

**ORDINANCE NO. 28 -2025**

**AUTHORIZING THE FISCAL OFFICER TO CERTIFY PROPERTY TAX ASSESSMENTS OR LIENS FOR WORK PERFORMED UNDER THE VILLAGE OF FAIRFAX MINIMUM PROPERTY MAINTENANCE CODE AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council ("Council") of the Village of Fairfax, Ohio ("Village") previously adopted the Village of Fairfax Minimum Property Maintenance Code and Standards (the "Property Maintenance Code") via Ordinance No. 40-1999, as subsequently amended, modified, and/or supplemented; and

**WHEREAS**, under Section 108.6(A)-(C) of the Property Maintenance Code, when the Code Official determines that a violation of Section 302.4 (Weeds) warrants issuance of a notice pursuant to Sections 106.1 and 106.2, "(A) the initial correction order included in such notice shall require correction of the violation in no more than seven (7) calendar days; (B) if any owner or responsible person fails to comply with the correction order issued by the Code Official, the Code Official may cause the Village to take remedial action without seeking approval of Council, and without prior appeal; and (C) such remedial action may include, but not be limited to, engaging a lawn or landscaping service to cut, mow, and/or trim the grass or other plant growth to a reasonable height under the circumstances, or having the Village perform such remedial action itself;" and

**WHEREAS**, under Section 108.6(D) of the Property Maintenance Code, after following the steps set forth in subsections (A)-(C) above, "the Village may recover the cost of such remedial action from the owner or other responsible person by tax lien on the affected property or by any other lawful method, including legal action, provided Council adopts an ordinance as provided in Section 108.4, either before or after such remedial action takes place;" and

**WHEREAS**, under Section 108.4, the Village must provide the applicable property owner or other responsible person with at least seven calendar days' notice of, "any vote of Council on an ordinance to seek recovery of costs for work performed;" and

**WHEREAS**, as detailed on Exhibit A hereto, the Village followed Section 108.6(A)-(C) to remedy violations of Section 302.4 at 6002 Eleanor Avenue, Fairfax, OH 45227, seeks to recover the costs thereof under Section 108.6(D), totaling \$427.34, and provided sufficient notice of a vote on this Ordinance under Section 108.4; and

**WHEREAS**, as detailed on Exhibit B hereto, the Village followed Section 108.6(A)-(C) to remedy violations of Section 302.4 and 305.1 at 5807 Elder Street, Fairfax, OH 45227, seeks to recover the costs thereof under Section 108.6(D), totaling \$1,143.30, and provided sufficient notice of a vote on this Ordinance under Section 108.4; and

**WHEREAS**, Council concurs in the recovery of such costs in the form of a tax lien or other appropriate assessment on the property taxes due for the respective properties;

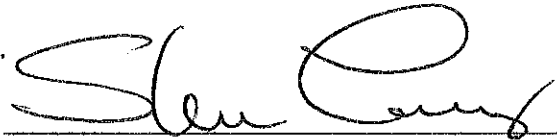
**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio, that:

**SECTION I:** The Fiscal Officer is hereby authorized and directed to take all steps with the Hamilton County, Ohio Auditor necessary to certify a tax lien or other appropriate assessment in favor of the Village on the taxes due for the property located at 6002 Eleanor Avenue, Fairfax, OH 45227, in the amount of \$427.34.

**SECTION II:** The Fiscal Officer is hereby authorized and directed to take all steps with the Hamilton County, Ohio Auditor necessary to certify a tax lien or other appropriate assessment in favor of the Village on the taxes due for the property located at 5807 Elder Street, Fairfax, OH 45227, in the amount of \$1,069.53.

**SECTION III:** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to fulfill the purposes for which this Council adopted the Property Maintenance Code, and to recover funds now due the Village for public resources expended in the enforcement of such code.

Passed this 17<sup>th</sup> day of November, 2025.



Mayor

ATTEST:



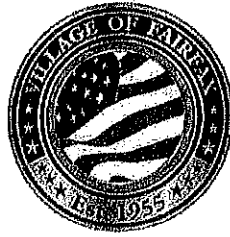
Fiscal Officer

**CERTIFICATE**

I hereby certify this to be a true and correct copy of Ordinance No.28-2025, passed at a meeting of the Council of the Village of Fairfax on this 17<sup>th</sup> day of November, 2025.



Fiscal Officer



November 5, 2025

Evald Enterprises  
5784 Bluestar Ct.  
Lakewood Ranch, FL 34211

Re: Property Tax Lien Notice – 6002 Eleanor Street, Village of Fairfax

To Whom it May Concern:

The Village of Fairfax council will be considering an ordinance at the November 17, 2025 council meeting to approve a filing with the Hamilton County Auditor's office to recoup the cost of the Village Maintenance Department cutting the grass at 6002 Eleanor. After repeated attempts by the Village Property Maintenance Officer to contact you, the Village Maintenance Department was ordered to cut the grass at this property.

I have attached a copy of the current Village of Fairfax ordinance/regulations that allows the Village to maintain a property to the health and safety of the general community.

You are invited to attend the meeting to address council before they consider the ordinance. The total cost of cutting the grass for the year 2025 is \$427.34. This amount will be filed with the Auditor's office as an assessment on your taxes assuming council votes to approve the ordinance.

