

**RESOLUTION 23 – 20 , 2023**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**RESOLUTION PROVIDING FOR AND AUTHORIZING REPAIR OR SECURANCE OF  
INSECURE BUILDINGS OR STRUCTURES AND REMOVAL OF TALL GRASS, WEEDS  
AND VINES, DECLARING A NUISANCE FOR NON-COMPLIANT PROPERTY AT 6804  
STEWART RD., OWNED BY JOAN L. BICKETT, DISPENSING WITH THE SECOND  
READING, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio Revised Code authorizes a Board of Township Trustees in §505.86 to provide for removal, repair or securance of buildings or structures that have been declared insecure, unsafe or structurally defective or unfit for human habitation (“Dangerous Structures”) and in §505.87 to abate, control or remove excessive vegetation, garbage, refuse or other debris determined to constitute a nuisance (“Nuisance or Nuisance Conditions”) from land located in the Township; and

**WHEREAS**, Columbia Township received information concerning a vacant, defective structure and excessive vegetation on property located at:

<u>Address</u>	<u>Parcel Number(s)</u>	<u>Owner</u>
6804 Stewart Road	520-0220-0030-00	Joan L. Bickett

**WHEREAS**, Columbia Township Administration has inspected the non-compliant property and determined that the structure is vacant, not secured, and deteriorated, and the yard is overgrown with high grass and weeds, and vegetation is growing over the exterior walls of the structure, and as such is detrimental to the health, safety and general welfare of all persons who live, work or own property in Columbia Township and must be repaired; and

**WHEREAS**, the Board of Township Trustees of Columbia Township has determined the unattended, insecure building, and excessive vegetation are a nuisance on the subject property.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Township Trustees, Columbia Township, Ohio, that 6804 Stewart Rd. is hereby declared to be a nuisance:

**Section 1(a).** Specifically, as shown in the attached photos: garage door is broken, not secure within the door frame, and is accessible to vermin and wildlife through open holes that allow rodent access to the structure’s interior; house gutters are not secure and are filled with growing vegetation; and the structure is overgrown with vegetation;

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**Section 1(b).** Specifically, as shown in the attached photos: the property is overgrown with tall grass, noxious weeds, and vines.

**Section 2(a).** Pursuant to O.R.C. §505.86, the owners and lien holders of record for the properties shall be properly notified of this action. Upon approval of the resolution, the Administrator shall notify the owners of the nuisance declaration by mail, and to post notice on the property, at least 30 days in advance of repair or securance and including notice of the right to appeal to the Board of Trustees within 20 days by contacting the Fiscal Officer in writing at the Township offices. The property owner has 30 days to abate all Nuisance Conditions set forth in this resolution and described/depicted in attached notices, and photos.

**Section 2(b).** In the event the nuisance is not abated or appealed as provided above within the time period allowed, the Township Maintenance Department is hereby directed to repair or secure the insecure buildings or structures, or contract for the repair or securance, at the subject non-compliant property.

**Section 3.** Pursuant to O.R.C. §505.87 and the Columbia Township Exterior Property Maintenance Code, the owners and lien holders of record for the properties shall be properly notified of this action. In the event the nuisance is not abated within seven (7) days, specifically the grass mowed to below the height provided in the Code, and remove weeds from the yard, vines from the structure, and vegetation from the gutters, the Township Maintenance Department is hereby directed to remove and discard the tall grass, weeds, vines from the structure, and vegetation from gutters, or contract for the removal, from the subject non-compliant property.

**Section 4.** By a separate resolution of the Board of Trustees, the owner of the subject property shall be billed for such services, and the Fiscal Officer shall place a special assessment on the real estate tax bill of the property if payment is not made within 30 days.

**Section 5.** The Trustees of Columbia Township upon majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

**Section 6.** This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and welfare of the Township. The reason for the emergency is the immediate need to abate the nuisance conditions set forth

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herein at the earliest possible time to provide for safe and habitable properties in the township.

