



# ROSS TOWNSHIP RESOLUTION

## RESOLUTION NUMBER 2014-021

**RESOLUTION DECLARING THE EXISTENCE OF AN INSECURE, UNSAFE OR STRUCTURALLY DEFECTIVE BUILDING AT 2273 CARDINAL AVENUE; ORDERING SAID STRUCTURE TO BE ABATED, REPAIRED, SECURED AND/OR REMOVED; AND CERTIFYING ABATEMENT EXPENSES TO THE BUTLER COUNTY AUDITOR FOR ASSESSMENT**

**WHEREAS**, Section 505.86(B) of the Ohio Revised Code authorizes the Board of Trustees to 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 any authority responsible under O.R.C. Chapter 3781; and

**WHEREAS**, the Ross Township Administrator has received a copy of a letter dated April 3, 2015 (as shown in Exhibit "A") signed by the Chief for the Ross Township Fire Department declaring the structure at 2273 Cardinal Avenue in need of abatement, removal or repair of deficiencies cited within said Exhibit; and

**WHEREAS**, the Ross Township Board of Trustees has adopted Resolution Number 2011-012, amended at Resolution Number 2011-081 which sets policy and procedure guidance for handling the removal, repair or securance of buildings or other structures in the township that have been declared insecure, unsafe or structurally defective by any authority responsible under O.R.C. Chapter 3781; and

**BE IT RESOLVED** by the Board of Trustees of Ross Township, Butler County, Ohio, pursuant to Section 505.86(B) of the Revised Code, as follows:

### **SECTION 1-A:**

That based upon the evidence presented the Board of Trustees finds that a building located on the premises at 2273 Cardinal Avenue constitutes an insecure, unsafe or structurally defective building as defined by an authority responsible under O.R.C. Chapter 3781 and as such is detrimental to the health, safety and general welfare of all persons who live, work or own property within Ross Township.

**SECTION 1-B:**

That the abatement, repair, securance and/or the removal of said structure(s) located at the premises known as 2273 Cardinal Avenue, premises also known as K4620-064-000-223 of the Butler County Auditor's Tax Plats, is hereby ordered at said premises in accordance with Section 505.86(B) and Chapter 3781 of the Ohio Revised Code and Resolution Number 2011-012 of the Ross Township Board of Trustees and the letter as shown in Exhibit "A" signed by the Chief for the Ross Township Fire Department.

**SECTION 1-C:**

That the Township Administrator is hereby directed to affect the abatement, repair, securance and/or the removal of said structure(s) in full compliance with Section 505.86(B) and Chapter 3781 of the Ohio Revised Code, Resolution Number 2011-012 and amended Resolution Number 2011-081 of the Ross Township Board of Trustees.

**SECTION 1-D:**

That the Township Administrator be, and hereby is authorized to take all other and further action necessary to certify and submit the expenses incurred by the Township for the abatement, repair, securance and/or the removal of said structure(s); including a 10% administration services fee; to the Township Fiscal Officer.

**SECTION 1-E:**

That, upon the completion of Section 1-C of this Resolution; the Township Fiscal Officer forward a certified copy of this Resolution along with the certified expenses incurred by the Township for the abatement, repair and/or the removal of said structure(s), to the Butler County Auditor, for assessment in accordance with the provisions of this Resolution, to be entered upon the tax duplicate of the subject property as a lien upon the land on the date of entry, to be collected as other taxes and returned to the Township and placed in the Township's General Fund.

**SECTION 2:**

This resolution shall take effect on April 2, 2015 upon the filing of this resolution with the Ross Township Fiscal Officer.

**SECTION 3:**

It is hereby determined that all formal actions of the Board of Trustees relating to their adoption of this Resolution were taken in an open meeting of the Board of Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

INTRODUCTION AND VOTE RECORD:

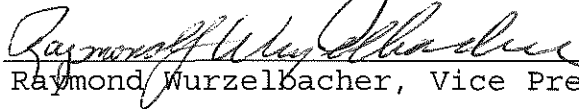
Trustee Willsey introduced the foregoing Resolution and moved its adoption, Trustee Wurzelbacher seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Fiscal Officer, the vote resulted as follows:

Trustees: Willsey A4C Wurzelbacher A4E Yordy ABSENT

Adopted at the meeting of the Board of Trustees this 2<sup>nd</sup> day of April, 2015.



Thomas Willsey, President

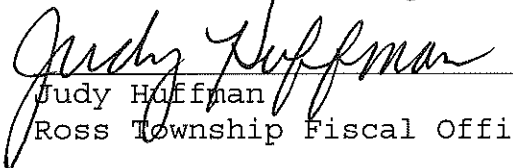


Raymond Wurzelbacher, Vice President

Ellen Yordy, Trustee

AUTHENTICATION

This is to certify that this resolution was duly adopted by the Board of Trustees, and filed with the Ross Township Fiscal Officer, this 2<sup>nd</sup> day of April, 2015.



Judy Huffman  
Ross Township Fiscal Officer

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**Ross Township Fire Department**  
Chief Steve Miller, OFE

P.O. Box 71  
Ross, Ohio 45061  
513.863.3410  
[www.rosstwp.org](http://www.rosstwp.org)

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April 3, 2015

Ellen Simpson  
2273 Cardinal Avenue  
Fairfield, Ohio 45014

**RE:** Fire Code Violation at 2273 Cardinal Avenue

On March 23, 2015 the single family residential structure located at 2273 Cardinal Avenue in Ross Township was inspected for conditions that were reported to be a safety concern for the public welfare.

The structure at 2273 Cardinal Avenue was found to be unoccupied and access to the structure unrestricted. The structure was secured from unfettered access in the past, but that is no longer the case and consequently the structure is deemed unsecured and provides free access to the general public.

By the authority of section 110.1.1 of the Ohio fire Code, with reference to the ORC section 3737.41, definition (A), and in accordance with the Ohio Administrative Code paragraph (K) (311) of rule 1301:7-7-03 you are hereby ordered to secure the property from free and unfettered access to the general public.

This order requires your attention by April 9, 2015 at 3:30 PM.

If the safety violation is not corrected after this date it is recommended that the Ross Township Board of Trustees take such action as to fulfill the order herein and assess the remedy to the property tax duplicate.

Sincerely,


Chief Steve Miller  
Ross Township Fire Chief

CERTIFICATE AS TO COPY,  
ORIGINAL ON FILE

STATE OF OHIO, COUNTY OF BUTLER, SS:

I, Judy Huffman, Fiscal Officer of the Board of Township Trustees of Ross Township, in said county, and in whose custody the Files and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original Resolution now on file with said Board, that the foregoing has been compared by me with said original and copied from the original document, and that the same is a true and correct copy thereof.

This 2<sup>nd</sup> day of April, 2015.

  
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Judy Huffman  
Ross Township Fiscal Officer

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