

RESOLUTION NO. 22 - 2009

**RESOLUTION AUTHORIZING THE REMOVAL OF SNOW AND ICE FROM
UNDEDICATED ROADS IN ACCORDANCE WITH
OHIO REVISED CODE SECTION 505.82**

WHEREAS, if there currently exists in West Chester Township an emergency condition requiring the use of Township resources to remove snow and ice from the undedicated roads in the Township in which the owner(s) of the undedicated road(s) has not provided for removal of snow and ice; and,

WHEREAS, said emergency constitutes an immediate danger to the health, safety and welfare of the inhabitants of the Township.

NOW, THEREFORE BE IT RESOLVED that the West Chester Township Board of Trustees, by authority of Chapter 504 and Section 505.82 of the Ohio Revised Code, hereby agree:

SECTION 1. That an emergency is hereby declared, arising from the obstruction by snow and ice on certain undedicated road(s) in the Township.

SECTION 2. That the Township Services Director shall cause such road(s) to be cleared, and shall keep a record of the costs incurred and submit the same to the Board of Trustees. An equitable charge shall be imposed on the owner(s) of the road(s) for such services, in an amount sufficient to recover the costs incurred by the Township.

SECTION 3. That prior to clearing the road(s), the Services Director shall give oral notice to the owner of road(s) the intention of the Township to clear the road(s) and impose a service charge for the removal of snow and ice.

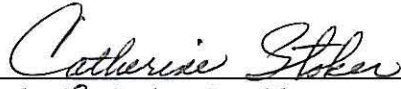
SECTION 4. That when the service charge is determined and imposed, the Township Fiscal Officer shall notify the owner in writing of the amount of the charge, and if not paid certify the charge to the Butler County Auditor, to be placed on a special tax duplicate and collected as other taxes and returned to the Township road fund.

SECTION 5. That pursuant to Section 505.82 of the Ohio Revised Code, this Resolution shall remain in effect until April 30, 2010.

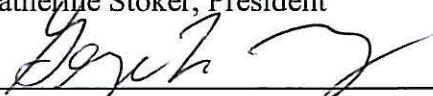
SECTION 6. That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Resolution shall become effect at the earliest date permitted by law.

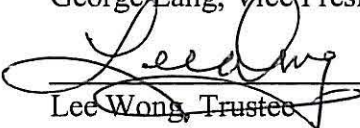
Adopted this 27th day of October, 2009


Catherine Stoker, President

YES
Yes / No

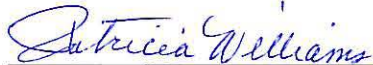

George Lang, Vice President

YES
Yes / No



Lee Wong, Trustee

YES
Yes / No

ATTEST:


Patricia Williams, Township Fiscal Officer

APPROVED AS TO FORM:


Donald L. Cram, Law Director