

Resolution 2023-055

A Resolution Declaring the Property Owned by Deborrah and Charles Rife, located at 1053 Brown Road Franklin Township, Franklin County, Ohio, a Nuisance

The Board of Trustees of Franklin Township, Franklin County, Ohio, met in person in a Regular Meeting at 12:00 p.m. on Thursday, May 4th, 2023.

The trustee marked below made a motion for the adoption of the following Resolution:

Fleshman *Leezer* *Horn*

The following trustee marked below seconded the motion:

Fleshman *Leezer* *Horn*

PREAMBLE

Whereas, the Franklin Township Board of Trustees (the "Board") has found the Property owned by Deborrah and Charles Rife, located at 1053 Brown Road Franklin Township, Franklin County, Ohio, known as Parcel Numbers **140-000194-00** and **140-002966-00** (the "Property"), is littered with garbage, refuse, and debris, including, but not limited to, solid household waste, miscellaneous cardboard, plastic containers, miscellaneous building materials, lawn equipment and parts, miscellaneous metal, trash, refuse and debris, etc. (the "Garbage, Refuse and Debris");

Whereas, pursuant to §505.87 of the Ohio Revised Code, the Board is authorized to determine that the maintenance of vegetation, garbage, refuse, and other debris upon a property constitutes a nuisance and order the property owner to remove such vegetation and debris within seven (7) days, and if the owner fails to remove the refuse and debris or to make arrangements for the removal within the allotted time period, the Board may proceed to remove the refuse and debris and enter the cost of such removal upon the tax duplicate for the Property; and

Whereas, On June 14th, 2022, the Franklin County Board of Health declared the Property a Nuisance, and as of May 4th, 2023, no visible improvement of the conditions has occurred since that time; and

Whereas, it is in the best interest of Franklin Township (the "Township") and its residents to proceed under §505.87 of the Ohio Revised Code to remove the Garbage, Refuse, and Debris from the Property.

Adopted: May 4th, 2023

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board has found that the properties owned by Deborrah and Charles Rife, located at 1053 Brown Road Franklin Township, Franklin County, Ohio, known as Parcel Numbers 140-000194-00 and 140-002966-00 in Franklin Township, Franklin County, Ohio, is littered with garbage, refuse and debris, and the Board hereby determines that the maintenance of the Garbage, Refuse, and Debris on the Property constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

1. The Board orders the owner of the Property to remove the Garbage, Refuse, and Debris or make arrangements for the removal within seven (7) days after the receipt of notice of this Resolution. If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once in a newspaper of general circulation in the township.
2. The Board authorizes the Administrator or designee to publish the notice once in a newspaper of general circulation in the township, in accordance with O.R.C 505.87
3. If the owner does not remove the Garbage, Refuse, and Debris or make arrangements for the removal within seven (7) days from the receipt of notice hereof, the Township Administrator is authorized to order Township employees, materials, and equipment to be used to remove the Garbage, Refuse and Debris or to enter into a contract with some suitable person or persons for its removal, and all costs and expenses so incurred shall, when approved by the Board, be paid out of the unappropriated monies in the general fund; and
4. The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Garbage, Refuse, and Debris to the Auditor of Franklin County, Ohio, for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in §505.87 of the Ohio Revised Code.
5. This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately upon its adoption.

Roll was called for the adoption of the Resolution, and the vote was as follows:

Fleshman: YES/ NO **Leezer:** YES/ NO **Horn:** YES/ NO

Attested to on this 4th day of May 2023

Trustee John Fleshman

Trustee James Leezer

Fiscal Officer, Marguerite Trodden

Trustee Ralph Horn

Adopted: May 4th, 2023