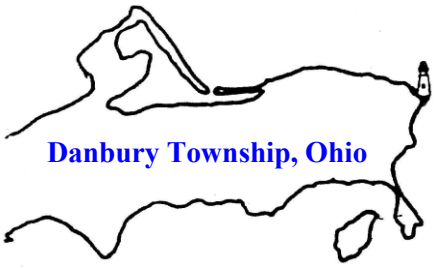

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DANBURY TOWNSHIP
ZONING DEPARTMENT

COMPLAINTS & VIOLATIONS
PROCEDURE POLICY

Est. 2023
Updated 2015
Updated 2021
Updated 2023
Updated 2026

Township Trustees

Dianne Rozak
David Hirt
John Paul Dress

INTRODUCTION

It is the policy of Danbury Township that properties shall be maintained free from nuisance in conformance with the laws of the State of Ohio under O.R.C. §505.173, §505.86, §505.87 and §505.871, as well as Danbury Township Board of Trustees Resolutions #09-2015 (Junk Vehicles), #06-2013 (Tall Grass) and #12-2019 (Abandoned Structures). Properties shall also be in compliance with Danbury Township Zoning Resolution by obtaining the appropriate permits necessary for new projects and completing those projects. Failure to do so is punishable in accordance with Section 7.4 of the Danbury Township Zoning Resolution.

Danbury Township reserves the right to proactively enforce any of the aforementioned Ohio Revised Code Sections and Resolutions granted to it by law for the purpose of protecting the general health, safety and welfare of its residents, properties and property values that may pose an unsafe, dangerous, unhealthy or nuisance situation for the Township and its residents. The mission of the Township is to foster pride in the community and make certain that the Township remains an enjoyable place to live for both permanent and seasonal residents.

The Township and its Officers will make reasonable efforts to obtain voluntary compliance from property owners prior to exercising its authority under the law.

COMPLAINT PROCEDURES

All complaints or concerns regarding a property in the Township are required to fill out one of two complaint forms. The Complainant must live or have property within 500 feet of the property being reported.

Complaints concerning tall grass, abandoned property, or junk vehicles must fill out a **Nuisance Complaint** form. This form must be signed by the complainant. The form can then be submitted to the Zoning Department or directly to a Trustee. At the next Trustee meeting, the Board will discuss the issues of the complaint and a Trustee will be assigned the case to follow-thru on.

Complaints concerning potential Zoning Violations, (i.e., Construction with no building permit, illegal business operation, illegal rentals) must fill out a **Zoning Violation Complaint** form. Anonymity is acceptable but is not prioritized and will only be investigated when all regularly scheduled work has been completed and there is additional time available within the Department. The form must be submitted to the Zoning Department before the Inspector will start the investigation.

Complaints will be taken in-person or in writing. Telephone complaints will only be logged, but the Inspector will not begin an investigation until the complaint form has been received. Complaints that are filed with an identifiable complainant will be immediately prioritized and dealt with in a timely manner. A response will be forwarded to identifiable complainants regarding the conditions found and intended course of action following initial investigation of the complaint.

VIOLATION PROCESS SUMMARY

Every violation is allotted a timeframe (typically 7 days, 14 days or 30 days) for compliance based on the severity of the situation. In unique situations, a compliance schedule may be coordinated with the property owner to achieve conformity. The position of the Township is to work with a property owner and provide reasonable time for compliance prior to filing court action. In most cases, a written Warning Letter will be sent to the property owner of record (not the tenant or occupant) outlining the infractions and the time period to comply. Upon reinspection, if the owner has failed to comply, another letter "Notice to Comply" will be sent. If upon the follow-up inspection, the owner still has not complied, then all photographs, letters and any other supporting documentation concerning the violation will be forwarded to the Trustees to declare a Nuisance and potentially abate, or to the Township's Legal Counsel, the County Prosecutor or the Municipal Court, whichever is the most appropriate action to take. A "Final Notice" is typically the last written warning before the Township enters the property to abate or before necessary paperwork is officially filed with the appropriate Court.

If the property owner complies with the Zoning Inspectors request following the written Warning Letter or Notice to Comply, then the violation will be considered closed. Any repeat offenses that reoccur within 6 months to 1 year of the last notice will result in the next course of action to be taken without any verbal or written warning that such action is going to take place. A repeat offense after 1 year will result in the violation process starting over again with a written Warning Letter.

