

First Reading: April 16, 2009
Second Reading: dispensed

RESOLUTION 2009 - 39

**A RESOLUTION DECLARING A NUISANCE AND PROVIDING FOR AND
AUTHORIZING BUILDING REMOVAL FOR THE PROPERTY LOCATED AT
11931 SIXTH ST., SYCAMORE TOWNSHIP, OHIO,
AUDITORS PARCEL NO. 600-0011-0295-00**

WHEREAS, Ohio Revised Code § 505.86 provides that a Board of Township Trustees may provide for the removal, repair or securance of buildings or other structures in the Township that have been declared insecure, unsafe or structurally defective by the Hamilton County Building Department or the Fire Department under contract with the Township; and

WHEREAS, Hamilton County Building Department has declared the property located at 11931 Sixth St., Sycamore Township, Ohio unsafe and structurally defective; and

WHEREAS, the Chief of the EMS and Fire Department for Sycamore Township concurs in the determination that the property is unsafe and structurally defective; and

WHEREAS, the Hamilton County Court of Common Please, under case number A0706262 found the property to represent an "imminent threat of fire or explosive hazard that reasonably could be expected to cause death or serious physical harm as resulting from fire code violations"; and,

WHEREAS, the homeowner, Roberto Rivera, was provided notice by certified and ordinary mail service of a hearing before the Board of Township Trustees of Sycamore Township which was held on April 16, 2009 to consider the status of the property located at 11931 Sixth St., Sycamore Township, Ohio and to give him an opportunity to be heard. The homeowner, Roberto Rivera, advised township legal counsel that he had received notice of the hearing; and

WHEREAS, the Board of Township Trustees of Sycamore Township, in an open meeting, considered the finding of the Hamilton County Court of Common Pleas, the July 3rd, 2008 Official Building Order issued by the Hamilton County Building Commissioner Tonia Edwards and the testimony of Chief William Jetter of the Sycamore Township EMS and Fire Department;

NOW THEREFORE, Be It Resolved, by the Board of Township Trustees of Sycamore Township, State of Ohio:

SECTION 1.

The building located on the property at 11931 Sixth St., Sycamore Township, Hamilton County, Ohio being Hamilton County Auditor's Parcel No. 600-0011-0295-00, is hereby declared to be insecure, unsafe, and structurally defective. The unsafe conditions that exist on the property create a fire and safety hazard.

SECTION 2.

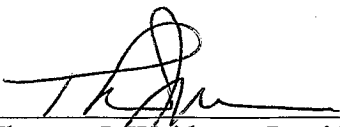
Pursuant to ORC § 505.86 notice shall be given to the owner and lienholder of the real estate at 11931 Sixth St. by certified mail, regular mail and personal service, that it is the intention of the Board of Township Trustees to cause any structures that exist on the property to be razed, removed, and the costs of such removal will be assessed against the real estate by placing the costs on the tax duplicate for the property. Such notice and a copy of this resolution is to be posted on a conspicuous location on the real estate.

SECTION 3.

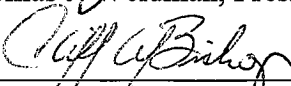
In the event that within the thirty (30) day period after notice has been given to the owner of the real estate at 11931 Sixth St. as provided herein, the structure is not removed or repaired then the Maintenance Department of the Township is hereby directed to raze any structures on the real estate, and to remove them from the property. The costs of such removal will be assessed against the real estate by placing the costs on the tax duplicate for the property.

VOTE RECORD: Mr. Bishop YES Mr. Kent ABSENT Mr. Weidman YES


PASSED at the meeting of the Board of Trustees this 16th day of April, 2009.



Thomas J. Weidman, President



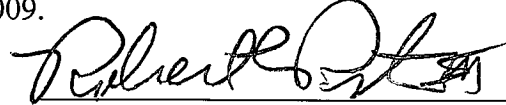
Cliff W. Bishop, Vice President



Richard C. Kent, Trustee

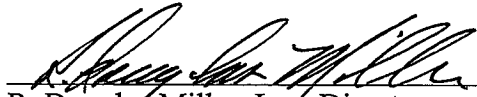
AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer this 16th day of April, 2009.



Robert C. Porter, III
Sycamore Township Fiscal Officer

APPROVED AS TO FORM:



R. Douglas Miller, Law Director

PROOF OF PUBLICATION

I hereby certify that I have published this Resolution on _____
by posting in the five most public places as established by the Board of Township Trustees
such places being the Township Hall, Bob Meyer Park, Bechtold Park, North Sycamore
Recreational Facility, and the North Fire Station, Station 93.

A handwritten signature in black ink, appearing to read "Robert C. Porter, III", written over a horizontal line.

Robert C. Porter, III, Fiscal Officer,
Sycamore Township