

STATUTORY RESOLUTION NO. 22 - 2016

RESOLUTION DECLARING THREE VEHICLES LOCATED AT 7560 LAKE MEADOW COURT (Parcel # M5620-111-000-033) AS JUNK MOTOR VEHICLES AND CAUSING FOR THEIR REMOVAL PURSUANT TO OHIO REVISED CODE SECTION 505.871 AND WEST CHESTER TOWNSHIP GENERAL POLICY AS ENACTED BY THE WEST CHESTER TOWNSHIP BOARD OF TRUSTEES THROUGH RESOLUTION NO. 09-2012

WHEREAS, West Chester Township adopted on December 21, 1999 a Limited Home Rule form of township government pursuant Ohio Revised Code (ORC) §504.04; and,

WHEREAS, the West Chester Township Board of Trustees, recognizing it was and remains to be in the best interest of the residents of West Chester Township and further believing it did and will continued to promote the health, safety, and welfare of those residents, adopted a general policy to enact authority granted under ORC §505.871 to remove vehicles duly determined to be junk motor vehicles as defined by ORC §505.173; and,

WHEREAS, on July 24, 2012, the West Chester Township Board of Trustees adopted Statutory Resolution 09-2012: "Resolution adopting a general policy pursuant to Ohio Revised Code Section 505.871 to provide for the removal of any vehicle determined, as defined in Section 505.173 of the Ohio Revised Code, a junk motor vehicle"; and,

WHEREAS, ORC §505.871 authorizes a Board of Township Trustees to provide for the removal of any vehicle in the township the Board determines is a junk motor vehicle, as defined in §505.173 of the Ohio Revised Code, meeting all of the following criteria:

1. Three model years or older
2. Apparently inoperable
3. Extensively damaged, including, but not limited to, any of the following:
missing wheels, tires, engine, or transmission; and,

NOW THEREFORE, BE IT RESOLVED the West Chester Township Board of Trustees hereby agrees to:

SECTION 1. Determine three vehicles located on private property at 7560 Lake Meadow Court (Parcel # M5620-111-000-033) as documented have been inoperable since December 13, 2011

SECTION 2. Identify the three vehicles on the property as:

1. Jeep Cherokee, color gold; Ohio License DVC-3356
2. Pontiac Firebird, late 1970's, color red; partially covered with a tarp
3. Jeep Cherokee, color dark blue with gray trim; Ohio License FLC-6481

SECTION 3. Remove or cause the removal of the three vehicles on the owner of the land and any holders of liens of record on the land pursuant to the policies established in West Chester Township Statutory Resolution 09-2012 and the restrictions specified in ORC §505.173(A).

SECTION 4. Direct the Community Development Department to provide for notice to the owner of the land and any holders of liens of record on the land pursuant to the policies established in West Chester Township Statutory Resolution 09-2012 that the three vehicles as described in Section 2 are determined to be junk motor vehicles and that the Board of Trustees provides for the removal of such vehicles not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause removal of the vehicles on the owner of the land and any holders of liens of record on the land.

SECTION 5. Utilize any lawful means to collect the expenses incurred in removing or causing the removal of these junk motor vehicles.


SECTION 6. Direct the West Chester Township Fiscal Officer to verify the expenses and a description of the land to the Butler County Auditor, who shall place the expenses upon the tax duplicate as a lien upon the land to be collected as other taxes and returned to the West Chester Township General Fund.

SECTION 7. Determine nothing in this Resolution shall affect the authority of the West Chester Township Board of Trustees to adopt and enforce Resolutions under ORC §505.871 and §505.173 or any other applicable section of the Ohio Revised Code to regulate the storage or removal of junk motor vehicles in West Chester Township.

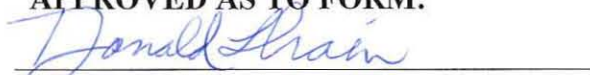
Adopted this 26th day of July, 2016.

 Mark Welch, President	<u>YES</u> Yes/No
 George Lang, Vice President	<u>YES</u> Yes/No
 Lee Wong, Trustee	<u>Yes</u> Yes/No

ATTEST:


Bruce Jones, Fiscal Officer

APPROVED AS TO FORM:


Donald L. Crain, Law Director