FINES

For properties that have been declared a nuisance and abated by the Township, the Township may assess the costs incurred for that abatement on the tax duplicate in accordance with the applicable laws of the State of Ohio under O.R.C. Any violations that are filed with the court are ultimately punishable as decided upon by the court. Fines can be punishable up to $500 each day the violation continues to occur.

SPECIFIC PROCEDURES FOR TALL GRASS, JUNK OR DEBRIS ON PROPERTY

(SEE TRUSTEE RESOLUTION 06-2013)

The Ohio Revised Code outlines the provisions for addressing property nuisances such as tall grass and weeds, specifically §505.87. The Danbury Board of Township Trustees has determined in Resolution #06-2013 that tall grass or vegetation on land in the Township, which is not agriculturally used land, and is 12" high or more, shall be deemed "uncontrolled" and not maintained. This same process is to be followed for other junk or debris on property found to be a nuisance.

Initial Steps:

1. Nuisance Complaint form filed at the Township Zoning Office.
2. Zoning Inspector inspects the property to determine whether the grass and/or weeds are in excess of the 12" allowance (or if other junk or debris exists that qualifies as a nuisance). If, as the result of the inspection, a violation is observed occurring, the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the conditions of the property.

Warning Letter (Optional – Not Required by State statute):

3. A Warning Letter including the photographs taken at the inspection shall be sent to the property owner of record by regular or certified U.S. Mail (by sending certified initially, this will help ensure the letter is being sent to the appropriate location and with the timeframes given to correct).
4. Typically, 7 days is given to cut the grass. This all depends on whether the owner is local or not, as well as the severity of the tall grass and size of the property.

Follow-up:

5. Once notice is received by the owner, the owner may contact the Zoning Office to discuss the violation and the course of action to be taken. If there are unique circumstances surrounding the property or the property owner, then the Zoning Inspector may grant a reasonable extension (let the owner decide based on their schedule – it's more likely to get done then).
6. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation from the Warning Letter (or extension if one was granted).
7. If upon re-inspection no action has been taken by the property owner to abate the tall grass, then the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the conditions of the property.

Notice to Comply (Optional – Not Required by State statute):

8. A Notice to Comply Letter including the photographs taken at the last inspection shall be sent to the property owner of record by regular or certified U.S. Mail (by sending certified, this will help ensure the letter is being sent to the appropriate location and with the timeframes given to correct).
9. Typically, only 7 days is given in the 2nd notice to cut the grass.

Follow-up:

10. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation from the Warning Letter (or extension if one was granted).
11. If upon re-inspection no action has been taken by the property owner to abate the tall grass, then the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the conditions of the property.

** Steps #8-#11 may be skipped if the Warning Letter returns as unclaimed or undeliverable, the property is known to be in foreclosure, a repeat offender or tied up in an estate matter.*

Trustee Action:

12. The Zoning Inspector prepares a Resolution to present to the Board of Trustees at their next regularly scheduled meeting.
13. The Zoning Inspector presents the photographic evidence of the nuisance, with copies of the Warning Letter and Notice to Comply letter sent to the property owner.
14. The Trustees determine whether a nuisance exists by the adoption or rejection of the Resolution.

Nuisance Abatement:

15. If the Trustee Resolution is passed, the notification process outline as in O.R.C. §505.87 is followed.
16. A lienholder exam is requested from a local title agency. Once this is received, notification, including the photographs taken at the last inspection as well as the resolution passed, shall be sent to the property owner of record and any lienholders by certified U.S. Mail notifying them the property has been declared a nuisance and they have 7 days to remove the noxious vegetation or abate the nuisance.
17. The same notification is posted on the property in question. A photograph (with a camera capable of placing a date and timestamp on the photo) of the property posting must be taken as well.

