

RESOLUTION 2010-06

Date: July 7, 2010

A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES OF WOODVILLE TOWNSHIP TO UTILIZE THE PROCEDURE SET FORTH IN R.C. §3929.86(C) AND (D) RELATIVE TO RECEIVING PROCEEDS FROM POLICIES OF FIRE INSURANCE TO PAY FOR THE CLEAN UP OF FIRE DAMAGED STRUCTURES WHICH BECOME A NUISANCE.

WHEREAS, the Board of Trustees of Woodville Township, Sandusky County, Ohio (hereinafter "Board") met in regular session on the 7th day of July, 2010, with all of the Board present, to wit: Kenneth Green, William Hammer, and Robert Schroeder.

WHEREAS, the Board of Trustees of Woodville Township have been advised that R.C. §3929.86 authorizes a township board of trustees to provide for the removal, repair, or securing 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 Revised Code for the enforcement of building regulations in the township, or buildings or other structures that have been declared unfit for human habitation by the board of health of the general health district of which the township is a part; and

WHEREAS, the Board of Trustees of Woodville Township have also been informed that in the event the township fire department, county building department, or the Sandusky County Department of Public Health declares a site to be a nuisance, and a policy of fire insurance is in force that is applicable to said nuisance, the board of trustees may receive proceeds from said policy of fire insurance to reimburse it for its costs in abating the nuisance under R.C. §3929.86(C) and (D); and

WHEREAS, however, in order to utilize R.C. §3929.86(C) and (D), the Board of Trustees of Woodville Township must adopt a resolution authorizing it to utilize this section that designates the resolution be filed with the state Superintendent of Insurance; and

Mr. Green moved for the adoption of the following Resolution and Mr. Schroeder seconded the motion to adopt said Resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WOODVILLE TOWNSHIP, SANDUSKY COUNTY, STATE OF OHIO:

Section 1: That the Board of Trustees of Woodville Township hereby declares that it is necessary to authorize the use of the procedure described in R.C. §3929.86(C) and (D) requiring that certain fire loss claims not be paid without a certificate issued by the county treasurer to insure that the township is reimbursed for any and all expenditures relating to the abatement of a nuisance created by fire, where a policy of fire insurance is in full force and effect. Furthermore, the fire chief of each department serving Woodville Township is authorized to carry out the duties set forth in R.C. §3929.86, a copy of which is attached hereto and expressly incorporated by reference herein.

Section 2: In addition, the Fiscal Officer is hereby authorized and directed to file a certified copy of the within Resolution for public record with the state Superintendent of Insurance as required by R.C. §3929.86(C).

Section 3: It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board and that the deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including section §121.22 of the Ohio Revised Code.

Section 5: This resolution is shall take effect and be in full force and effect at the earliest date permitted by law.