

RESOLUTION 25 - 45, 2025
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**PROVIDING FOR AND AUTHORIZING REMOVAL, REPAIR OR SECURANCE OF
INSECURE, UNINHABITABLE, UNSAFE BUILDINGS OR STRUCTURES AND REMOVAL
OF TALL GRASS, WEEDS AND DEBRIS, DECLARING A NUISANCE FOR NON-
COMPLIANT AND PUBLIC HEALTH CONDEMNED PROPERTY AT 5770 STEWART RD.,
AND DISPENSING WITH THE SECOND READING**

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, the Board of Township Trustees of Columbia Township on December 17, 2021 passed Res. 21-37, 2021 to declare 5770 Stewart Road, Columbia Township, Ohio, 45243, to be a nuisance property due to Dangerous Structures and Nuisance Conditions, specifically unattended insecure, uninhabitable, unsafe buildings or structures, and tall grass, weeds, and debris; and

WHEREAS, the Board of Trustees on June 14, 2022, passed Res. 22-28 to amend Res. 21-37, 2021, to include additional violation notices and actions against the subject property's Dangerous Structures and Nuisance Conditions from **Hamilton Co. Health Department, Hamilton Co. Chief Building Official, and Deer-Park Silverton Fire District**. These agencies determined, as defined in Section 1 below, that the structure is vacant, deteriorated, uninhabitable, unsafe for human habitation, and detrimental to the health, safety and general welfare of all persons who live, work or own property in Columbia Township; and

WHEREAS, Columbia Township has notified the property owner, on the dates listed in Section 1 below, of Exterior Property Maintenance Code violations for Dangerous Structures and Nuisance Conditions which require abatement, and the property owner failed to abate any of the identified conditions in the violation notices: March 12, 2020; March 30, 2021; and November 9, 2021 Notice of Condemnation from Hamilton Co. Health Department and Notice of Violation from Columbia Township; and

WHEREAS, the Board of Trustees on November 13, 2024, passed Res. 23-42 authorizing the Administrator to apply for a demolition grant from the State of Ohio ("Grant") to remove the Dangerous Structures and abate Nuisance Conditions; and

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Section 1 (d). Columbia Township's Exterior Property Maintenance Code officer has determined that the insecure, unsafe buildings or structures, tall grass, weeds, and debris located on the subject property are hereby declared to be a nuisance. Specifically, as shown in the Notices of Property Maintenance Violation on March 12, 2020; March 30, 2021; and November 9, 2021 attached as Exhibit D): garage door is broken, not secure within the door frame, and has one or more open holes that allow rodent access to the interior; house gutters are not secure and falling sections are a safety hazard; garbage is strewn across the yard; and the yard has tall grass and weeds in violation of the length permitted in the Code.

Section 1(e). The Township performed a title search January 19, 2022 to verify the current property ownership to be John Brean, David Brean, and Dana Brean and additionally found three judgment liens totaling \$5,599.40. An updated title search September 8, 2025, confirms property ownership is the same and payment and cancellation of two of the liens was recorded as shown the attached Exhibit E.

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 post notice on the property, at least 30 days in advance of removal, 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 owners have 30 days to demolish the Dangerous Structure and Abate all Nuisance Conditions set forth in this resolution and described/depicted in the attached reports, notices, and photos.

Section 2(b). In the event the nuisance is not abated or appealed within the time period allowed, the Township Maintenance Department is hereby directed to remove, repair or secure the insecure, unsafe buildings or structures or to contract for the removal, repair or securance of insecure, unsafe buildings or structures from the listed non-compliant properties.

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, and weeds and garbage removed, the Township Maintenance Department is hereby directed to remove and discard the tall

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EXHIBIT A

Hamilton County General Health District Notices of Violation and Condemnation

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EXHIBIT C

Hamilton County Communication Center and Deer Park-Silverton Fire District
No-Go Structure Designation

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EXHIBIT E

Dinsmore & Shohl LLP / Mercantile Title Agency
Title Reports