

## **RESOLUTION NO. 28-2024**

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### **Resolution Affirming the Declaration that the Structures at 9023 Cincinnati-Dayton Road, West Chester, Ohio 45069 and 9031 Cincinnati-Dayton Road, West Chester, Ohio 45069 Unsafe and/or Structurally Defective and Ordering Such Structures Removed**

**WHEREAS**, Ohio Revised Code § 505.86 empowers the Board of Trustees of West Chester Township (the “Board of Trustees”) to provide for the removal, repair, or securance of buildings or other structures in the Township that have been declared insecure, unsafe, or structurally defective by the West Chester Township Fire Department or the Butler County Building Department;

**WHEREAS**, the Board of Trustees ordered the residential structure at 9023 Cincinnati-Dayton Road, West Chester, Ohio 45069, Butler County Parcel ID # M5670-038-000-009 (hereinafter “9023 Cincinnati-Dayton Road”) to be removed and demolished in Resolution 20-2024.

**WHEREAS**, the Board of Trustees ordered the barn structure at 9031 Cincinnati-Dayton Road, West Chester, Ohio 45069, Butler County Parcel ID # M5670-038-000-010 (hereinafter “9031 Cincinnati-Dayton Road”) to be removed and demolished in Resolution 20-2024.

**WHEREAS**, the Board of Trustees sent notices to parties of interest in accordance with R.C. 505.86.

**WHEREAS**, the Board of Trustees held a hearing on July 9, 2024 after it was requested by a party in interest.

**WHEREAS**, after conducting the hearing the Board of Trustees determined that the residential structure at 9023 Cincinnati-Dayton Road is unsafe and the barn structure at 9031 Cincinnati-Dayton Road is unsafe and structurally defective.

**WHEREAS**, the Board of Trustees has determined that it is in the best interests of the public health, safety, and welfare to remove the dangerous structures at 9023 Cincinnati-Dayton Road and 9031 Cincinnati-Dayton Road via removal and demolition.

**NOW THEREFORE, BE IT RESOLVED** that on the basis of the above actions and findings, the West Chester Township Board of Trustees:

**SECTION 1.** That the Board of Trustees, after conducting a hearing in accordance with R.C. 505.86, finds that the residential structure at 9023 Cincinnati-Dayton Road is unsafe and the barn structure at 9031 Cincinnati-Dayton Road is unsafe and structurally defective, pursuant to Ohio Revised Code § 505.86, and that such structures are dangerous and constitute a direct threat to the public health, safety, and welfare.

**SECTION 2.** That the Board of Trustees orders the removal, via demolition, of both the residential structure at 9023 Cincinnati-Dayton Road and the barn structure at 9031 Cincinnati-Dayton Road.


**SECTION 3.** That any party in interest who requested and participated in the hearing may appeal this order under R.C. 2506.01.

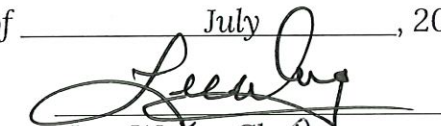
**SECTION 4.** That the Board of Trustees orders that the total cost of removing the residential structure at 9023 Cincinnati-Dayton Road and the barn structure at 9031 Cincinnati-Dayton Road be certified and placed upon the tax duplicate as a lien upon the lands from and after the date of entry, pursuant to Ohio Revised Code Section 505.86.

**SECTION 5.** That the Board of Trustees hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that deliberations of this Board which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

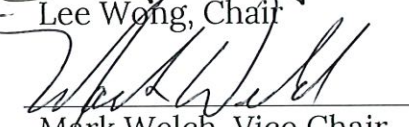
Adopted this 9th day of July, 2024.

**ATTEST:**


  
\_\_\_\_\_  
Bruce Jones, Fiscal Officer

  
\_\_\_\_\_  
Lee Wong, Chair

Yes  
Yes/No

  
\_\_\_\_\_  
Mark Welch, Vice Chair

YES  
Yes/No

  
\_\_\_\_\_  
Ann Becker, Trustee

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Yes/No

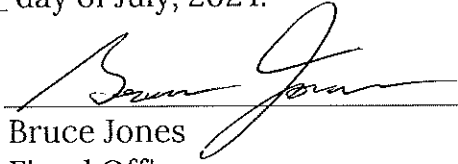
**APPROVED AS TO FORM:**

  
Scott D. Phillips, Law Director

0091532.0315629 4895-5257-7228

**AUTHENTICATION**

This is to certify that this resolution was duly passed, and filed with the West Chester Township Fiscal Officer this 9<sup>th</sup> day of July, 2024.

  
Bruce Jones  
Fiscal Officer