

RESOLUTION 2023.017

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS, junk, prohibited vehicles, and debris were reported and determined to exist at the property listed below:

Address Book-Page-Parcel No.
181 Old Broadway St. 220081201008500
A.k.a 211 S. Broadway St.

WHEREAS a complaint and an investigation of the above referenced property revealed violations of the Village of Blanchester Zoning Ordinance including, but not limited to, Sec. 600 – Public Nuisances Prohibited; such violations were communicated to the property owner on or about May 11, 2022, July 19, 2022, April 24, 23, and May 31, 2023; and

WHEREAS, a complaint and an investigation of the above referenced property revealed violations of the Village of Blanchester’s general Ordinances including, but not limited to, Ordinances 2016.016, 2013.015, 2017.022, 2015.015, 2002.003; such violations were communicated to the property owner on or about May 11, 2022, July 19, 2022, April 24, 23, and May 31, 2023;

WHEREAS, the Village of Blanchester Zoning Ordinance and Ohio Revised Code Section 715.44 provides the Village of Blanchester may abate any nuisance;

WHEREAS the aforementioned Blanchester Ordinances and Ohio Revised Code including, but not limited to, Section 715.261 *Recovering total cost of correcting hazardous condition of building or abating nuisance* provide means for the Village to abate nuisances and recover any costs incurred with respect to such abatement, control or removal of any rubbish, junk, refuse, or debris; and

WHEREAS in accordance with the Village of Blanchester’s Ordinances and Ohio Revised Code, the Village has the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills if it so chooses or conduct such abatement actions itself.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Blanchester, Ohio:

1. That the Village specifically finds and hereby determines that the junk, vehicles prohibited by the Village of Blanchester Zoning Ordinance, and debris on the property listed above constitute a nuisance within the meaning of the Village of Blanchester Ordinances and Ohio Revised Code Sections 715.44 and 715.261;
2. That this Council hereby orders the owners of said property to immediately remove and abate the nuisances consistent with the Village of Blanchester’s Ordinances and Ohio Revised Code having been served notice of such violations on or about May 11, 2022, July 19, 2022, April 24, 23, and May 31, 2023. If said nuisances are not removed and abated by the said owners within fifteen (15) days of the passing of this Resolution, or if no agreement for removal and abatement is reached between the Village and the owners and lienholders of record the Village and its officials

and/or employees shall cause the nuisances to be removed, and the Village shall notify the County Auditor to assess such cost-plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 715.261;

3. That 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 an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
4. This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the Village. The reason for the emergency is for the immediate abatement of the nuisances within the Village of Blanchester.
5. That this Resolution shall be effective at the earliest date allowed by law.

Hopkins moved the adoption and Gephart seconded the motion and the roll being called upon its adoption the vote resulted as follows:

Councilman Brumbaugh	Yea
Councilwoman Lewis	Abstain
Councilman Garner	Yea
Councilman Parks	Yea
Councilman Hopkins	Yea
Councilman Gephart	Yea

Adopted this 12th day of October, 2023.


Mayor John M. Carman

Fiscal Officer's Certificate:

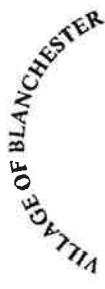
The State of Ohio, County of Clinton, ss:

I Cynthia Vonderhaar Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Resolution is taken and copied from the original now on file with said Village, that the foregoing has been posted as required, has been compared by me with the said original and that the same is true and correct copy thereof.

Witness my signature, this 12th day of October, 2023.



Fiscal Officer of the Village of Blanchester, Clinton County, Ohio.



FISCAL OFFICER
CYNTHIA VONDERHAAR

OFFICIAL SEAL