

Resolution 2024-29

A RESOLUTION CERTIFYING TO THE COUNTY AUDITOR AN ASSESSMENT AND LIEN UPON 208 EAST ST. CLAIR STREET IN THE VILLAGE OF SWANTON FULTON COUNTY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Swanton has the right to abate nuisances should a property owner not abate such nuisance within the time stated in the notice given pursuant to law;

WHEREAS, Ohio law provides that the failure to pay the charges imposed shall constitute and result in a lien upon the property in question; and

WHEREAS, certain property owners have not paid the fee and, therefore, are to be assessed the fee on their property taxes.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF SWANTON, FULTON COUNTY OHIO, THAT:

Section 1. The amount set forth in the attached Exhibit A is hereby certified to the Auditor of Fulton County, Ohio, as a lien and assessment upon the property described therein, with such amount to be placed upon the tax rolls collected as in the case of other taxes and assessments.

Section 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Swanton and the State of Ohio.

Vote on Passage

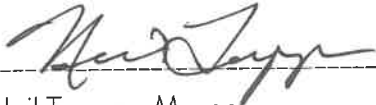
Moved:Kania

Second: Schmidt

YEAS: 4


NAYS: 0

Date of Passage: May 28, 2024:

  
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Neil Toeppe, Mayor

Attest:

I, Holden Benfield, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Resolution 2024-29, passed on May 28, 2024.

  
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Holden Benfield, Fiscal Officer

# INVOICE

## Village of Swanton

219 Chestnut Street  
Swanton, Ohio 43558  
Phone 419.826.9515 Fax 419.825.1827

INVOICE: 853  
DATE: DECEMBER 16, 2021

TO:  
Stacy Camacho  
302 E. St. Clair  
Swanton, Ohio 43558

FOR:  
208 E. St. Clair  
Sewer Tap

DESCRIPTION	AMOUNT
208 E. St. Clair- Sewer Tap	
Village Swanton- Excavator/Labor to install sewer tap	\$900.00
Paid- 11/23/21 (Cash payment)	-\$300.00
<b>TOTAL</b>	<b>\$600.00</b>

Make all checks payable to Village of Swanton  
Payment due upon receipt. Thank you!

Rec # 350294 Y19-paid 150.00  
Cash.  
BAL. 450.00

# INVOICE

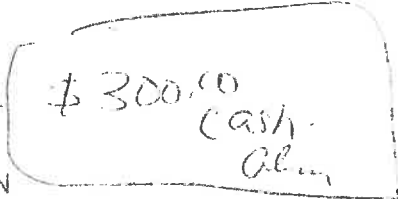
## Village of Swanton

219 Chestnut Street  
Swanton, Ohio 43558  
Phone 419.826.9515 Fax 419.825.1827

INVOICE: 853  
DATE: NOVEMBER 8, 2021

TO:  
Stacy Camacho  
302 E. St. Clair  
Swanton, Ohio 43558

FOR:  
208 E. St. Clair  
Sewer Tap

DESCRIPTION	AMOUNT
208 E. St. Clair- Sewer Tap Village Swanton- Excavator/Labor to install sewer tap  <b>PAID</b> VILLAGE OF SWANTON 	\$900.00
<b>TOTAL</b>	\$900.00

Make all checks payable to Village of Swanton  
Payment due December 15<sup>th</sup>, 2021

October 21, 2021

Stacy Camacho  
208 E. St. Clair  
Swanton, Ohio 43558

19 Chestnut Street  
Swanton, Ohio 43558  
: 419.826.9515  
: 419.825.1827  
www.villageofswantonohio.us

RE: Discharge of untreated wastes

Dear Ms. Camacho,

I hope this letter finds you well. I'm writing with respect to the property you own at 208 E. St. Clair. Recently, the Village of Swanton was requested to look into a possible discharge of waste from 208 E. St. Clair to 206 E. St. Clair. Per the Village of Swanton Codified Ordinances, § 51.018

"It shall be unlawful to discharge to any natural outlet within the village, or in any area under the jurisdiction of the village, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter."

Public Service Superintendent Neil Tedrow was on site and verified sanitary waste coming from said property. Proper connect to the sanitary sewer is required per the Codified Ordinances and all associated costs of said work are the responsibility of you as the property owner.

I kindly request, in writing, within 21 days of this letter's receipt, confirmation of both this letter and the requirement to rectify the situation within 45 days of this letter.

If you have any questions, please do not hesitate to contact me.

Yours truly,



Rosanna Hoelzle  
Village Administrator

Cc: file

Sent: via regular, certified mail, and email



MAYOR  
Neil Toeppe

COUNCIL MEMBERS

Kathy Kreuz  
Dave Pilliod  
Michael Rochelle  
Craig Rose  
Tony Stuart  
Dianne Westhoven

ADMINISTRATOR

Rosanna Hoelzle

FINANCE DIRECTOR

Jennifer Harkey

#### **§ 51.004 VIOLATIONS.**

(A) Any person found to be violating any provision of this chapter, except § 51.003, shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within a period of time stated in such notice, permanently cease all violations.

(B) If violations of any provision of this chapter shall be found, a written notice, stating the nature of the violation, shall be sent by first class mail to the person apparently guilty of the violation. This notice shall be deemed sufficient, in the event of violation, if sent to the address of that person as shown on water account records. The notice shall, in all cases, set forth a time limit during which all noted violations shall cease and be abated, and appropriate corrective action taken, and if the violator shall not thus comply, the provisions of the following division (C) below shall then apply.

(C) Any person violating any of the provisions of this chapter shall become liable to the village for any expense, loss or damage occasioned the village by reason of such violation, notwithstanding whether said person may have been prosecuted for a violation of the terms of this chapter.

(D) Any person violating state and/or federal regulations as a consequence of violating any provisions of this chapter shall be subject to penalties imposed by state and/or federal regulations, irrespective of the provisions of § 51.003.

(Ord. 78-4, passed 2-13-1978; Ord. 92-20, passed 9-28-1992) Penalty, see § 51.999

#### **§ 51.017 CONNECTION WITH SEWER REQUIRED.**

No person shall maintain or use or permit to be used upon any lot or land abutting upon or adjacent and accessible to a public sanitary sewer any water closet, urinal or sink not connected with such sewer in such manner as to properly discharge its contents into such sewer. No abandoned well shall be used as a sink or privy vault.

(Ord. 78-4, passed 2-13-1978; Ord. 92-20, passed 9-28-1992) Penalty, see § 51.999

#### **§ 51.018 DISCHARGE OF UNTREATED WASTES TO ANY NATURAL OUTLET.**

It shall be unlawful to discharge to any natural outlet within the village, or in any area under the jurisdiction of the village, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter.

(Ord. 78-4, passed 2-13-1978; Ord. 92-20, passed 9-28-1992) Penalty, see § 51.999

**§ 51.139 OWNER'S RESPONSIBILITY.**

(A) All costs and expenses incidental to the installation, connection and maintenance of a building sewer lateral shall be borne by the owner. The owner, and/or contractor shall indemnify the village from any loss, damage or costs that may directly or indirectly be occasioned by the installation and/or maintenance and operation of any building sewer.

(B) The owner's responsibility for repair is limited to the property street right-of-way. The owner remains liable for clean-outs to the sewer main. Repairs beyond the right-of-way, on public property, are the responsibility of the village.

(Ord. 78-4, passed 2-13-1978; Ord. 91-10, passed 7-15-1991; Ord. 92-20, passed 9-28-1992) Penalty, see § 51.999