

BOARD OF TRUSTEES
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KENDAL A. TRACY
MARY MAKLEY WOLFF

FISCAL OFFICER
ERJC. C. FERRY

INTERIM ADMINISTRATOR
STEVE KELLY



ADMINISTRATION
248-3725
248-3730 (FAX)
COMMUNITY DEVELOPMENT
248-3731
SERVICE DEPARTMENT
248-3728
POLICE DEPARTMENT
248-3721
FIREFIEMS
248-3700
PARKS / RECREATION
248-3727

MIAMI TOWNSHIP

6101 MEJER DRIVE • MIAMI TOWNSHIP, OH 45150-2189

RESOLUTION 2023-40

The Board of Trustees of Miami Township, Clermont County, Ohio met in special session October 30, 2023 with the following members present: Mark Schulte, Ken Tracy and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

**RESOLUTION ORDERING THE REMOVAL OF THE
STRUCTURE LOCATED ON CLERMONT COUNTY PARCEL NO.
182402D286, ADDRESS 5826 STONEWALL JACKSON DRIVE AND
DECLARING AN EMERGENCY**

WHEREAS, on September 19, 2023, pursuant to Section 505.86 of the Ohio Revised Code, the Board of Township Trustees (the "Board") unanimously passed Resolution 2023-36 calling for the demolition and removal of the structure located on Clermont County Parcel No. 182402D286 with an address of 5826 Stonewall Jackson Drive (the "Property"); and

WHEREAS, following the adoption of Resolution 2023-36 by the Board, proper written notice (the "Notice") was provided to all Parties in Interest, including Thomas K. Willis, the owner of the Property (the "owner") advising of the right to a hearing; and

WHEREAS, pursuant to Section 505.86(C)(1), neither the owner or any other interested party requested a hearing before the Board of Trustees in response to the Notice; and

WHEREAS, Pursuant to ORC 505.86(C)(3), not later than 30 days after mailing of the Notice if no hearing is requested, the Board of Trustees shall enter a final order for the Property and the structure thereon requiring it to be removed, repaired, secured, or otherwise dismissing the matter; and

WHEREAS, after carefully reviewing the information received in this matter concerning the Property and structure presented by Township staff, the Board hereby adopts this Resolution and Order affirming the decision determining that the structure located on the Property is unsafe, unsecure and structurally defective and should be demolished and removed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 505.86 of the Ohio Revised Code, as follows:

SECTION 1: After carefully reviewing the information presented by Township staff and the entire record in this matter, the Board hereby affirms its findings as detailed in Resolution 2023-36 and finds that the structure located on the Property is unsafe, unsecure and structurally defective and orders that it should be demolished and removed.

SECTION 2: The Township Administrator is authorized to undertake the demolition and removal of the structure on the Property and enter into any necessary contracts or agreements to accomplish the remediation work.

SECTION 3: The Board further finds and authorizes that pursuant to Section 505.86 of the Ohio Revised Code, the costs for the demolition and removal of the unsafe structure on the Property shall be paid by the Township, and the costs for this work to be performed shall be collected from the Owner or assessed against the Property.

SECTION 4: The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

SECTION 5: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: This Resolution is declared to be an emergency measure necessary for the preservation of the health, safety and well-being of the residents of the Township for the reason that an emergency situation exists whereby the structure located on the Property is creating an imminent threat to public health and safety.

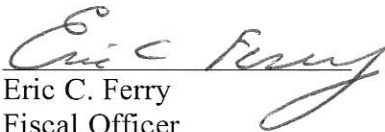
SECTION 7: This Resolution shall take effect at the earliest period allowed by law.

First Reading:	October 30, 2023
Second Reading:	Dispensed with
Effective:	October 30, 2023

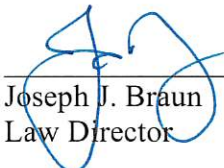
The motion was seconded, and the resolution was adopted.

Resolution 2023-40 adopted October 30, 2023

ATTEST:

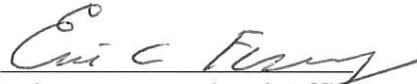

Eric C. Ferry
Fiscal Officer

APPROVED AS TO FORM:


Joseph J. Braun
Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.


Eric E. Ferry, Fiscal Officer