all formal actions of the Board of Trustees relating to their adoption of this Resolution were taken in an open meeting of the Board of Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**INTRODUCTION AND VOTE RECORD:**

Trustee Willsey introduced the foregoing Resolution and moved its adoption, Trustee Ballauer seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Fiscal Officer, the vote resulted as follows:

Trustees: Ballauer AYE Willsey AYE Yordy AYE

Adopted at the meeting of the Ross Township Board of Trustees this 2<sup>nd</sup> day of August, 2018.

Thomas Willsey  
Thomas Willsey, President

Ellen Yordy  
Ellen Yordy, Vice President

Keith Ballauer  
Keith Ballauer, Trustee

**AUTHENTICATION**

This is to certify that this resolution was duly adopted by the Board of Trustees, and filed with the Ross Township Fiscal Officer, this 2<sup>nd</sup> day of August, 2018.

Judy Huffman  
Judy Huffman  
Ross Township Fiscal Officer