



RESOLUTION HR-01-22

A RESOLUTION ADOPTING THE PRAIRIE TOWNSHIP EXTERIOR PROPERTY MAINTENANCE CODE FOR COMMERCIAL AND MULTI-FAMILY PROPERTY, AND DISPENSING WITH THE SECOND READING

The Board of Trustees (the “Board”) of Prairie Township, Franklin County, Ohio (the “Township”) met in regular session on September 21, 2022, at 7:00 P.M. at 23 Maple Drive, Columbus, Ohio 43228, with the following members present:

- Doug Stormont
- Cathy Schmelzer
- Rod Pritchard

Trustee _____ introduced the following resolution in writing:

RESOLUTION HR-50-22

A RESOLUTION ADOPTING THE PRAIRIE TOWNSHIP EXTERIOR PROPERTY MAINTENANCE CODE FOR COMMERCIAL AND MULTI-FAMILY PROPERTY, AND DISPENSING WITH THE SECOND READING

WHEREAS, the Township adopted a limited home rule form of government pursuant to Ohio Revised Code Chapter 504; and

WHEREAS, the Board, pursuant to the provisions of Ohio Revised Code 504.04, has the authority to exercise all powers of local self-government within the unincorporated area of the Township; and

WHEREAS, the Board believes there is a need to protect the public health, safety, morals, and general welfare as it pertains to commercial and multi-family property, buildings, and uses in the Township; and

WHEREAS, a limited home rule township may adopt, administer and enforce a property maintenance code within the unincorporated area of the township; and

WHEREAS, the Board has developed and drafted a property maintenance code and this code is compatible with all applicable standards of the Franklin County Building Regulations Department; and

WHEREAS, the Board has drafted this property maintenance code to address the specific concerns within the Township and this property maintenance code is compatible with all applicable standards of the Franklin County Building Regulations Department; and

WHEREAS, it is in the best interests of the Township and its residents to establish and adopt a property maintenance code in the form attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Prairie Township, Franklin County, Ohio, that:

Section 1. Pursuant to Ohio Revised Code Chapter 504, the Board hereby establishes and adopts, the Prairie Township Exterior Property Maintenance Code for Commercial and Multi-Family Zoning Districts (the “Code”). A copy of the Code is attached to this Resolution as “Attachment A” and incorporated herein.

Section 2. Any violation of the Code shall be punishable with unclassified civil fine according to the civil fine schedule as follows:

1st Violation:	\$250.00
2nd Violation within 12 consecutive months:	\$500.00
3rd and Subsequent Violations within 12 consecutive months:	\$1,000.00

The fine amounts set forth above include a filing fee of \$123.00.

If a citation is warranted, the peace officer serving the Township pursuant to the provisions of Ohio Revised Code Section 504.16, shall issue a citation to any such person(s) violating this Resolution, pursuant to the provisions of Ohio Revised Code Section 504.06. The peace officer shall complete the citation by identifying the violation and by indicating the date, time, and place of the violation charged. The peace officer shall sign the citation and without necessary delay file the original citation with the court having proper jurisdiction over the violation. A copy of a citation issued pursuant to this section shall be served pursuant to the Ohio Rules of Civil Procedure upon the person who violated this Resolution. The issuance of a citation shall not prohibit the issuance of additional citations, in the event such violation is continued or repeated. The citation shall be the standard limited home rule citation adopted by the Township and shall be in accordance with all of the following:

- a. Advise the person upon whom it is serviced that the person must answer in relation to the violation charged in the citation within fourteen (14) days after the citation is served upon the person;
- b. Indicate the allowable answers that may be made and that the person will be afforded a court hearing if the person denies in the answer that the person committed the violation;
- c. Specify that the answer must be made in person or by mail with the Prairie Township Fiscal Officer; and
- d. Indicate the amount of the fine that may be imposed for the violation.

An answer to a citation shall be made within fourteen (14) days after the citation is served upon the person and shall be in one of the following forms:

- a. An admission that the person committed the violation, by payment of any fine arising from the violation. Payment of a fine shall be payable to the Fiscal Office of the Township and deposited by the Fiscal Officer into the Township general fund; or
- b. A denial that the person committed the violation.

Whenever a person pays a fine pursuant to this section or whenever a person answers by denying the violation or does not submit payment of the fine within the time required under this section, the Township Fiscal Officer shall notify the court having jurisdiction over the violation. The court having jurisdiction over the matter shall proceed in accordance with the provisions of Ohio Revised Code Section 504.07(B). All fines collected under this Resolution shall be deposited into the Township general fund.

Section 3. Nothing herein shall be construed to impair any common law or statutory causes of actions, or legal remedies available under Ohio Revised Code Chapter 504 therefrom, or of any person or the Township, for any injury or damage arising from other law.

Section 4. Upon the effective date of this Code and Resolution, all other resolutions previously adopted with respect to the Prairie Township Exterior Property Maintenance Code are hereby rescinded.

Section 5. Should any one or more parts of this Resolution be adjudged unconstitutional or otherwise unenforceable by any court or other body or person empowered to do so, this adjudication shall not invalidate those other parts or Sections herein.

Section 6. It is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including, without limitation, Ohio Revised Code Section 121.22.

Following its introduction, the Resolution was read by title only.

Mr./Mrs. _____ moved to waive the second reading of this Resolution and authorize adoption on the first reading and the motion was seconded by Mr./Mrs. _____. Roll was called on waiving the second reading and the results were:

Vote Record:	<u>Yea</u>	<u>Nay</u>
M____. _____	___	___
M____. _____	___	___
M____. _____	___	___

Mr./Mrs. _____ moved the adoption of this Resolution and the motion was seconded by Mr./Mrs. _____. Roll was called on the question of adoption and the results were:

Vote Record:	<u>Yea</u>	<u>Nay</u>
M____. _____	___	___
M____. _____	___	___
M____. _____	___	___

Having received a majority vote of the Board, the Resolution was adopted as a nonemergency measure to become effective thirty (30) days after filing with the Township Fiscal Officer.

First Reading: September 21, 2022

Second Reading: Dispensed with

Effective: _____, 2022

Adopted: _____, 2022

**BOARD OF TOWNSHIP TRUSTEES
PRAIRIE TOWNSHIP,
FRANKLIN COUNTY, OHIO**

Doug Stormont, Chairman

Cathy Schmelzer, Vice-Chairwoman

Rod Pritchard, Trustee

Attest: _____

Natalie McKay, Fiscal Officer

APPROVED AS TO FORM:

Township Law Director

CERTIFICATION

The undersigned Fiscal Officer of the Township hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Township Trustees, Prairie Township, Franklin County, Ohio, and filed with the Township Fiscal Officer on September ____, 2022.

Natalie McKay, Fiscal Officer
Prairie Township
Franklin County, Ohio

CERTIFICATE OF PUBLICATION

I, Natalie McKay, the Fiscal Officer of Prairie Township, Franklin County, Ohio, do hereby certify that a summary of this Resolution was published in the newspaper listed below on the dates listed below:

The Daily Reporter, ___/___/22 and ___/___/22.

Natalie McKay, Prairie Township Fiscal Officer