

RESOLUTION JT 2020-21

**A RESOLUTION DECLARING A NUISANCE AT 1404 NORTH MARKET STREET  
ROAD, GALION, OHIO**

The Board of Township Trustees of Jefferson Township, Crawford County, Ohio, met in regular session on the 18th day of May, 2020, with the following members present:

Kevin Walker

Matthew Weber

Richard Eichorn

Mr. MATT WEBER moved the adoption of the following resolution:

WHEREAS, the Board of Trustees of Jefferson Township, Ohio has a policy to secure or remove nuisance structures found within the said Township;

WHEREAS, the Township has duty to provide for abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township;

WHEREAS, Ohio Revised Code Section 505.87 authorizes a township to adopt a resolution, to abate, control, or remove of vegetation, garbage, refuse, and other debris from land in the township;

WHEREAS, Ohio Revised Code Section 505.87 authorizes a township to adopt a resolution, to abate, control, or remove of vegetation, garbage, refuse, and other debris from land in the township;

WHEREAS, Ohio Revised Code Section 505.87 authorizes a Township to request the County Auditor place on the tax duplicate of the property the providing notice, any fees or interest paid to borrow moneys, and the amount paid for labor, materials, and equipment.

**THEREFORE BE IT RESOLVED**, by the Board of Trustees of Jefferson Township, Crawford County, Ohio that:

1. The Board of Trustees hereby, from the effective date of this Resolution, finding it necessary and in the interest of the public health and safety of the citizens of the Township finds that nuisance exists at 1404 North Market Street Road, Galion Ohio, necessitating the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township
2. The Board of Trustees have made a finding of fact that nuisance exists by hearing testimony of village employees and effected parties, and observing exhibits of overgrown vegetation, garbage, refuse, and other debris.
3. The property owner at 1404 North Market Street Road, Galion Ohio is hereby ordered to abate, control, or remove of vegetation, garbage, refuse, and other debris from the property within seven (7) days.
4. The Fiscal Officer to hereby ordered to:
  - a. Obtain a title search to determine interested party or parties;
  - b. Provide proper notice to interested party or parties;

Mr. KEVIN WALKER seconded the foregoing motion to adopt said

Resolution and, the roll being called upon its adoption, the vote was as follows:

Kevin Walker	<u>X</u>
Matthew Weber	<u>X</u>
Richard Eichorn	<u>X</u>

Adopted this 18th day of May, 2020.

  
Chairman, Jefferson Township Trustees

ATTEST:

**CERTIFICATION**

STATE OF OHIO            )  
  ) SS  
CRAWFORD COUNTY        )

Lindall Rachel, Fiscal Officer of the Board of Township Trustees of Jefferson Township, Crawford County, Ohio, and in whose custody the files, journals and records of said Board are required by the laws of the State of Ohio to be kept, does hereby certify that the foregoing Resolution is taken and copied from the original Resolution now on file with said Board and that the foregoing is a true and correct copy thereof.

Witness my signature this 18th day of May, 2020.

  
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Lindall Rachel, Fiscal Officer  
Jefferson Township Trustees



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Lindall Rachel, Fiscal Officer

18 May 2020

**NOTICE OF NUISANCE OF VEGETATION, GARBAGE, REFUSE, OR OTHER  
DEBRIS**

PLEASE FIND THE ATTACHED DETERMINATION OF A NUISANCE BY THE TOWNSHIP TRUSTEES OF JEFFERSON TOWNSHIP ON YOUR PROPERTY OR PROPERTY IN WHICH YOU HAVE A LEGAL INTEREST LOCATED AT 1404 NORTH MARKET STREET ROAD, GALION, OHIO.

YOU ARE HEREBY ORDERED TO ABATE, CONTROL, OR REMOVE THE VEGETATION, GARBAGE, REFUSE, OR OTHER DEBRIS WITHIN 7 DAYS.

FAILURE TO COMPLY WITH THIS NOTICE MAY RESULT IN THE TOWNSHIP BRINGING THE PROPERTY INTO COMPLIANCE AND PLACING THE COSTS ON YOUR PROPERTY TAX BILL WITH THE COUNTY.

PLEASE CONTACT THE FISCAL OFFICER AT 2119 STATE ROUTE 598, GALION, OHIO.



### 505.87 Vegetation, Garbage, Refuse and other Debris (can be junk Vehicles)

- Vegetation: plants (which includes grass and weeds)
- Garbage: wasted or spoiled food and other refuse, as from a kitchen or household.
- Refuse: matter thrown away or rejected as worthless; trash.
- Other debris: Can be junk vehicles – Ohio Attorney General Opinion 91-018
  
- A board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township
  
- Board must determine that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance.
  
- Notice: At least seven days before providing for the abatement, control, or removal of any nuisance, notify the owner of the land and any holders of liens of record upon the land that:
  - (1) The owner is ordered to abate, control, or remove the nuisance;
  - (2) If not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within seven days, the board can do so
  - (3) Any expenses incurred will be entered upon the tax duplicate and become a lien.
  - \*\* Notice to the owner and lien holders by
    - (1) certified mail (preferred) or
    - (2) posting (must take picture with date stamped camera);
    - (3) publication if address of owner is unknown
  
- 2<sup>nd</sup> Offense within 12 months (same nuisance on same property)
  - Reduce amount of time required to 4 days
  - Notice by first class mail (failure of delivery does not invalidate), or posting, or website for 4 consecutive days
  
- If, after the notice period, the owner has failed to abate, control, or remove the vegetation, garbage, refuse, or other debris, the township trustees shall provide for the abatement, control, or removal and may employ the necessary labor, materials, and equipment to perform the task.
  - All expenses incurred, when approved by the board, shall be paid out of the township general fund from moneys or borrow if more than \$500.00
  
  - The expenses for the costs incurred in providing notice, any fees or interest paid to borrow moneys, and the amount paid for labor, materials, and equipment. Expenses incurred shall be entered upon the tax duplicate as a lien upon the land from the date of the entry, shall be collected as other taxes, and shall be returned to the township and placed in the township general fund.

### Definition of a Junk Vehicle - 4513.63

Any motor vehicle meeting all of the following requirements:

- 1) Three years old, or older;
- 2) Extensively damaged, such damage including but not limited to any of the following:  
missing wheels, tires, motor, or transmission;
- 3) Apparently inoperable;
- 4) Having a fair market value of one thousand five hundred dollars or less.