

**TALL GRASS / TRASH / DEBRIS
ABATEMENT RESOLUTION
Resolution 2008-013**

**A Resolution stating the Procedures of the Trustees of Elizabeth Township,
Miami County, Ohio to enact Section 505.86, 505.87, and 5579.05 of the Ohio Revised Code.**

Whereas, The Board of Trustees of Elizabeth Township, Miami County are permitted through Section 505.86, 505.87, and 5579.05 of the Ohio Revised Code to regulate the growing of noxious, nuisance vegetation, garbage, refuse, and other debris on property throughout the Township, and

Whereas, The Board of Trustees of Elizabeth Township, Miami County adopted Resolution 2008-013 on October 1, 2008 stating the procedures be used in the enactment of the above referenced sections of the Ohio revised Code, and

Whereas, it has been determined by The Board of Trustees of Elizabeth Township, Miami County that the procedures for the enactment of such sections of the Ohio Revised Code need to be discussed in detail, therefore,

Be it resolved by The Board of Trustees of Elizabeth Township, Miami County that the Board of Trustees of Elizabeth Township, Miami County hereby will enforce sections 505.86, 505.87 and sections 5579.05 of the Ohio Revised Code by adopting the following procedures for properties less than twenty (20) acres.

- Section 1. The Board of Trustees of Elizabeth Township, Miami County adopt a Resolution, under Section 505.86 and 505.87 of the Ohio Revised Code requiring a property owner to cut brush, briars, thistles, or other noxious weeds, as defined in Section 971.33 of the Ohio Revised Code, as may be amended.

- Section 2. The Board of Trustees of Elizabeth Township, Miami County may adopt a Resolution giving an order to the owner of the property to remove noxious weeds, including, but not limited to, wild parsnip, wild carrot, oxeye daisy, wild mustard or other noxious weeds.
 - A. The Board of Trustees of Elizabeth Township, Miami County may pass a Resolution providing notice to the property owner to remove the noxious weeds, including, but not limited to, wild parsnip, wild carrot, oxeye daisy, wild mustard, and other noxious weeds within five days of the adoption of the Resolution.
 - B. A copy of the resolution stating such notice shall be mailed to the owner of record of the property via Certified Mail Return Receipt Requested. If the property owner's address is unknown, proper notice shall be published in a newspaper of general circulation in Miami County, Ohio.
 - C. The Board of Trustees of Elizabeth Township, Miami County reserves the right to enact a Resolution to cause the abatement of nuisances to properties, if the property owner does not act upon the notice provided in this Resolution.
 - D. An adoption of a Resolution does not abridge, amend or change the procedures to be used to abate certain nuisances on properties as outlined in this section.

- Section 3. If The Board of Trustees of Elizabeth Township after adopting a Resolution by authority of Section 505.87 of the Ohio Revised Code, finds it necessary to perform the work of controlling the offending nuisance, shall charge the following to recoup the expenses incurred for services rendered.
 - A. Total labor costs
 - B. Administration fees
 - C. Any and all materials or equipment needed to perform the service.
 - D. In the event that contractors are used, the actual cost incurred by the Township shall be assessed against the property owner, including rental fees, dumping fees, disposal fees, and any other fees that may be assessed.

- Section 4. The Board of Trustees shall cause the cost of abating the nuisance to be filed on the Tax Duplicate of the property on file with the Auditor of Miami County, Ohio. The report to be filed with the Auditor of Miami County shall include a statement of all expenses incurred providing for the abatement, control, or removal of any vegetation, garbage, refuse or debris, including the Boards charge for its services, notification, the amount paid for labor, materials, and equipment, and a proper description of the premises. The expenses incurred shall be entered upon the Tax Duplicate, as a lien upon the property.