**If the property owner's address is unknown or the property owner is unknown, the property must be posted and legal notice publication placed once on the Township website and social media page. 7 days from the date of the publication & posting of the property, the remainder of this process may then be followed.*

18. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation.
19. If the property owner or lienholder fails to abate, control, or remove the vegetation, garbage, refuse, or debris, or no agreement for its abatement, control, or removal is entered into, then the Township may contact the appropriate contractor to enter onto the property and abate the nuisance.
20. The Zoning Inspector prepares a written report to the Ottawa County Auditor which includes the proper description of the premises and statement of all expenses incurred in providing for the abatement including the Board's charges for its services, the costs incurred in providing notification, any fees or interest paid to borrow moneys, and the amount paid for the labor, materials, and equipment.
21. All expenses incurred for the cost of the abatement are then certified by the Township Fiscal Officer forwarded onto the Ottawa County Auditor to place upon the tax duplicate as a lien which is collected with the property taxes and returned to the Township.

Repeat Offenses

If the same property owner is found to have another, reoccurring nuisance on the same property within 12 consecutive months of the Trustee Resolution being passed the following steps apply:

1. The property owner of record and any lienholders by first class mail must receive notification of the subsequent offense.
2. Only 4 days' notice is required.
3. The same notification is posted on the property in question. A photograph (with a camera capable of placing a date and timestamp on the photo) of the property posting must be taken as well and left on the property for 4 consecutive days.
4. If the owner's address is unknown, then it is sufficient to post the notification on the Township website for 4 consecutive days.
5. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation.
6. If the property owner or lienholder fails to abate the nuisance, then steps #19-#21 are repeated.

This maybe done multiple times in a calendar year of the date of the Trustee's Resolution declaring such property a nuisance, provided ownership remains the same.

Proactive Enforcement

Tall Grass:
Danbury Township reserves the right to proactively enforce Resolution #06-2013 (Tall Grass) without a formal complaint should the property vegetation become a health, safety or general welfare issue. In this instance, the same process as outlined above will be followed.

Junk or Debris:
Should the Township receive a written complaint for a specific property and there are other, similar or like violations occurring at different addresses on the same street or near vicinity of the subject property, the Zoning Inspector will photograph the other similar or like violations and provide the photographs to the Board of Trustees to determine if further action should be taken. Should further action be warranted, a "Warning Letter" will be sent. Failure by a property owner to acknowledge the Warning Letter may result in the Board of Trustees requesting the property owner to appear before the Board.

SPECIFIC PROCEDURES FOR ABANDONED STRUCTURES

(SEE TRUSTEE RESOLUTION 12-2019)

Section §505.86 of the Ohio Revised Code, outlines the provisions for addressing removal, repair or securance of insecure, unsafe buildings or structures. The Danbury Board of Township Trustees has outlined in Resolution #12-2019 the provisions for addressing property nuisances such as abandoned or vacant buildings or structures that exist in Danbury Township that are unsafe, dangerous, a fire hazard or that may devalue properties in close proximity. Due to the likelihood of high expenses involved for abatement of this sort of nuisance, decisions are not taken lightly on whether to pursue abatement and priority will be given based on budget and urgent danger regarding a specific property.

Initial Steps:

1. Nuisance Complaint form filed at the Township Zoning Office; or
2. As determined by the Danbury Township Board of Trustees, based on the Township's budget and the specific danger posed by a specific property, priority will be given to specific structure(s) each budgeted calendar year.
3. Zoning Inspector inspects the structure(s) and/or property and shall photograph (with a camera capable of placing a date and timestamp on the photo) the condition of the structure(s) and/or property.
4. Zoning Inspector requests a "Letter of Determination" from the Ottawa County Building Department, or the Danbury Township Fire Department whether the structure is insecure, unsafe, or structurally defective and should be removed, repaired, or secured, or from the Ottawa County General Health District to determine if the structure(s) and/or property to be in a condition dangerous to life or health, or unfit for human habitation.
5. Title exam ordered to determine any lien holders of record for said structure(s) and/or property under investigation.

Courtesy Letter (Optional – Not Required by State statute):

5. A courtesy "Notice of Investigation" letter including the photographs taken at the inspection (See #3 above) shall be sent to the property owner of record by regular or certified U.S. Mail (by sending certified initially, this will help ensure the letter is being sent to the appropriate location) notifying them that a "Letter of Determination" has been requested, as in Step #4 above, and that the Board of Trustees is investigating the possibility of exercising its authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the structure, including the possibility of demolition.
6. The courtesy "Notice of Investigation" letter notifies the property owner that the Board of Trustees at its next regular meeting will schedule a hearing date, at least thirty (30) days out, to provide the property owner the opportunity to discuss with them any information as to why the structure(s) should not be removed, repaired or secured and that they will receive formal notification in accordance with Ohio Revised Code Section §505.86 of the date, time, and location of this hearing, once scheduled.

