

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:30 p.m., on August 8, 2018, at the Danbury Township Hall, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak, Mr. John Paul Dress and Mr. David Hirt

Ms Rozak introduced the following resolution and moved its adoption:

**RESOLUTION NO. 9 - 2018**

**RESOLUTION TO PROCEED WITH THE REMOVAL OF THE UNSAFE, INSECURE AND STRUCTURALLY DEFECTIVE STRUCTURE FROM THE PROPERTY LOCATED AT 2067 ARLINGTON, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO**

**PREAMBLE**

**WHEREAS**, on or about July 6, 2018, the Danbury Township Board of Trustees (the "Board") sent Eleanore Grabarczyk (the "Owner") of record for the property located at 2067 Arlington, Marblehead, Ohio (PIN# 0141183715816000) in the unincorporated area of Danbury Township (the "Township"), Ottawa County, Ohio (the "Property"), a courtesy notice that the Property was being investigated by the Board for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the 14' x 20' detached, single car garage (the "Structure"), including the possibility of demolition; and

**WHEREAS**, on or about July 13, 2018, the Board received a letter from the Ottawa County Chief Building Official regarding the Structure located on the Property, finding the Structure to be insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code, with the detached garage being partially collapsed, the roof structure no longer providing protection from the elements, the south side wall and roof showing significant signs of damage, and the Structure being neither safe or secure;

**WHEREAS**, pursuant to Section 505.86 of the Ohio Revised Code, prior to formally taking action to physically remove the insecure, unsafe, or structurally defective structure, the Board shall give notice to the Owner and to each party in interest of the Property of its intention to physically remove the insecure, unsafe, or structurally defective structure; and

**WHEREAS**, the notice shall include a statement informing the parties in interest that each party in interest is entitled to a hearing if the party in interest requests a hearing in writing within twenty (20) days after the notice was mailed. The written request for a hearing shall be made to the Township Fiscal Officer. If a hearing is requested, said hearing shall be set 7-15 days from the date of the request and notice shall be sent again to each party of interest notifying them of the date, time and place of said hearing.

**WHEREAS**, if a hearing is not requested by a party of interest, the Board shall order, thirty (30) days after mailing the aforementioned notice, the removal, repair, or securance of the building. At any time, a party in interest may consent to an order.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines it is in the best interest of the Township and its residents to proceed under Section 505.86 of the Ohio Revised Code and order to remove the structurally defective, insecure and unsafe conditions of the Structure on the Property owned by Eleanore Grabarczyk; and further:

- Section 1:** The Board orders the Zoning Inspector to send said required notices to the Owner and any party of interest in accordance with Section 505.86 of the Ohio Revised Code.
- Section 2:** If a hearing is not requested by the owner or a party of interest, the Board shall order, thirty (30) days after mailing the aforementioned notice, the removal, of the building and authorizes the Zoning Inspector to enter into a contract with a suitable person and/or entity to have the Structure removed.
- Section 3:** The Board hereby directs and orders that all expenses incurred in the removal of the Structure shall be paid from the unappropriated monies in the Township's general fund.
- Section 4.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Structure to the Auditor of Ottawa County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in Section 505.86 of the Ohio Revised Code.
- Section 5.** The Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

This Resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr. Dress seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak yes Mr. Dress yes Mr. Hirt yes

ADOPTED this 8<sup>th</sup> day of August, 2018.

Board of Trustees

Danbury Township  
Ottawa County, Ohio

Attest:

Carolyn Adams  
Fiscal Officer

Dianne M. Rozak

John Paul Dress

David M. Hirt

#### AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 8<sup>th</sup> day of August, 2018 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
Carolyn Adams  
Danbury Township Fiscal Officer