

First Reading: May 17, 2022
Second Reading: dispensed

RESOLUTION 2022-050

A RESOLUTION AMENDING RESOLUTION 2015-112 AND PROVIDING A CIVIL FINE FOR OBSTRUCTING ROADS AND SIDEWALKS IN SYCAMORE TOWNSHIP

WHEREAS, pursuant to O.R.C. 5571.02 a Board of Township Trustees shall have control of township roads and is required to keep them in good repair; and

WHEREAS, the Township experienced an increase in the dumping of gravel, building materials, and landscaping materials on township roads causing obstructions to the travelling public and damage to roadway surfaces; and

WHEREAS, the Board of Township Trustees of Sycamore Township, pursuant to O.R.C. 504.05, established a civil fine for dumping materials on township roads through Resolution 2015-112; and

WHEREAS, the Board of Township Trustees wishes to amend Section 1 of Resolution 2015-112 by adding the word “purposefully”; and

WHEREAS, the addition of the word “purposefully” is the sole amendment to Resolution 2015-112.

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio that

SECTION 1.

Resolution 2015-112, as amended, shall read as follows:

SECTION 1. No person, company, limited liability company, corporation, partnership or other entity shall cause, or direct or cause another person, company limited liability company, corporation, partnership or other entity to purposefully cause any Sycamore Township road or sidewalk to be encumbered or obstructed with barrels, boxes, cans, gravel, soil, mulch, or any other articles, or substances of any kind, so as to damage such roads or sidewalks or cause interference with the free and unobstructed use thereof.

SECTION 2. This resolution shall not apply to vehicles that are lawfully parked on the roadway.

SECTION 3. Whoever violates this Resolution shall be liable for a civil fine of \$350.00 for a first offense, \$700.00 for a second offense, and \$1,000.00 for a third offense and for each subsequent offense thereafter.

SECTION 4. Resolution number 2011-59 is hereby repealed in its entirety.

SECTION 5. 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 6. This resolution shall take effect on the earliest date allowed by law.

SECTION 7. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Township. The reason for the emergency is to provide for the immediate protection of township roads, streets and sidewalks.

SECTION 2.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 3.

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 4.

This resolution shall take effect on the earliest date allowed by law.

SECTION 5.

This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Township. The reason for the emergency is to provide for the immediate protection of township roads, streets and sidewalks.

Mr. James moved the adoption and Mrs. Schweigman seconded to adopt the Resolution. On the roll call being called the vote resulted as follows:

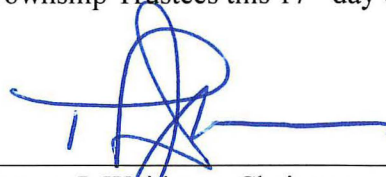
VOTE RECORD:

Mr. James Aye

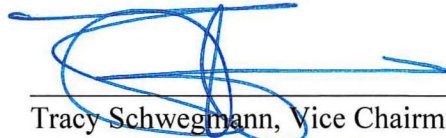
Ms. Schwegmann Aye

Mr. Weidman Aye


PASSED at a meeting of the Board of Township Trustees this 17th day of May, 2022.



Thomas J. Weidman, Chairman



Tracy Schwegmann, Vice Chairman



Thomas C. James Jr., Trustee


AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 17th day of May, 2022.



Robert C. Porter, III
Sycamore Township Fiscal Officer

APPROVED AS TO FORM:



Lawrence E. Barbieri, Interim Law Director

RESOLUTION NO. 2015-112

A RESOLUTION PROVIDING A CIVIL FINE FOR OBSTRUCTING ROADS AND SIDEWALKS IN SYCAMORE TOWNSHIP, REPEALING RESOLUTION NO. 2011-59, AND DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY

WHEREAS, pursuant to O.R.C. 5571.02 a Board of Township Trustees shall have control of township roads and is required to keep them in good repair; and

WHEREAS, the Township has experienced an increase in the dumping of gravel, building materials, and landscaping materials on township roads causing obstructions to the travelling public and damage to roadway surfaces; and

WHEREAS, the Board of Township Trustees of Sycamore Township, pursuant to O.R.C. 504.05, wishes to establish a civil fine for dumping materials on township roads.

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio:

SECTION 1. No person, company, limited liability company, corporation, partnership or other entity shall cause, or direct or cause another person, company limited liability company, corporation, partnership or other entity to cause any Sycamore Township road or sidewalk to be encumbered or obstructed with barrels, boxes, cans, gravel, soil, mulch, or any other articles, or substances of any kind, so as to damage such roads or sidewalks or cause interference with the free and unobstructed use thereof.

SECTION 2. This resolution shall not apply to vehicles that are lawfully parked on the roadway.

SECTION 3. Whoever violates this Resolution shall be liable for a civil fine of \$350.00 for a first offense, \$700.00 for a second offense, and \$1,000.00 for a third offense and for each subsequent offense thereafter.

SECTION 4. Resolution number 2011-59 is hereby repealed in its entirety.

SECTION 5. 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 6. This resolution shall take effect on the earliest date allowed by law.

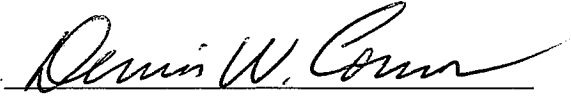
SECTION 7.

This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Township. The reason for the emergency is to provide for the immediate protection of township roads, streets and sidewalks.

VOTE RECORD:

Mr. Bishop Aye Mr. Connor Aye Mr. Wiedman ABSENT

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 20th day of August, 2015.

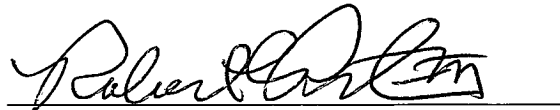

Dennis W. Connor, President


Cliff W. Bishop, Vice President


Excused
Thomas W. Wiedman, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 20th day of August, 2015.

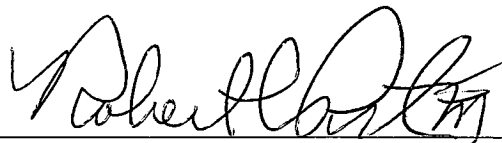

Robert C. Porter III, Fiscal Officer
Sycamore Township, Ohio

APPROVED AS TO FORM:


R. Douglas Miller, Law Director

PROOF OF PUBLICATION

I hereby certify that I have published this Resolution by publication in the
Cincinnati Enquirer on September 7, 2015 and
September 14, 2015.



Robert C. Porter III, Fiscal Officer