Motion to accept Resolution made by: MR. KUBICKI

Seconded by: MS. HUGHES

**VOTE:**

TRUSTEE	Voting	Signature	Date
David Kubicki, President	<u>yes</u>	<u>[Signature]</u>	<u>07-11-2023</u>
Brian Lamar, Vice-President	<u>yes</u>	<u>[Signature]</u>	<u>07-11-2023</u>
Susan Hughes, Trustee	<u>yes</u>	<u>[Signature]</u>	<u>07-11-2023</u>
ATTEST:		<u>[Signature]</u>	<u>07-11-2023</u>
		Caroline Heekin, Fiscal Officer	

Refer to attached Property Maintenance Code Report with photos.



















## NOTICE OF PROPERTY MAINTENANCE VIOLATION

Date: June 30, 2023

To: Joan L Bickett  
6804 Stewart Road  
Cincinnati, Ohio 45236

Property Location: 6804 Stewart Road

Parcel No: 520-0220-0030-00

You are hereby notified that you are in violation of the Columbia Township Exterior Property Maintenance Code, specifically as

detailed in this notice:

- 5.04 STRUCTURAL SOUNDNESS AND MAINTENANCE OF DWELLINGS**
- 5.06 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS**
- 5.07 VEGETATION**

The building is vacant, overgrown, and deteriorating; building is not weathertight and is accessible to vermin and wildlife; and the property is overgrown with high grass, noxious weeds, and vines.

In order to comply with this notice, please do the following:

**Within fourteen (14) days of this notice:**

**Fix garage door**

Garage door is broken, not secure within the door frame, and has one or more openings that allow rodent access to the interior.

**Within seven (7) days of this notice:**

**Mow grass, clear yard of weeds, and remove vines from building.**



You are further informed that unless you correct this violation or otherwise comply with this notice **within the specified time** as detailed, you will be subject to a penalty or fine as provided by the Columbia Township Exterior Property Maintenance Code.

**Please contact Columbia Township Administration at 513-561-6046 with any questions or regarding compliance requirements.**

Columbia Township Exterior Property Maintenance Code

#### **5.04 STRUCTURAL SOUNDNESS AND MAINTENANCE OF DWELLINGS**

- A. General Maintenance. All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The owner, lessee, occupant, or person or entity having charge of the property shall keep all parts of the exterior property in a clean and sanitary condition. No premises shall be in a condition that constitutes a health hazard, safety hazard, or general nuisance.
- B. Protective Treatment. All exterior surfaces including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces re-painted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
- C. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or reduce the capability of the foundation to support the building.
- D. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose, or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose, or peeling

paint or covering. All canopies, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration.

- E. Windows, Skylight, Doors and Frames. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, be capable of being easily opened and held in position by hardware, and maintained so as to exclude adverse weather elements from entering the structure. Skylights, doors, and frames shall be kept in sound condition, good repair and weather tight.
- F. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and water-proof and be provided with door hinges and door latches which are in good working condition.
- G. Roof. Roof members, covering, and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing, or other suitable means.
- H. Gutters and Roof Drains. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions.
- I. Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- J. Porches and Decks. Every porch or deck shall be so constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, and steps thereto, and kept in sound condition and in good repair.
- K. Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain, and surface drainage into the dwelling.

- L. Decorative Features. All cornices, entablatures, bell courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- M. Structural member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
- N. Overhang extensions. All overhang extensions including, but not limited to, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- O. Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- P. Building Security. Doors, windows or hatchways for dwelling units shall be provided with devices designed to provide security for the occupants and property within.

#### **5.06 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS**

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- A. Exterior Space. The exterior open space around each dwelling shall be maintained or so improved so as to provide for:
  - 1. The immediate diversion of water away from buildings and proper drainage of the premises;
  - 2. Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, premises use or adjacent premises and structures;
  - 3. Sidewalks, walkways, parking areas, and driveways of a concrete, asphalt, pavers or similar surface which are of sound construction and properly maintained; and
  - 4. Exterior steps which are of sound construction and properly maintained free of hazardous conditions.

