

RESOLUTION NO. 38 - 2006

RESOLUTION AUTHORIZING THE REMOVAL OF SNOW AND ICE FROM UNDEDICATED ROADS IN ACCORDANCE WITH REVISED CODE SECTION 505.82; AND DECLARING AN EMERGENCY AND DISPENSING WITH A SECOND READING

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 Revised Code, this Resolution shall remain in effect until April 30, 2007.

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.

This resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community and shall become effective at the earliest date permitted by law.

Adopted this 24th day of October, 2006


George Lang, President

YES
Yes / No

Absent
Catherine Stoker, Vice President

Yes / No


Lee Wong, Trustee

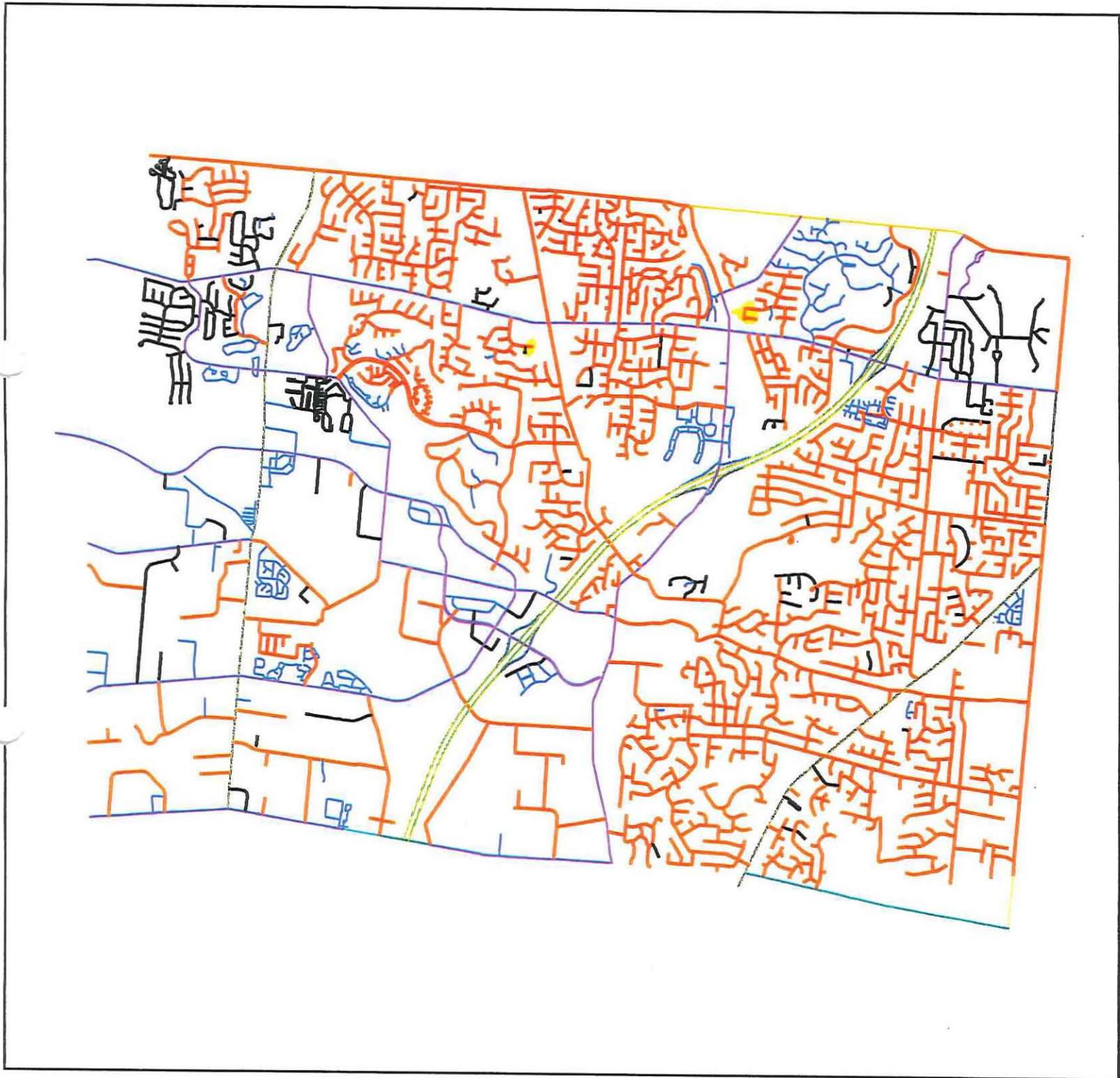
YES
Yes / No

ATTEST:


Patricia Williams, Township Fiscal Officer

APPROVED AS TO FORM:


Donald L. Crain, Law Director



Legend

wcstreets_codecheck_Join

CODE

- CNTY
- CNTY/SPRINGDALE
- CO/SPDAL/SHAVIL
- HWY/ODOT
- HWYRAMP/ODOT
- LIBERTYTWP
- MASON/WCTWP
- PRVTE
- SHARONVILLE
- SR/ODOT
- WARREN CNTY
- WCTWP
- WCTWP_NA

CERTIFICATE OF PUBLICATION

_____	First Reading
Date	
<u>October 24, 2006</u>	Emergency Reading

Date	
_____	Second Reading
Date	
<u>October 30, 2006 Journal News</u>	First Publication
_____	(After Approval)
Date and Newspaper	
<u>November 2, 2006 Pulse Journal</u>	

<u>November 6, 2006 Journal News</u>	Second Publication
_____	(After Approval)
Date and Newspaper	
<u>November 9 2006 Pulse Journal</u>	

<u><i>Patricia Williams</i> 11/27/06</u>	Certificate of Publication
Fiscal Officer Signature & Date	