

BOARD OF TRUSTEES
JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO
RESOLUTION NO. 26-053

A RESOLUTION BY THE BOARD OF TRUSTEES OF JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO, PURSUANT TO OHIO REVISED CODE SECTION 505.86, DECLARING ITS INTENTION TO DEMOLISH AND REMOVE THE INSECURE AND UNSAFE STRUCTURE(S) SITUATED AT 55 S. SNYDER ROAD, NEW LEBANON, OHIO 45345, PARCEL ID NO. G28 18206 0035, WHICH PROPERTY IS TITLED IN THE NAME(S) OF EUGENE AND FRANCES BAILEY, AND DIRECTING THE TOWNSHIP ZONING ADMINISTRATION TO ISSUE A NOTICE OF INTENTION TO THE PROPERTY OWNER(S), LIENHOLDERS OF RECORD, IF ANY, AND ALL OTHER INTERESTED PARTIES PURSUANT TO OHIO REVISED CODE SECTION 505.86.

The Board of Trustees of Jefferson Township, Montgomery County, Ohio, met in a regular meeting on February 3, 2026, at 6:00 pm at the Township Offices located at 1 Business Park Dr., Dayton, Ohio, with the following members present:

Sheila Back (✓) Oscar Young (✓) Vera Powell (✓)

Moved by: Back (✓) Young () Powell ()
Second by Back () Young (✓) Powell ()

WHEREAS, The Jefferson Township Board of Trustees (the “Board”) have received numerous complaints of abandoned, structurally defective, and insecure structures in the Township; and

WHEREAS, the Board finds that abandoned, structurally defective, and insecure structures within Jefferson Township (the “Township”) are unsafe, unsightly, detrimental to surrounding property values, and are detrimental to the health, safety, and public welfare of the community; and

WHEREAS, the Board has determined that it is the policy of the Township to secure, repair, or demolish and remove structurally defective and insecure structures in the Township pursuant to Ohio Revised Code Section 505.86 to protect and promote the public health, safety, and welfare; and

WHEREAS, Ohio Revised Code Section 505.86(B) authorizes the Board to provide for the removal, repair, or securance of buildings or other structures in the Township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the Township or by the county building department or other authority responsible under Chapter 3781 of the Ohio Revised Code for the enforcement of building regulations or the performance of building inspections in the Township, or buildings or other structures that have been declared to be in a condition that is dangerous to life or health, or unfit for human habitation by the county board of health; and

WHEREAS, a duty to authorized Fire Code Official for the Township has inspected the property located at 55 S Snyder Road, Dayton, Ohio 45345 (the “Property”), Parcel ID No. G28 18206 0035, and has determined that this Property is in violation of Ohio Fire Code, (J) Section 110 (“Unsafe Buildings”), as evidenced by the inspection report attached hereto as Exhibit A and photographs of the Property attached hereto as Exhibit B; and

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WHEREAS, a public hearing was conducted on the 7th day of April, 2026, to determine whether the dangerous conditions at the Property had been remediated or whether the Board would require the securance, repair, or demolition and removal of the Property identified herein; and

WHEREAS, due notice of this public hearing was given by the Township as required by law; and

WHEREAS, the Zoning Coordinator, prior to the public hearing described herein, provided notice of this public hearing as required by law to the Property owner, lienholders of record, if any, and other interested parties as determined by the Township's legal counsel after title examination; and

WHEREAS, based on the evidence and testimony presented at the public hearing under oath, the Board found that the conditions present at the Property have not been remediated and the structure(s) situated on the Property continue to be insecure and unsafe, and that the demolition of the Property is in the best interests of the health, safety, and welfare of its citizens; and

WHEREAS, the Board has announced its decision that the structure(s) situated at 55 S Snyder Road, New Lebanon, Ohio 45345, Parcel ID No. G28 18206 0035, which Property is title in the names of Eugene and Frances Bailey must be demolished and removed to protect and promote the health, safety, and welfare of the citizen of the Township; and

WHEREAS, pursuant to Ohio Revised Code Section 505.86, the Board is required to give notice of its intention to demolish the Property to all owners and lienholders of record at least thirty (30) days before Property's demolition.

NOW, THEREFORE, by the Board of Trustees of Jefferson Township, Montgomery County, Ohio:

Section 1. The Board finds that the structure(s) situated on the Property located at 55 S Snyder Road, New Lebanon, Ohio 45345, Parcel No. G28 18206 0035, which Property is titled in the names of Eugene and Frances Bailey continue(s) to be insecure, unsafe, dangerous to life and health, and unfit for human habitation.

Section 2. The Board hereby finds that in order to protect and promote the health, safety, and welfare of the citizens of the Township, the dangerous structure(s) described in the inspection report attached hereto as Exhibit A and illustrated in Exhibit B must be demolished and removed.

Section 3. The Board hereby declares its intention to demolish the structure(s) situated on the Property, if the Property owner fails to timely remediate the dangerous conditions and Code violation present at the Property.

Section 4. The Zoning Administrator is hereby directed to send notice of the Board's intention to demolish the property (the "Notice of Intention") to the property owner, all lienholders of record, if

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any, and other interested parties as determined by the Township's legal counsel after title examination, in accordance with Ohio Revised Code Section 505.86.

Section 5. The Notice of Intention issued by the Zoning Administrator shall include all notifications required by law and shall be in full compliance with Ohio Revised Code Section 505.86.

