RESOLUTION NO. 30 , 2014

A RESOLUTION AUTHORIZING AN ASSESSMENT FOR THE CUTTING OF NOXIOUS WEEDS AND REMOVAL OF DEBRIS/TRASH

WHEREAS, the City of Montgomery, in Chapter 93 of the Code of Ordinances has provided a prohibition against noxious weeds and removal of debris/trash within the City, a method of notifying non-complying property owners to cut said weeds and remove debris/trash, and a procedure by which the City may cut and remove the weeds and litter if the owner fails to take action within the time allowed; and

WHEREAS, Ohio Revised Code allows a City to place a lien against real property for the charges for the services in cutting noxious weeds and removal of debris/trash and the fees incurred administratively to provide notice to the non-complying property owner; and

WHEREAS, the City has followed its Code of Ordinances in notifying the owner of the real property at 10785 Deerfield Road, Montgomery, Ohio 45242, being Auditor's Parcel Number 603-0015-0238-00 on three separate occasions as set forth in the attached copies of Affidavits; and

WHEREAS, the owner has failed or refused to take action within the time allowed pursuant to such notices; and

WHEREAS, the City, after submitting such notices, has entered upon the real property to cut and remove the weeds at a cost of $360.00; and

WHEREAS, the City now desires to assess a lien upon said real property for the cost incurred by the City to cut and remove such weeds and an additional administrative fee of $25.00 as allowable by law.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Montgomery, Ohio:

SECTION 1. Pursuant to the Ohio Revised Code and the Ordinances of the City of Montgomery, Council hereby makes this written return to the Auditor of Hamilton County, Ohio, and requests that the Auditor place a lien against the real property located at 10785 Deerfield Road, Montgomery, Ohio 45242, being Auditor's Parcel Number 603-0015-0238-00, in the amount of $385.00, which includes the administrative fee. The Auditor is requested to place said special assessment against the real property upon the tax duplicate as is authorized by Ohio law to collect the same according to law and to return such collections to the City.

SECTION 2. This Resolution shall be in full force and effect from and after its passage.

PASSED September 3, 2014

ATTEST Susan J. Hamm
Susan J. Hamm, Clerk of Council

Todd A. Steinbrink, Mayor

APPROVED AS TO FORM

Terrence M. Donnellon, Law Director