- B. Yards. All yards, courts, and lots shall be graded and kept free of overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
- C. Hazards. Hazards and unsanitary conditions shall be eliminated.
- D. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as a residence in the course of construction.
- E. Storage. Except as provided for in other regulations of the Township, all outdoor storage of any kind shall be prohibited.
- F. Grading. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of water thereon, or within any structure located thereon.
- G. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except when such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
- H. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant shrubs and/or trees, or discharge, empty, or place any material, fill or waste into any swale so as to divert or impede drainage flow.
- I. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in a state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in a state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- J. Commercial Vehicle. No commercial vehicle with a gross vehicle weight rated in excess of 10,000 pounds, based on manufacturer's federal identification decal or serial number, or any commercial vehicle more than seven (7) feet in height, may be parked on any residential property, except for commercial vehicles making service calls or vehicles being used to move personal goods to or from a subject property.

- K. Furniture. No furniture intended for indoor use may be stored outside, unless it is in a completely enclosed porch or patio room.
- L. Off Street Parking. Parking and/or storing of any vehicle on a lawn or dirt surface shall be prohibited. On all tracts in residential districts, all open off-street parking areas shall be graded and surfaced with bituminous concrete (asphalt), Portland cement concrete, brick, cobble-stone or similar hard surface. Tracts with nonconforming gravel driveways may have gravel parking areas, but in no case shall a landscaped area (i.e., neither paved nor graveled) be used as an open off-street parking area.
- M. Trailers and Recreational Vehicles. If a licensed and operable trailer, utility trailer, watercraft, camping or recreational equipment is parked or stored outside a garage, it shall be parked or stored to the rear of a line which is an extension of the rear wall of the house. On a corner lot; however, the camping or recreational equipment may not be stored on any side of the house toward a street. All camping or recreational equipment shall cover no more than 400 square feet of yard area, with a maximum of two (2) pieces of camping or recreational equipment permitted. The vehicles must be registered to a resident of the respective property. RV's and Utility Trailers may be parked for purposes of loading and unloading for forty-eight (48) hours.
- N. Street Numbers. Each structure to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in Arabic numerals at least four (4) inches high and one-half (½ ) inch stroke and of a color contrasting to the background.
- O. Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
- P. Sanitation. All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The owner, lessee, occupant, or person or entity having charge of the premises shall keep that part of the exterior property which such person or entity occupies or controls in a clean and sanitary condition.

## 5.07 VEGETATION

- A. No person or entity owning, leasing, occupying or having charge of land within



the Township shall fail to keep such property free and clear of all noxious (brush, briars, burrs, vines, Russian thistle, Canadian thistle, common thistle, wild lettuce, wild mustard, wild parsnip, ragweed, milkweed, ironweed, et. al.) weeds and rank vegetation or fail to cut all such weeds and vegetation on land owned or in his or her possession whenever such weeds or vegetation have grown to a height of eight (8) inches or more.

- B. In addition to the requirement of paragraph "A" hereof, no person shall permit any grass or weeds to grow to a height of eight (8) inches or more on any section of public right-of-way, including an easement area, contiguous to his or her property and on his or her property side of any pavement traveled by motor vehicles.
- C. No person owning, leasing, operating, occupying or having charge of land within the Township shall permit trees, bushes, shrubs, or other growth to overhang or block any part of a sidewalk or unpaved but traveled portion of a street for a height of seven (7) feet above the surface, or any part of a paved street for a height of fourteen (14) feet above the surface.
- D. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

#### **5.09 ACCESSORY STRUCTURES**

All structures accessory to the dwellings, including detached garages, shall be structurally sound, neatly maintained, and in good repair or they shall be razed to grade level and debris removed from the premises.

