

BOARD OF TRUSTEES  
MARY MAKLEY WOLFF  
KENDAL A. TRACY  
MARK C. SCHULTE

FISCAL OFFICER  
ERIC C. FERRY

ADMINISTRATOR/  
PUBLIC SAFETY DIRECTOR  
STEPHEN M. KELLY



ADMINISTRATION  
513-248-3725  
513-248-3730 (FAX)  
COMMUNITY DEVELOPMENT  
513-248-3731  
SERVICE DEPARTMENT  
513-248-3728  
POLICE DEPARTMENT  
513-248-3721  
FIRE & EMS  
513-248-3700  
RECREATION  
513-248-3727

## MIAMI TOWNSHIP

6101 MEIJER DRIVE • MILFORD, OH 45150-2189

### RESOLUTION 2024-041

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on September 17, 2024, with the following members present: Mark Schulte, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

**RESOLUTION AUTHORIZING THE ABATEMENT, CONTROL OR REMOVAL OF VEGETATION, GARBAGE, RUBBISH, OR DEBRIS, DISPENSING WITH THE SECOND READING 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 were provided 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/or accumulation of rubbish prior to action by Miami Township.

**NOW, THEREFORE, BE IT RESOLVED** 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 & Public Safety Director 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, and is further authorized to enter into any agreements with contractors that may be necessary for the Township to complete the work.
- 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: September 17, 2024

Second Reading: Dispensed with

Effective: September 17, 2024

Trustee Tracy made the Motion and it was seconded by Schulte. On the roll call being called the vote resulted as follows:

Mr. Schulte	<u>✓</u>
Mr. Tracy	<u>✓</u>
Ms. Wolff	<u>✓</u>

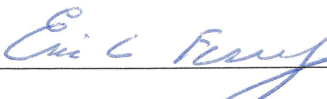
Resolution 2024-041 was adopted September 17, 2024.

**EXHIBIT A**

**ADDRESS**  
269 Indianview Dr

**PARCEL ID #**  
184040B045

**ATTEST:**

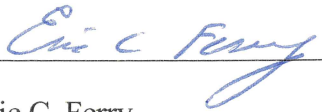
  
\_\_\_\_\_  
Eric C. Ferry, Fiscal Officer

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Joseph J. Braun, Township Law Director

**CERTIFICATION OF FUNDS**

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.

  
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Eric C. Ferry

Fiscal Officer, Miami Township