** If the address of a party in interest is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once on the Township website and social media account. While not required by State statute, the Township will also post the property.*

Follow-up & Notice of Hearing:

7. Once the courtesy "Notice of Investigation" letter is received by the owner, the owner may contact the Zoning Office to discuss the issue, process, and the course of action to be taken.
8. Once the "Letter(s) of Determination(s)" and hearing date has been scheduled, the Zoning Inspector will send a "Notice of Hearing" letter at least thirty (30) days in advance of the hearing, to the property owner and any lien holders of record, including the photographs taken at the inspection, by certified mail and in accordance with Ohio Revised Code Section §505.86, of the hearing to take place.
    a. The "Notice of Hearing" letter invites and encourages the property owner or their representative to attend said hearing to present any information as to why the structure(s) should not be removed, secured or repaired. The property owner may negotiate with the Board of Trustees at this hearing the final determination by the Board of what course of action shall be taken and the deadline for the required action by the property owner.
    b. The "Notice of Hearing" letter shall state that if the property owner or their representative fails to appear at the hearing or perform the required action within the timeframe agreed upon, then they will be provided with a thirty (30) day notification prior to the Township entering the property to perform whatever the decided action was that needed to take place and that all expenses incurred in such work by the Township shall be paid from the unappropriated monies in the Township's general fund and all such costs and expenses will be reported to the Ottawa County Auditor's Office for entry upon the tax

duplicate as a lien upon the property and for collection and reimbursement to the Township's general fund.

Trustee Action:

9. The Zoning Inspector prepares a Resolution to present to the Board of Trustees at the scheduled hearing.
10. The Zoning Inspector presents the photographic evidence of the nuisance, with copies of the determination letter(s) response(s) and letters sent to the property owner.
11. The Trustees determine whether a nuisance exists by the adoption or rejection of the Resolution, which includes the determination of what action is to take place (to remove, repair or secure), if any, and by a date certain.

** A party in interest who requested and participated in a hearing, and who is adversely affected by the order of the board, may appeal the order under section 2506.01 of the Revised Code*

*** If an emergency exists, as determined by the board, notice may be given other than by certified mail and less than thirty days before the removal, repair, or securance.*

Notice of Decision:

12. The Zoning Inspector shall send out by certified U.S. Mail to the property owner and any lien holders of record a copy of the Resolution and Trustee decision.
13. If the property owner or their representative attends the hearing, if required by the Resolution, the owner will have a date certain to complete the action(s) necessary. If the owner fails to meet that deadline, the Board of Trustees may request the property owner's presence at a future, regular Board of Trustees meeting to report whether an extension is needed and/or hear the reasoning in the delay.
14. If the property owner or their representative fails to attend the hearing, when the copy of the Trustee Resolution is sent outlining their decision, the owner will be provided a date certain to remove, repair or secure the structure.
15. The date certain for the owner to satisfy the Board of Trustees order will be on average 30 days, 60 days, or 90 days, depending on the scope of work to be completed.

Follow-up & Final Notice:

16. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the nuisance determined (or extension if one was granted) and shall photograph (with a camera capable of placing a date and timestamp on the photo) the condition of the structure(s) and/or property.
17. If upon re-inspection no action has been taken by the property owner and they fail to meet the deadline given to them to make corrective actions (to remove, repair or secure) of the structure(s) and/or property, the Zoning Inspector shall send out by certified U.S. Mail to the property owner and any lien holders of record, notice that the Township will enter upon the property thirty (30) days upon receipt of the letter to abate the nuisance determined.
18. The same notification is posted on the property in question. A photograph (with a camera capable of placing a date and timestamp on the photo) of the property posting must be taken as well.
19. Zoning Inspector orders the abatement with a contractor, for any and all action necessary as required by the Trustee Resolution.

