

## RESOLUTION 101-26

### Declaration of Public Nuisance and Order of Abatement

**WHEREAS**, the Board of Trustees of Shawnee Township, Allen County, is permitted through Section 505.86, 505.87, and 5579.05 of the Ohio Revised Code to regulate the growing of noxious, nuisance vegetation, garbage, refuse, and other debris on property throughout the Township; and

**WHEREAS**, a Board of Trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township, if the board determines the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance; and

**WHEREAS**, the Shawnee Township Zoning Inspector has investigated the conditions and documented the vegetation, garbage, refuse, and other debris which constitutes a nuisance through the use of date-stamped photographic evidence, as presented in Exhibit "A" as an attachment to this Resolution, for the following properties:

| Address                                         | Auditor's Parcel ID # (PIN) | Owner:                                      |
|-------------------------------------------------|-----------------------------|---------------------------------------------|
| 1. 1216 Wayside Drive, Allen County, Lima, Ohio | 46-1801-04-014.000          | SJ Dream Properties LLC<br>Jacqueline Lyons |
| 2. 1633 Reed Road, Allen County, Lima, Ohio     | 46-1409-01-006.000          |                                             |

**WHEREAS**, the owner(s) of record and all lien holders of record of the aforementioned properties have not responded to requests by the Shawnee Township Zoning Department to remove or control said vegetation. It is further recommended to the Board of Trustees of Shawnee Township that the existence of the uncontrolled vegetation on the above-referenced properties does constitute a nuisance under Ohio Revised Code 505.87, as well as Shawnee Township Resolution #60-18 effective March 26, 2018 and

**WHEREAS**, at least seven days before providing for the abatement, control, or removal of any vegetation, the Board of Township Trustees, shall notify the owner of the land and any holders of liens of record upon the land that the owner is ordered to abate, control, or remove the vegetation, grass, and noxious weeds, as the owners maintenance of which, has been determined by the Board to be a nuisance; and,

**WHEREAS**, if such vegetation, grass, noxious weeds, garbage, refuse or debris is not abated, controlled, or removed, or if provisions for its abatement, control, or removal is not made in seven-(7) days, the Board shall provide for the abatement, control, or removal, and any expenses incurred, to include \$ 100.00 administrative fee by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry; and,

**WHEREAS**, if the Board of Township Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, grass, noxious weeds, garbage, refuse, or other debris on the same land in the township constitutes a nuisance, at least four-(4) days before providing for the abatement, control, or removal, and any expenses incurred, to include \$ 100.00 administrative fee by the township in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Shawnee Township, Allen County, Ohio, by authority under Section 505.87 of the Ohio Revised Code, as follows:

- **SECTION 1.** The Board specifically finds and hereby determines that the uncontrolled growth of vegetation and / or refuse and debris on each of said properties listed above constitutes a nuisance within the meaning of Ohio Revised Code Section 505.87; as well as Shawnee Township Resolution #60-18; and,
- **SECTION 2.** The Shawnee Township Board of Trustees hereby directs that notice of this action be given to owners of said property, and lien holders in the manner required by Ohio Revised Code 505.87; and,
- **SECTION 3.** The Shawnee Township Board of Trustees hereby orders the owners of said property to remove and abate the nuisances within seven-(7) days after notice of this order is given to the owners and lienholders of record; and within four-(4) days after notice of this order is given to owners and lienholders of record for the properties previously determined to be a nuisance as follows:

- a. Remove any and all objects on the property that impede the full and complete cutting of the tall grass and the cutting and removal of noxious weeds;
  - b. Mow front, side and rear yard uniformly and maintain at a level that is consistent with the surrounding neighborhood.
  - c. Cut and trim all tall grasses, as well as weeds and or other noxious vegetation around trees, bushes, mail boxes, foundations, fences (if applicable).
- **SECTION 4.** If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lien holders of record within four or seven days respectfully after said notice is given, Shawnee Township employees shall enter on the property; remove any and all objects on the property which impede the cutting of the tall grasses and removal of noxious weeds, cut the tall grasses and cut or remove noxious weeds to abate the public nuisance.
  - **SECTION 5.** The Board of Trustees hereby gives notice to the owner(s) of record that the township's removal of said vegetation, grass, noxious weeds, garbage, refuse or debris will occur on/after June 29, 2026, and the owner(s) of record may enter into an agreement with the board to perform the removal of vegetation prior to this date.
  - **SECTION 6.** That this resolution is hereby declared to be an emergency measure pursuant to Section 504.11 of the Ohio Revised Code, necessary for the immediate preservation of the public health, safety, or welfare of Shawnee Township, in order to control the noxious vegetation at the above-listed properties.
  - **SECTION 7.** That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken and open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion KENNY GROSS

Second JOE RECKER

Adopted this 13<sup>th</sup> day of July 2026

Mr. Joe Recker  
Mr. Paul Neff  
Mr. Kenny Gross

(Yes or No)  
(Yes or No)  
(Yes or No)

Board of Township Trustees of Shawnee Township, Allen County, Ohio:

Paul Neff  
Trustee

Mike Jahn  
Trustee

[Signature]  
Trustee

Attest:

[Signature]  
Kevin Cooley, Fiscal Officer