

Dennis L. Albaugh
President

Philip S. Mote
Vice-President

James D. Richard
Trustee

Marjorie D. Coate
Fiscal Officer

BOARD OF TRUSTEES
UNION TOWNSHIP, MIAMI COUNTY, OHIO

RESOLUTION NO. 21-07

A Resolution For the Control and Abatement of Junk Motor Vehicles Within The Unincorporated Territory of Union Township, Miami County, Ohio

The Board of Trustees of Union Township, Miami County, Ohio met in a regular session on the 28th day of June, 2021 at the offices of the Board of Trustees of Union Township, Miami County, Ohio at 9497 Markley Road, Laura, Ohio with the following members present:

Dennis L. Albaugh
James D. Richard

Mr. James D. Richard moved with a second by Mr. Dennis L. Albaugh moved the adoption of the following resolution.

WHEREAS, the Union Township Board of Trustees, Miami County, Ohio (the "Board") desires to regulate the placement of Junk Motor Vehicles located within the unincorporated territory of Union Township, Miami County, Ohio pursuant to the authority granted to the Board under Ohio Revised Code section 505.173.

NOW, THEREFORE BE IT RESOLVED, that pursuant to the authority granted to the Board under Ohio Revised Code section 505.173:

Section 1. No person shall openly store, park, or have any Junk Motor Vehicle on private or public property within the unincorporated territory of Union Township, Miami County, Ohio, unless such Junk Motor Vehicle is stored, parked or contained within, or concealed by, buildings, fences, vegetation, terrain, or other suitable screening from public view.

Section 2. Whoever violates Section 1 of this Resolution is guilty of a minor misdemeanor. Each day that such violation continues shall constitute a separate offense. Any fines levied and collected under this Resolution and R.C. 505.173 shall be paid into the Union Township general revenue fund.

Section 3. Nothing contained in this Resolution is intended to limit the ability of the Board to institute and/or undertake other remedies provided by law including without limitation an action for injunction, mandamus, or abatement, or any other appropriate action or proceeding to prohibit the storage of junk motor vehicles in violation of this resolution or pertinent Ohio Revised Code sections.

Section 4. Nothing contained in this resolution is intended to limit the ability of the Board to pass other resolutions for the regulation of Junk Motor Vehicles pursuant to Ohio Revised Code section 505.173 or any other Ohio Revised Code section.

Section 5. This resolution does not apply to the operations of a scrap metal processing facility licensed under R.C. Sections 4737.05 to 4737.12; a motor vehicle salvage dealer, salvage motor vehicle auction, or salvage

Resolution 21-07

motor vehicle pool licensed under R.C. Chapter 4737; or a business providing towing or recovery services pursuant to R.C. sections 4513.60 to 4513.63.

Section 6. As used in this resolution, the term "Junk Motor Vehicle" means a licensed or unlicensed motor vehicle, including a "collector's vehicle" that meets all of the following criteria:

- A. Three model years old, or older; and
- B. Apparently inoperable; and
- C. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

ROLL CALL VOTE:

<u>NAME</u>	<u>VOTE</u>	<u>INITIALS</u>
DENNIS L. ALBAUGH	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ;	<u>DLA</u>
PHILIP S. MOTE	Yes <input type="checkbox"/> No <input type="checkbox"/> ;	<u> </u>
JAMES D. RICHARD	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> .	<u>JDR</u>

Dennis L. Albaugh
DENNIS L. ALBAUGH, President

Absent
PHILIP S. MOTE, Vice-President

James D. Richard
JAMES D. RICHARD, Trustee

Adopted on this 28th day of June, 2021

ATTEST: Marjorie D. Coate
MARJORIE D. COATE
Fiscal Officer, Union Township
Miami County, Ohio