Abatement:

20. On the 31st day following the property owner(s) receipt of the Final notice, or thereafter, the property is entered upon and abated in accordance with the Trustee Resolution.
21. The Zoning Inspector prepares a written report to the Ottawa County Auditor which includes the proper description of the premises and statement of all expenses incurred in providing for the abatement including the Board's charges for its services, the costs incurred in providing notification, any fees or interest paid to borrow moneys, and the amount paid for the labor, materials, and equipment.
22. All expenses incurred for the cost of the abatement are then certified by the Township Fiscal Officer forwarded onto the Ottawa County Auditor to place upon the tax duplicate as a lien which is collected with the property taxes and returned to the Township.

SPECIFIC PROCEDURES FOR JUNK VEHICLES

(SEE TRUSTEE RESOLUTION 09-2015)

The Ohio Revised Code, specifically §505.173 & §505.871 outlines the provisions for addressing junk motor vehicles and unlicensed collector vehicles. The Danbury Board of Township Trustees has determined in Resolution #09-2015 that it is necessary to control junk motor vehicles on private land in the Township.

Initial Steps:

1. Nuisance Complaint form filed at the Township Zoning Office.
2. Zoning Inspector inspects the property to determine whether a junk vehicle(s) is present. In order to be considered as a junk vehicle, all of the following shall apply:
   (1) three model years old or older; and
   (2) apparently inoperable; and
   (3) extensively damaged, including but not limited to, any of the following: missing wheels, tires, engine, or transmission.

   If, as the result of the inspection, a violation is observed occurring, the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the vehicle(s) on the property.

   Additional things to consider and look for on the inspection are whether the vehicle(s) is visible from public view and whether the vehicle is currently tagged and licensed.

Follow-up:

3. After 72 hours have passed from the initial inspection, a reinspection must take place to ensure the vehicle(s) is still there. If, as the result of the inspection, a violation is observed occurring, the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the vehicle(s) on the property again.
4. If possible, the VIN# should be obtained, make, model, year, color and license plate number all documented.

Warning Letter (Optional – Not Required by State statute):

5. A Warning Letter including the photographs taken at the last inspection shall be sent to the property owner of record *(not the vehicle owner)* by regular or certified U.S. Mail (by sending certified initially, this will help ensure the letter is being sent to the appropriate location and with the timeframes given to correct).
6. The Warning Letter shall include when the vehicle(s) was first observed, the VIN# (if possible), make, model, year, color and license plate number (if applicable). The letter shall also state the action to be taken by the property owner which includes either removing the vehicle(s) from the premises, or completely concealing the vehicle(s) from public view.
7. 14 days is given to correct the violation.

Follow-up:

8. Once notice is received by the owner, the owner may contact the Zoning Office to discuss the violation and the course of action to be taken. If there are unique circumstances surrounding the property or the property owner, then the Zoning Inspector may grant a reasonable extension (let the owner decide based on their schedule – it's more likely to get done then).
9. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation from the Warning Letter (or extension if one was granted).
10. If upon re-inspection no action has been taken by the property owner to remove or conceal the junk vehicle(s), then the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) to establish that the violation is continuing.

**Depending on the severity of the situation or if the property owner is making some attempt to correct the matter but has not come into total compliance, a 2nd, "Notice to Comply" letter may be sent to the property owner. This is optional and not required by State statute. Steps #5-#10 would be repeated.*

Trustee Action:

11. The Zoning Inspector prepares a Resolution to present to the Board of Trustees at their next regularly scheduled meeting.
12. The Zoning Inspector presents the photographic evidence of the junk vehicle(s), with copies of the Warning Letter sent to the property owner.
13. The Trustees determine whether a junk vehicle(s) exists by the adoption or rejection of the Resolution.

Junk Vehicle Abatement:

14. If the Trustee Resolution is passed, the notification process outline in O.R.C.§505.871 is followed.
15. A lienholder exam is requested from a local title agency. Once this is received, a Notice to Comply/ Violation Order Letter, including the photographs taken at the last inspection as well as the resolution passed, shall be sent to the property owner of record and any lienholders by certified U.S. Mail notifying them they have 14 days to remove or conceal the junk motor vehicle(s) from property and failure to do so will result in the Township removing said vehicle(s).
16. The same notification is posted on the property in question. A photograph (with a camera capable of placing a date and timestamp on the photo) of the property posting must be taken as well.

