

**RESOLUTION 2017- 120**

**A RESOLUTION DECLARING A NUISANCE AND PROVIDING FOR BUILDING REMOVAL FOR THE PROPERTY LOCATED AT 6330 KUGLER MILL ROAD, SYCAMORE TOWNSHIP, OHIO, AUDITOR'S PARCEL NUMBER 600-0092-0085-00, AND DISPENSING WITH A SECOND READING**

**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 Sycamore Township Property Maintenance Inspector and the Sycamore Township EMS and Fire Department; and

**WHEREAS**, on March 16, 2017 the Board of Township Trustees passed resolution 2017-31 determining to remove the structures on the real property located at 6330 Kugler Mill Road, Sycamore Township, Hamilton County, Ohio and being Hamilton County Auditor's Parcel Number 600-0092-0085-00 (the Real Property) for being a fire and safety hazard; and

**WHEREAS**, notice of the Board's action was given by certified mail to the owner and lienholders of the Real Property, the receipt of such notice on the lienholders was returned by the United States Postal Service; and

**WHEREAS**, notice of the Board's action was also posted on the Real Property in accordance with ORC 505.86

**WHEREAS**, the notice to the owner of the Real Property was returned unclaimed; and

**WHEREAS**, after such notice was returned unclaimed, notice was sent to the owner of the Real Property by regular United State mail; and

**WHEREAS**, upon receipt of the regular mail service, the owner of the Real Property requested a hearing before the Board of Township Trustees pursuant to ORC 505.86; and

**WHEREAS**, by agreement of the parties, the hearing on the matter was set for September 21, 2017 at 7:00pm; and

**WHEREAS**, after taking some testimony at the hearing, the parties agreed to continue the matter further until October 3, 2017 at 9:00am; and

**WHEREAS**, owner of the Real Property did not appear for the continued hearing until 10:00am, at which point the witnesses had already left the hearing so the parties agreed to further continue the hearing until October 4, 2017 at 7:00pm; and

**WHEREAS**, the hearing on the matter concluded on October 4, 2017, and the Board deliberated on the matter in an open hearing and directed that the Township Law Director should prepare a resolution to remove the structures on the Real Property for consideration of the Board;

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

**SECTION 1.** The buildings located on the Real Property at 6330 Kugler Mill Road (Auditor's Parcel Number 600-0092-0085-00) are again declared to be insecure, unsafe, and structurally defective and the Board directs that the structures shall be removed from the Real Property. The unsafe conditions that exist on the Real Property continue to create a fire and safety hazard and the owner of the Real Property did not propose any particular action that would render the Real Property safe.

**SECTION 2.** The owner of the Real Property may appeal this decision under Section 2506.01 of the Ohio Revised Code.

**SECTION 3.** The costs of the removal shall be recovered in accordance with Section 505.86 of the Ohio Revised Code.

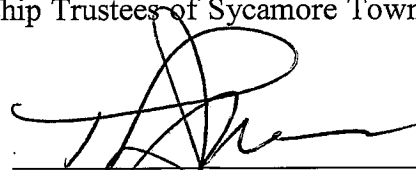
**SECTION 4.** The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with any requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

**SECTION 5.** By unanimous vote of the Board, the Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety of Sycamore Township and shall take effect immediately. The reason for the emergency is to provide for safe and habitable properties in Sycamore Township and to remediate the fire and safety hazard.

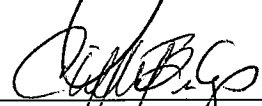
**VOTE RECORD:**

Mr. Bishop AYE Mr. Connor AYE Mr. Weidman AYE

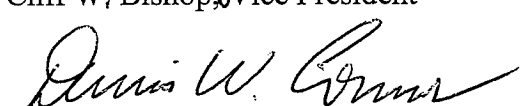
Passed at a meeting of the Board of Township Trustees of Sycamore Township this 19<sup>th</sup> day of October, 2017.



Thomas J. Weidman, President



Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee

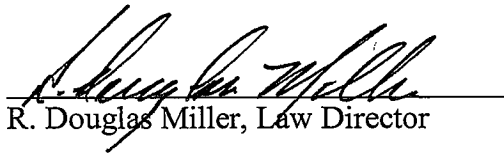
**AUTHENTICATION**

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 19<sup>th</sup> day of October, 2017.



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

**APPROVED AS TO FORM:**



R. Douglas Miller, Law Director