

RESOLUTION 25-6-1 A RESOLUTION AUTHORIZING THE ABATEMENT OF 205 WEST MULBERRY STREET, PARCEL #'S N4201200500 AND N4201200400, WAYNESFIELD, OHIO, AND TO DECLARE AN EMERGENCY

**WHEREAS**, on April 14, 2025, the Village of Waynesfield via the Waynesfield Police Department ordered the property owner at 205 West Mulberry Street to cut all noxious weeds and remove litter pursuant to Ohio Basic Code Section 93.41; and

**WHEREAS**, on May 20, 2025, a second notice was posted on the front door of the aforementioned property to notify the property owner to correct all weed and litter violations, and

**WHEREAS**, pursuant to Ohio Revised Code Section 93.43, if the owner, lessee, agent, or tenant having charge of the lands mentioned in § 93.41 fails to comply with the notice required by such section, the Legislative Authority shall cause such noxious weeds to be cut and destroyed or such litter removed and may employ the necessary labor to perform the task, and

**WHEREAS**, all expenses incurred shall, when approved by the Legislative Authority, be paid out of the money in the treasury of the municipality not otherwise appropriated; and

**WHEREAS**, it is in the best interest of the Village of Waynesfield and its residents to proceed under OBC 93.41 to cut all noxious weeds and remove all litter as defined in OBC 93.41.

**THEREFORE, BE IT RESOLVED** by the Council of the Village of Waynesfield, County of Auglaize, State of Ohio, to-wit, as follows:

**Section 1:** As provided in Ohio Basic Code 93.41, Council of the Village of Waynesfield has determined that notice and sufficient time have been given to the property owner at 205 West Mulberry Street, Waynesfield, Auglaize County, Ohio, 45896, Parcel Numbers N4201200500 and N4201200400 to correct the deficiencies that directly impact the health, safety, and well-being of the community.

**Section 2:** That the property owners have not complied with several notices served upon them by the Waynesfield Police Department directing them to correct the issues or file an appeal.

**Section 3:** That Council deems the property a nuisance and the grass and litter should be cut and/or removed pursuant to Ohio Basic Code 93.41.

**Section 4:** The Legislative Authority shall make a written return to the County Auditor of their action under §§ 93.41, 93.42, and 93.43, with a statement of the charges for their services, the amount paid for labor, the fees of the officers serving the notices, and a proper description of the premises. These amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the municipality with the General Fund.

**Section 5:** Council finds and determines that all formal action of this Council concerning and relating to the passage of this Resolution were taken in open meetings of this Council, and that all deliberations of the Council that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code 121.22, except as otherwise permitted thereby.

**Section 6:** That this Resolution is an emergency measure to preserve the public peace, health and safety of residents and shall take effect and be in full force and after the date of enactment,

VOTE:

BALL: Yes

FOX: Yes

HUTSON: Absent

MILLER: Yes

NICKLES: Yes

WALTI: Yes

Adopted: June 23, 2025

A handwritten signature in black ink, appearing to read "Randy Hutson", written over a horizontal line.

Mayor

Attest: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Sarah Montgomery", written over a horizontal line.

Fiscal Officer Sarah Montgomery