**If the property owner's address is unknown or the property owner is unknown, the property must be posted and legal notice publication once on the Township website and social media account. 14 days from the date of the publication & posting of the property, the remainder of this process may then be followed.*

17. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation.
18. If the property owner or lienholder fails to remove or conceal the junk vehicle(s), then the Township may contact the appropriate motor vehicle salvage dealer or scrap metal processing facility to enter onto the property and remove the vehicle.

** Coordination may need to be made with Legal Council and the Salvage Dealer regarding the title of the vehicle especially if the owner of the vehicle does not claim the vehicle following the removal from the property.*

19. The Zoning Inspector prepares a written report to the Ottawa County Auditor which includes the proper description of the premises and statement of all expenses incurred in providing for the abatement including the Board's charges for its services, the costs incurred in providing notification, any fees or interest paid to borrow moneys, and the amount paid for the labor, materials, and equipment.
20. All expenses incurred for the cost of the abatement are then certified by the Township Fiscal Officer forwarded onto the Ottawa County Auditor to place upon the tax duplicate as a lien which is collected with the property taxes and returned to the Township.

Per§505.173 of the ORC, this is also punishable through the Municipal Court and can be found guilty of a minor misdemeanor. Each day that a violation of this section continues constitutes a separate offense. Fines levied and collected under this section shall be paid into the township general revenue fund. The Township is likely to forego an abatement proceeding and instead file charges with the Municipal Court which places the responsibility of removing or correcting the violation on the property owner.

- A Misdemeanor Citation Ticket can be filled out or the Ottawa County Municipal Court "Complain Against Individual" – Rule 4 form is filled out. A ticket needs to be signed by the defendant; the other form does not.
- Contact the Danbury Police Department for a Personal Identifier Form in which they can provide the defendants SSN# which is a requirement for either form filed with the Court.
- Take the ticket or "Complaint Against Individual" to the Municipal Court. Process followed then will be handled through the court.

Vehicles left on property without the property owner's permission or abandoned on public property will be handled by the Danbury Township Police Department.

SPECIFIC PROCEDURES FOR ZONING VIOLATIONS

Please see "Complaint Procedures" on page 1 of this document. Per Section 7.1 of the Danbury Township Zoning Resolution, it is the duty of the Zoning Inspector to enforce the Zoning Resolution. As such, no formal complaints for zoning infractions are required and the Zoning Inspector is permitted to proactively enforce when they see a violation occurring without proper permits.

Initial Steps:

1. Zoning Complaint form filed at the Township Zoning Office.
2. Zoning Inspector inspects the property to determine whether a zoning violation(s) is occurring.
3. If, as the result of the inspection, a violation(s) is observed occurring, the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the violation(s) on the property.

Warning Letter:

4. A Warning Letter including the photographs taken at the inspection shall be sent to the property owner of record by regular or certified U.S. Mail (by sending certified initially, this will help ensure the letter is being sent to the appropriate location and with the timeframes given to correct). The letter shall include the specific sections of the Zoning Resolution that the property is found to be in violation of.
5. Depending on the severity of the violation and the extent needed to correct the violation (i.e., does a shed need to be relocated, are there multiple violations, and is it an unsafe situation that needs to be corrected quickly) the Zoning Inspector shall specify the timeframe to correct the violation. Typically, 7-14 days. Severe situations may be given 30 days.

Follow-up:

6. Once notice is received by the owner, the owner may contact the Zoning Office to discuss the violation and the course of action to be taken. If there are unique circumstances surrounding the property or the property owner, then the Zoning Inspector may grant a reasonable extension (let the owner decide based on their schedule – it's more likely to get done then).
7. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation from the Warning Letter (or extension if one was granted).
8. If upon re-inspection no action has been taken by the property owner to correct the violation, then the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the conditions of the property.

Notice to Comply:

9. A Notice to Comply Letter including the photographs taken at the last inspection shall be sent to the property owner of record by regular or certified U.S. Mail (by sending certified, this will help ensure the letter is being sent to the appropriate location and with the timeframes given to correct).
10. Typically, ½ of the original time given previously is given in the 2nd notice - again, dependent on the circumstances.

