

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a regular meeting session at 6:00 p.m., on August 24, 2022, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. John Paul Dress; Mr. David Hirt

Mr./ Ms. Dress introduced the following resolution and moved its adoption:

**RESOLUTION NO. 28 -2022**

**A RESOLUTION DECLARING THE PROPERTY OWNED BY  
DONALD W. BROWN, LOCATED AT  
1935 ELLSWORTH (PIN# 0140277515360000)  
IN DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO,  
A NUISANCE AND ORDERING ABATEMENT**

**PREAMBLE**

**WHEREAS**, the Danbury Township Board of Trustees (the "Board") has found the property owned by Donald W. Brown, and located at 1935 Ellsworth, (PIN# 0140277515360000), to be littered with weeds, debris and uncontrolled vegetation (the "Vegetation and Debris"), exceeding 12", and;

**WHEREAS**, Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four (4) days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

**WHEREAS**, On May 26, 2021 by Trustee Resolution 14-2021, the Board determined that the same landowner and land constituted a nuisance and the Property was subsequently abated by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, On September 21, 2021 by Trustee Resolution 20-2021, the Board determined that the same landowner and land constituted a nuisance and the Property was subsequently abated by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, On May 25, 2022 by Trustee Resolution 15-2022, the Board determined that the same landowner and land constituted a nuisance and the Property was subsequently abated by the Township and assessed to the tax duplicate in accordance with Ohio Revised Code Section 505.87; and

**WHEREAS**, it is in the best interests of Danbury Township (the "Township") and its residents to proceed under §505.87 of the Ohio Revised Code in order to remove, or have removed the Vegetation and Debris from the Property.

**RESOLUTION**

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

The Board of Trustees of Danbury Township, Ottawa County, Ohio has found that the property owned by Donald W. Brown, and located at 1935 Ellsworth, (PIN# 0140277515360000), in Danbury Township, Ottawa County, Ohio is littered with weeds, debris and uncontrolled vegetation, exceeding 12", and the Board hereby determines that the maintenance of the Vegetation and Debris on the Property constitutes a nuisance and, pursuant to §505.87 of the Ohio Revised Code, orders the following actions:

- Section 1.** The Board orders the owner of the Property to remove the Vegetation and Debris or make arrangements for the removal within four (4) days after the passage of this Resolution;
- Section 2.** The Board authorizes the Zoning Inspector or their designee to notify the record owner and lienholders of the Property as provided in §505.87(C) of the Ohio Revised Code;
- Section 3.** If the record owner does not remove the Vegetation and Debris or make arrangements for the removal within four (4) days from the passage of this Resolution, the Trustee designated as the Zoning Department liaison is authorized to order Township employees, or enter into contract with any persons with adequate materials and equipment to be used to remove and abate the Vegetation and Debris, and all costs and expenses so incurred shall, when approved by the Board, be paid out of the unappropriated monies in the general fund;
- Section 4.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Vegetation and Debris 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 §505.87 of the Ohio Revised Code;
- Section 5.** 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./ Ms. 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 24<sup>th</sup> day of August, 2021.

Attest:

Carolyn Adams  
 Fiscal Officer  
 Carolyn Adams

Board of Trustees  
 Danbury Township  
 Ottawa County, Ohio

Dianne M. Rozak  
 Dianne M. Rozak

John Paul Dress  
 John Paul Dress

David M. Hirt  
 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 24<sup>th</sup> day of August, 2021 and filed with the Danbury Township Fiscal Officer.

Carolyn Adams  
 Carolyn Adams  
 Danbury Township Fiscal Officer