#### **5.10 WASTE RECEPTACLES**

- A. Accumulation, Dumping, Storing, and/or Burying of Rubbish or Garbage. All exterior property and premises, and the interior of every structure, carport, deck, and patio shall be free from any accumulation, dumping, storing, and/or burying of rubbish and/or garbage including, but not limited to tires, combustible and noncombustible waste materials, abandoned construction materials and debris, paper, rags, cartons, boxes, excelsior, rubber, leather, tin cans, metals, mineral matter, glass, crockery and dust, animal and vegetable waste, residue from burned materials, inoperable and broken appliances and household equipment, and other similar materials.
- B. Disposal of Rubbish/Garbage. Every owner, lessee, occupant, or person or entity having charge of any structure shall dispose of rubbish/garbage in a

clean and sanitary manner by placing such rubbish/garbage in approved containers.

- C. Rubbish/Garbage Storage Containers. The owner of occupied premises shall supply approved covered containers for rubbish/garbage. The owner, lessee, occupant, or person or entity having charge of the premises shall be responsible for the removal of rubbish/garbage.
- D. Placement of Rubbish/Garbage Containers. All approved residential rubbish/garbage containers shall be placed at the curb or authorized alley location for pick-up unless prior arrangements have been made with the township and collector for pickup at another location. No such rubbish/garbage container shall be placed at the curb earlier than 24 hours preceding the pickup and all containers shall be removed within 24 hours after the pickup. When not at the curb for pickup, all rubbish/garbage receptacles shall either be in an enclosed building or placed behind the front building line.
  - 1. Multi-Family Dwelling Units. All multi-family dwelling units utilizing a dumpster for waste removal must locate the dumpster to the rear of the structure. If a multi-family unit does not use a dumpster, residents must follow the same requirements as defined in Section 5.10(D).
  - 2. Bundling of Waste. If waste is of such nature that it cannot be put in the regulation containers, it shall be placed in a manner as specified by the Township.
  - 3. Report of Collection Failures. Every owner, lessee, occupant, or person or entity having charge of the property is required to maintain surveillance over the garbage and rubbish (waste) storage, handling and collection on his premises. Any missed pickup must be reported to the township offices no later than one business day after the scheduled pickup.

#### **5.11 JUNK OR INOPERABLE VEHICLE**

- A. Storage of Junk or Inoperable Vehicle on Private Property. No junk, inoperable, or unlicensed vehicle shall be located on any residential property, except when stored within a completely enclosed building.
- B. Parking of Junk or Inoperable Vehicle on Public Property. No junk or inoperable vehicle shall be located on any public property for a period in excess of twenty-four hours.
- C. Impounding of Junk or Inoperable Vehicle. In addition to other remedies provided by law, the Enforcement Officer may order into storage any vehicle maintained in violation of any provision of this resolution. Prior to removal of

any junk or inoperable vehicle, the Enforcement Officer shall photograph the junk or inoperable vehicle and record the make, model, and serial number when available. The place of storage shall be designated by the Enforcement Officer.

- D. Disposition of Junk or Inoperable Vehicles Ordered Into Storage. Any junk or inoperable vehicle ordered into storage that remains unclaimed for a period of thirty (30) days may be disposed of at a vehicle salvage dealer or scrap metal processing facility owned by or under contract with the Township for the disposal of such vehicles, or may be sold by the Township or licensed auctioneer at a public auction, after giving notice thereof by advertisement, published once a week for two successive weeks in a newspaper of general circulation in the Township. Any monies accruing from the disposition of an unclaimed vehicle that are in excess of the expenses resulting from the removal and storage of the vehicle shall be credited to the General Fund of the Township.
- E. Towing and Storage Charge; Recovery of Impounded Vehicle. Upon proving ownership, the owner of any junk or inoperable vehicle ordered into storage pursuant to this resolution may reclaim it upon payment of all expenses or charges incurred in its removal.

By:

*Melissa Taylor*

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Melissa Taylor  
Columbia Township Administrator