Follow-up:

11. Zoning Inspector re-inspects the subject property following the allotted timeframe to correct the violation from the Warning Letter (or extension if one was granted).
12. If upon re-inspection no action has been taken by the property owner to correct the violation, then the Zoning Inspector shall photograph (with a camera capable of placing a date and timestamp on the photo) the conditions of the property.

After any of the violation notices, the property owner has the right to file an Appeal of the Zoning Inspector's decision with the Board of Zoning Appeals. Such application must be made 20 days after receiving such notification.

Should such application not be filed with the Zoning Office, then the Zoning Inspector may proceed with a formal citation.

Citation Process:

13. Whoever violates sections 519.01 to 519.25 of the Revised Code shall be assessed a civil fine of not more than five hundred dollars for each offense. The fine shall be collected by filing a civil action in the court of common pleas in the county where the property at issue is located. The complaint may combine a cause of action for collection of civil fines under this section with a cause of action for injunction, abatement, mandamus, or other appropriate relief under section 519.24 of the Revised Code. Each day the violation continues from the date of a judgment granting relief under this section shall constitute a separate offense.

Danbury Township
Complaints & Violations Procedure Policy

This flowchart is a generality of the process.
To be used in conjunction with the
"COMPLAINTS & VIOLATIONS PROCEDURE POLICY"
Established in 2013
Updated in 2015, 2021 & 2026

THE COMPLAINT

File with Township

Zoning Inspector inspects property & takes photos.

Makes determination if Violation exists or not & which process to follow.

If No Violation - Close

Nuisance Violation

*Complainant may **NOT** remain anonymous*

Tall Grass Junk & Debris vs. **Junk Vehicle**

Warning Letter (by Certified Mail)

**Wait 7 Days

Reinspect Take Photo's

Notice to Comply (by Certified Mail)

**Wait 7 Days

Reinspect Take Photo's

Prepare Trustee Resolution

Trustee's Declare Nuisance

Order Lienholder Report

Send Notice of Nuisance to Owner & Lienholders (by Certified Mail) **AND** Post Property

Wait 7 Days

Reinspect Take Photo's

Order Abatement

Forward Assessment to County Auditor

If Owner is Repeat Offender within 6 months to 1 year following Warning Letter, proceed with Notice to Comply.
If Property Owner is a Repeat Offender after Trustee Resolution is Passed, see ORC 505.87.

Wait 72 hrs.

Reinspect Take Photo's

Warning Letter (by Certified Mail)

**Wait 14 Days

Reinspect Take Photo's

Prepare Trustee Resolution

Trustee's Declare Junk Vehicle

Order Lienholder Report

Send Notice to Comply to Owner & Lienholders (by Certified Mail) **AND** Post Property

Wait 14 Days

Reinspect Take Photo's

Order Abatement/ Removal of Vehicle

If Corrected - Close

Zoning Violation

Zoning

Complainant MAY remain anonymous

Warning Letter (by Certified Mail)

**Wait 7 -30 Days
(Timeframe determined by severity of case)

Reinspect Take Photo's

Notice to Comply (by Certified Mail)

**Wait 7 - 15 Days
(Timeframe determined by severity of case)

Reinspect Take Photo's

Issue Citation with Municipal Court

Citations can be filed every 24 hrs. that the violation exists. Citations should be filed for each infraction as well.

Fill out "Complaint Against Individual" form along with "Personal Identifier" Form obtained by Danbury Police Department

Process then follows Court Assigned Schedule

File Citation with Common Pleas

Contact County Prosecutor or Twp. Attorney

Within 20 days following any Notification the Owner has the right to Appeal the Zoning Inspector's Interpretation to the Board of Zoning Appeals in accordance with the Zoning Resolution Article 7.

If Owner is a Repeat Offender within 6 months to 1 year following Notifications, proceed to the next step.

If Corrected - Close

CASE CLOSED

Per ORC 505.173 also punishable thru Municipal Court as a Minor Misdemeanor.

***An Extension can be requested by the property owner during the Notification process. If the owner fails to meet an extended deadline, then the process picks up where it left off.*