

Resolution 2023-56

A Resolution Declaring the Property Owned by Itay Levy LLC, Located at 61 Volney Ave, a Nuisance

PREAMBLE

WHEREAS, the Franklin Township Board of Trustees (the "Board") has found the Property owned by Itay Levy LLC, located at 61 Volney Ave, Columbus, Franklin Township, Franklin County, Ohio, known as Parcel Numbers **140-002861-00** (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, 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.

RESOLUTION

BE IT RESOLVED by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the Board has found that the property owned by **ITAY LEVY LLC**, located at **61 Volney Columbus, Ohio 43228** Franklin Township, Franklin County, Ohio, known as Parcel Number **140-002861-00** in Franklin Township, Franklin County, Ohio, is littered with garbage, refuse and debris. 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:

SECTION 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.

SECTION 2: The Board authorizes the Administrator or designee to send a Notice to the Agent of record for Itay Levy LLC, and if returned undeliverable, to publish the notice once in a newspaper of general circulation in the township, in accordance with O.R.C 505.87

SECTION 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

SECTION 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.

SECTION 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.

**BOARD OF TRUSTEES, FRANKLIN
TOWNSHIP, FRANKLIN COUNTY, OHIO**

ATTEST:

John Fleshman, Chairman

James Leezer, Vice Chairman

Ralph Horn, Trustee

Marguerite Trodden
Franklin Township Fiscal Officer

ITAY LEVY LLC
C/O IGOR GOYKHMEN SA
2269 MEDFORD PLACE
COLUMBUS, OH 43209

ITAY LEVY LLC
c/o ATTY: MAXWELL, ALEXANDER H
1160 GOODALE BLVD
COLUMBUS, OH 43212

Adopted: