

BOARD OF TRUSTEES
JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO
RESOLUTION NO. 26-074

A RESOLUTION BY THE BOARD OF TRUSTEES OF JEFFERSON TOWNSHIP, MONTGOMERY COUNTY, OHIO, PURSUANT TO OHIO REVISED CODE SECTION 505.86, ORDERING THE DEMOLITION AND REMOVAL OF THE INSECURE AND UNSAFE STRUCTURE(S) SITUATED AT 5170 DERBY ROAD, DAYTON, OHIO 45417, PARCEL ID NO. G27 01611 0143, WHICH PROPERTY IS TITLED IN THE NAME OF CENTRAL BAPTIST CHURCH.

The Board of Trustees of Jefferson Township, Montgomery County, Ohio, met in a regular meeting on April 15, 2026, at 12:00 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, the Jefferson Township Fire Chief, as a duly to authorized Fire Code Official for the Township, inspected the property located at 5170 Derby Road, Dayton, Ohio 45417 (the “Property”), Parcel ID No. G27 01611 0143, titled in the name of Central Baptist Church, and has determined that this Property is in violation of Ohio Fire Code, (J) Section 110.1.1 and 110.1.2 and in violation of Ohio Revised Code Section 3737.41, as evidenced by his inspection report attached hereto as Exhibit A and photographs attached hereto as Exhibit B; and

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WHEREAS, the Board declared its intention concerning the Property by Resolution No. 26-057 adopted the 7th day of April, 2026; and

WHEREAS, the property owner, lienholders of record, if any, and other interested parties as determined by the Township's legal counsel after title examination, were notified of the Board's intention to demolish and remove the structure(s) situated on the Property as required by law; and

WHEREAS, no owner of Property or other interested party has timely requested a hearing in response to the Notice of Intention to Demolish a Dangerous Structure issued by the Township, nor have the dangerous conditions at the Property been remediated; and

WHEREAS, the Board is memorializing its order concerning the Property via this formal Resolution; and

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

Section 1. The Property located at 5170 Derby Road, Dayton, Ohio 45417, Parcel No. G27 01611 0143, titled in the name of Central Baptist Church, has been declared insecure, unsafe, dangerous to life and health, and unfit for human habitation by a duly authorized Fire Code Official for Jefferson Township.

Section 2. The dangerous conditions at the Property have not been remediated by the Property owner, and the Property owner, lienholders, if any, and other interested parties have been provided with, as required by law, notice of the violations and an opportunity for a public hearing on the matter.

Section 3. No owner of the Property, lienholders, if any, or other interested parties have timely requested a hearing on the Board's declaration of its intent to demolish and remove the dangerous structure(s) situated on the Property.

Section 4. The Board hereby directs the Township Fiscal Officer and the Township Zoning Administrator, or the duly authorized agents or appointees of these Township Officials, to take all action necessary to have the dangerous structure(s) situated on the Property demolished and removed as soon as possible to protect the health, safety, and welfare of the citizens of the Township.

Section 5. Pursuant to Ohio Revised Code Section 505.86, the total costs incurred by the Township, or its duly authorized agents or appointees, in the demolition and removal of the structure(s) situated on the Property may be collected by one of the following methods:

1. The Board may have the fiscal officer of the Township certify the total costs, together with a proper description of the land, to the county auditor who shall place the costs on the tax duplicate. The costs shall be a lien upon the lands from and after the date of entry; or

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2. The Board may commence a civil action to recover the total costs incurred from the owner of the Property.

Section 6. It is hereby found and determined that all formal actions 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

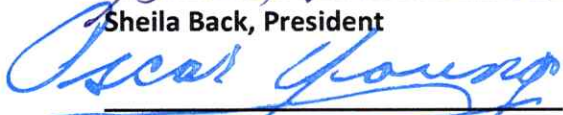
Absent

Adopted: 15th day of April 2026

Signed by:



Sheila Back, President



Oscar Young, Vice President

Vera Powell, Trustee



Attest to Trustees Signatures:

Charlene Chattams, Fiscal Officer



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: 5170 Derby Rd., Dayton, OH 45417
Parcel ID No(s): G27 01611 0143

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
(I) Section 110
Unsafe Buildings**

(I) **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 and order 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)(511) 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.



Exhibit B

5170 DERBY RD

