

RESOLUTION NO. 13/12-30 E

**POLICY AND PROCEDURE ON NUISANCE ABATEMENT
(O.R.C. §505.87)**

POLICY ON O.R.C. §505.87 NUISANCE ABATEMENT:

The Township and its Officers will make reasonable efforts to obtain voluntary compliance from property owners prior to exercising its authority under the law.

PROCEDURE FOR O.R.C. §505.87 NUISANCE ABATEMENT:

- 1. Upon observing conditions deemed in violation of O.R.C. §505.87, the Zoning Administrator shall photograph the conditions and send a courtesy First Notice, by regular U.S. Mail, in substantially the form attached hereto, with a copy to the Board of Trustees and Attorney.**

- 2. If no action is taken by the property owner to abate the condition within the time prescribed in the First Notice, the Zoning Administrator shall notify the Law Director and the Law Director shall send a courtesy Second Notice, in substantially the form attached hereto, with a copy to the Board of Trustees and Zoning Administrator. The Second Notice shall be delivered by regular U.S. Mail and attempted by certified U.S. Mail, although completion of certified delivery is not a requirement.**

- 3. If no action is taken by the property owner to abate the condition within the time prescribed in the Second Notice, the Attorney shall prepare a Resolution, in substantially the form attached hereto. The Attorney rector shall deliver the Resolution to the Township Administrator and Zoning Administrator and the matter shall be placed on a meeting agenda of the Board of Trustees for determination of a nuisance.**

4. At the meeting, the Zoning Administrator shall present the photographic evidence of the nuisance, with copies of the First and Second Notice and the proposed Resolution, the Trustees shall determine whether a nuisance exists by the adoption or rejection of the Resolution. The Trustees may delay the adoption or rejection of the Resolution for any reasonable period of time and direct such other efforts to obtain compliance as they deem appropriate.

5. In the event the Trustees determine the existence of a nuisance, the Township Administrator shall notify the Attorney to initiate legal process to abate the nuisance in accordance with law.

6. Upon receipt of notice of the existence of a nuisance, the Attorney shall determine the owners and lienholders of the nuisance property and complete service of the Notices required by O.R.C. §505.87 upon the owners and lienholders.

7. When all requirements of O.R.C. §505.87 have been met, the Attorney shall notify the Township Administrator that the Township may lawfully proceed to abate the nuisance.

8. Upon receipt of notice to proceed from the Attorney, the Township Administrator shall apprise the Trustees and proceed as directed to abate the nuisance.

9. Upon the completion of nuisance abatement, the Administrator shall notify the Attorney and provide evidence of all costs incurred by the Township.

10. The Attorney shall add any additional charges and costs within his knowledge and prepare a certificate for issuance by the Fiscal Officer.

11. The Fiscal Officer shall execute the certificate and file the certificate with the County Auditor to be entered upon the tax duplicate for collection as a tax.

12. The foregoing Policy and Procedure on Nuisance Abatement is intended to operate as a set of instructive guidelines for the responsible Township Officers and does not require strict compliance. This instrument does not modify Township authority or obligations under O.R.C. §505.87.

13. The Procedures set forth herein are administrative in nature and may be adapted or modified administratively, without formal action of the Trustees. Trustee Paul Buescher moved and Trustee Richard Reville seconded the adoption of this **POLICY AND PROCEDURE ON NUISANCE ABATEMENT** (O.R.C. §505.87) in a regular meeting on December 30, 2013.

Roll Call: Brent A. Sommer, Assent; Paul G. Buescher, Yes; Richard A. Reville, Yes

ATTEST:

Andrew P. LaGuardia

Andrew LaGuardia
Fiscal Officer