Section 6. Pursuant to Ohio Revised Code Section 505.86, the property owner, lienholders of record, if any, and all other interested parties with standing who are named in the Notice of Intention described herein, shall have twenty (20) days from the issuance of the Notice of Intention to request a hearing on this matter before the Board. The hearing request must be in writing and directed to the Township's Fiscal Officer, Charlene Chattams, at the Jefferson Township Offices, 1 Business Park Drive, Dayton, Ohio 45417. If no hearing is timely requested, the Board shall issue its final order, within thirty (30) days of the issuance of the Notice of Intention described herein, directing the Township to proceed with the demolition and removal of the structure(s) situated on the Property.

Section 7. It is hereby found and determined that all formal acts of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

The vote was as follows:

Sheila Back

Yes

No

Abstain

Oscar Young

Yes

No

Abstain

Vera Powell

Yes

No

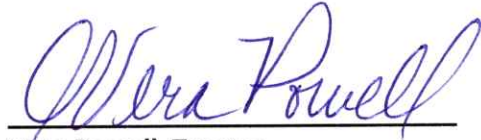
Abstain

Adopted: 7th day of April 2026

Signed by:


Sheila Back, President


Oscar Young, Vice President


Vera Powell, Trustee


Charlene E. Chattams

Attest to Trustees Signatures:

Charlene Chattams, Fiscal Officer

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JEFFERSON TOWNSHIP

JEFFERSON TOWNSHIP FIRE DEPARTMENT

1 Business Park Drive
Dayton, Ohio 45417
(937) 262-3580

March 13, 2026

Karen Kayler, Zoning Administrator
Jefferson Township, Montgomery County, Ohio
1 Business Park Dr.
Dayton, Ohio 45417

Re: Residential Structure Inspection
Property Address: 55 S. Snyder Rd. Dayton, OH 45345
Parcel ID No(s): G28 18206 0035

Ms. Kayler:

On March 13, 2026 a Certified Fire Safety Inspector (the "CFSI") with the Jefferson Township Fire Department, performed an onsite safety inspection of the above-referenced property (the "Property") pursuant to your request.

The CFSI has made the following findings and determinations concerning this Property:

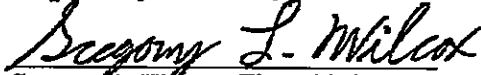
- The Property is in dangerous condition and in violation of R.C. 3737.41(A).
- The Property is in dangerous condition and in violation of R.C. 3737.41(B).
- The Property is in dangerous condition and in violation of R.C. 3737.41(C).
- The Property has the following unsafe conditions in violation of Ohio Fire Code, (J) Section 110, for the following reasons:
 - Vacant structure(s) not secured against unauthorized entry (Section 110.1.1)
 - Inadequate means of egress (Section 110.1.1)
 - Dangerous to human life or the public welfare (Section 110.1.1)
 - Illegal or improper occupancy or inadequate maintenance (Section 110.1.1)
 - Fire hazard (Section 110.1.1)
 - Structural hazards (Section 110.1.2)
- No safety violations were noted

As of the date of the above-described safety inspection, the structure(s) situated on the Property appeared to be occupied unoccupied.

Property Inspected By:

- Gregory L. Wilcox CFSI
 Susan M. Halter CFSI
 Tyler M. Pratt CFSI

Respectfully submitted,



Gregory L. Wilcox, Fire Chief
1 Business Park Drive
Dayton, Ohio 45417
(937) 262-3580

Ohio Revised Code Section 3737.41

(A) If the fire marshal, an assistant fire marshal, or any certified fire safety inspector, upon an examination or inspection, finds a building or other structure, which for want of proper repair, by reason of age and dilapidated condition, defective or poorly installed electrical wiring and equipment, defective chimneys, gas connections, or heating apparatus, or for any other reason, is especially liable to fire or endangers life or other buildings or property, such officer shall issue a citation and order such building or structure to be repaired, torn down, demolished, or materials removed, and all dangerous conditions remedied.

(B) If such officer finds in a building or upon any premises any combustible or explosive material, rubbish, rags, waste, oils, gasoline, or inflammable conditions of any kind, which are especially dangerous to the safety of persons or such building, premises, or property, he shall issue a citation and order such materials removed or conditions remedied.

(C) If such officer finds that any building, structure, tank, container, or vehicle used for the storage, handling, or transportation of flammable or combustible liquids, or of liquefied petroleum gas, or the pumps, piping, valves, wiring, and materials used in connection therewith, are especially dangerous to the safety of persons or such building, structure, tank, container, or vehicle, he shall issue a citation and order such condition remedied.

**Ohio Fire Code
(J) Section 110
Unsafe Buildings**

(1) **110.1 General.** If during the inspection of a premises, the fire code official finds a building or structure or any building system, in whole or in part, constitutes a dangerous condition described in paragraphs (A)(B) or (C) of section 3737.41 of the Revised Code, the fire official shall issue a citation or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this rule and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

(a) **110.1.1 Unsafe conditions.** Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by paragraph (K)(311) of rule 1301:7-7--3 of the Administrative Code shall be deemed unsafe.

(i) If the fire code official finds an unsafe condition as described in this paragraph that is especially liable to fire or endangers life or other buildings or property, such fire code official shall issue a citation and order that the responsible person take all necessary remedial actions as required by section 3737.41 of the Revised Code.

(ii) If the fire code official finds an unsafe condition as described in this paragraph that violates specific provisions of this code, such fire code official shall take such enforcement actions as provided for in this rule including but not limited to, the issuance of a citation pursuant to section 3737.42 of the Revised Code.

(b) **110.1.2 Structural hazards.** When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with paragraph (J)(1)(110.1) of this rule.