

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 7:00 p.m., on January 8, 2020, 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, Mr. David Hirt

MR. DRESS introduced the following resolution and moved its adoption:

RESOLUTION NO. 02 - 2020

RESOLUTION TO PROCEED WITH THE REMOVAL OF THE UNSAFE, INSECURE AND STRUCTURALLY DEFECTIVE BARN STRUCTURE FROM THE PROPERTY LOCATED AT 7597 E. HARBOR ROAD, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO

PREAMBLE

WHEREAS, on or about November 15, 2019, the Board sent the owners of the Property, James Mazur (“Owner(s)”), a courtesy notice that the Property was being investigated by the Township 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 barn structure (the “Structure”), including the possibility of demolition, located on the property at 7597 E. Harbor Road, Marblehead, Ohio (PIN# 0141099514687000) (the “Property”) in the unincorporated area of Danbury Township (the “Township”), Ottawa County, Ohio; and

WHEREAS, on or about December 9, 2019, the Danbury Township Board of Trustees (“Board”) received a letter from the Ottawa County Chief Building Official finding the Structure to be insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code, with no protection preventing persons from entering the structure with the roof structure no longer providing protection from the elements and portions of the building collapsed; and

WHEREAS, on or about November 22, 2019, the Board received a letter from the Danbury Township Fire Chief finding the Structure to be unsafe and on the Fire Departments “Do Not Enter” list for firefighters entry; and

WHEREAS, on or about December 12, 2019, the Board sent notice via certified mail to the Owner of the Property, and lienholders of record, that the Board would be providing them an opportunity during its regular meeting on January 8, 2020, to be heard and provide any information as to why the Structure should not be removed; and

WHEREAS, during said hearing, January 8, 2020, the owner, James Mazur, or any lienholders of record, failed to appear before the Board and exercise their opportunity to be heard or enter into agreement with the Board of possible corrective measures; and

WHEREAS, it is in the best interest of the Township and its residents to proceed under Section 505.86 of the Ohio Revised Code in order to remove the structurally defective, insecure and unsafe conditions of the Structure on the Property.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by James Mazur, located at 7597 E. Harbor Road, Marblehead, Ohio (PIN# 0141099514687000), in Danbury Township, Ottawa County, Ohio contains a barn Structure that is

structurally defective, insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code, and orders the following actions:

- Section 1:** The Board orders the owner of the Property to remove the Structure on or before March 9, 2020.
- Section 2:** The Board orders the Zoning Inspector or their designee to send certified notice to the property owners and any lienholders of record of the Boards intentions to exercise Section 505.86 of the Ohio Revised Code of this resolution and thirty (30) days prior to entering the property should the property owner fail to remove the Structure.
- Section 3:** If the Structure is not removed by March 9, 2020, the Board authorizes the Zoning Inspector to enter into a contract thirty (30) days after such date, with a suitable person and/or entity to have the Structure removed at a cost not to exceed \$6,500.00.
- Section 4:** 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 5.** 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 6.** This 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. HIRT 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

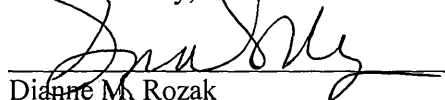
ADOPTED this 8th day of January, 2020.

Attest:




Fiscal Officer
Carolyn Adams


Board of Trustees
Danbury Township
Ottawa County, Ohio



Dianne M. Rozak



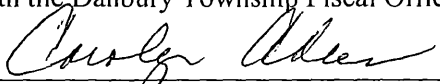
John Paul Dress



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 8th day of January, 2020 and filed with the Danbury Township Fiscal Officer.

A handwritten signature in cursive script, appearing to read "Carolyn Adams", written over a horizontal line.

Carolyn Adams

Danbury Township Fiscal Officer