Sincerely,

*Jennifer M Kaminer*  
Jennifer M Kaminer  
Administrator  
Village of Fairfax

<b>U.S. Postal Service™ CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ <u>10.50</u> Extra Services & Fees (check box, add fee as appropriate) <input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____ Postage \$ _____ Total Postage and Fees \$ _____	11/7/25 Postmark Here <u>043M30278252</u>
Sent To <u>Evald Enterprises</u> Street and Apt. No., or PO Box No. <u>5784 Bluestar Ct.</u> City, State, ZIP+4® <u>Lakewood Ranch, FL 34211</u>	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

5903 Hawthorne Ave. Fairfax, OH 45227

(513) 527-6503

(513) 271-4178 Fax

ADDRESS	DATE	LABOR	LABOR AMT	EQUIPMENT	EQUIPMENT AMT	TOTAL
6002 Eleanor	5/6/2025	2 FT Laborers @ 1 hr	\$ 78.52	1 Mower @ 1 hr	\$ 3.86	\$ 82.38
	5/15/2025	1 FT laborer @ 1 hr	\$ 39.26	1 Mower @ 1hr	\$ 3.86	\$ 43.12
	5/28/2025	1 FT Laborer @ 1hr	\$ 39.26	1 Mower @ 1hr	\$ 3.86	\$ 43.12
	6/11/2025	1 FT Laborer @ 1 hr	\$ 39.26	1 Mower @ 1hr	\$ 3.86	\$ 43.12
	6/25/2025	1 FT Laborer @ 1 hr	\$ 39.26	1 Mower @ 1 hr	\$ 3.86	\$ 43.12
	7/11/2025	1 FT Laborer @ 1 hr	\$ 39.26	1 Mower @ 1 hr	\$ 3.86	\$ 43.12
	7/24/2025	1 FT Laborer @ 1 hr	\$ 39.26	1 Mower @ 1 hr	\$ 3.86	\$ 43.12
	8/4/2025	1 FT Laborer @ 1 hr	\$ 39.26	1 Mower @ 1 hr	\$ 3.86	\$ 43.12
	9/25/2025	1 FT Laborer @ 1 hr	\$ 39.26	1 Mower @ 1 hr	\$ 3.86	\$ 43.12
<b>GRAND TOTAL FOR TAX LIEN</b>						<b>\$ 427.34</b>

**LABOR AND EQUIPMENT CALCULATIONS**

Labor	Amount/Hr	Medicare Employer	OPERS	Medical*	Less 15% Copy	TOTAL LABOR
Joe	\$ 39.40	\$ 0.57	\$ 5.51	\$ 4.32	(0.65)	\$ 49.15
FT Laborer	\$ 30.83	\$ 0.45	\$ 4.31	\$ 4.32	(0.65)	\$ 39.26
PT Laborer	\$ 20.15	\$ 0.29	\$ 2.82	n/a	n/a	\$ 23.26

**Equipment State EMA Equipment Schedules or Hourly Rental Schedules**

Walk Behind Mower	\$ 3.86
Blower	\$ 1.50
Trimmer	\$ 1.25
Backhoe	\$ 77.87
Chain Saw	\$ 1.71
Dump Truck	\$ 37.02

*Medical Benefits Calculation	Single Premium Monthly	Annual Cost	Hourly Cost
	\$ 748.83	\$ 8,985.96	\$ 4.32



November 5, 2025

Ashley McGraw  
5807 Elder Street  
Fairfax, OH 45227

Re: Property Tax Lien Notice – 5807 Elder Street, Village of Fairfax

To Whom it May Concern:

The Village of Fairfax council will be considering an ordinance at the November 17, 2025 council meeting to approve a filing with the Hamilton County Auditor's office to recoup the cost of the Village Maintenance Department cutting the grass, cutting back bushes and overgrowth and cleaning up rubbish and debris at 5807 Elder Street. After repeated attempts by the Village Property Maintenance Officer to contact you, the Village Maintenance Department was ordered to clean up this property.

I have attached a copy of the current Village of Fairfax ordinance/regulations that allows the Village to maintain a property for the health and safety of the general community.

You are invited to attend the meeting to address council before they consider the ordinance. The total cost of cleaning up the property for the year 2025 is \$1,069.53. This amount will be filed with the Auditor's office as an assessment on your taxes assuming council votes to approve the ordinance.

Sincerely,

Jennifer M Kammer  
Administrator  
Village of Fairfax

<b>U.S. Postal Service™ CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ <u>10.50</u>	11-7-25 Postmark Here <u>043M30278252</u>
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To <u>Ashley McGraw</u>	
Street and Apt. No., or PO Box No. <u>5807 Elder St.</u>	
City, State, ZIP+4® <u>Cincinnati OH 45227</u>	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

71 9599 6922 0225 0710 5270 2369 6558 71

5903 Hawthorne Ave. Fairfax, OH 45227

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5807 Elder	8/14/2025	1 FT Maint. Super @ 3 hrs	\$	49.15	x 3 hrs	\$	147.45	
		4 FT Maint. Laborers @ 3 hrs	\$	39.26	x 3 hrs x 4 men	\$	471.12	
		1 PT Maint. Laborer @ 3 hrs	\$	23.26	x 3 hrs	\$	69.78	
		Dump Fee	\$	60.00		\$	60.00	
		1 Backhoe @ 3 hrs	\$	77.87	x 3 hrs	\$	233.61	
		2 Chain Saws @ 3 hrs	\$	5.13	x 3 hrs x 2 chainsaws	\$	30.78	
		1 Dump Truck @ 3 hr	\$	37.02	x 3 hrs	\$	111.06	
		1 Blower @ 3 hrs	\$	1.50	x 3 hrs	\$	4.50	
		4 Trimmers @ 3 hrs	\$	1.25	x 3 hrs x 4 trimmers	\$	15.00	
<b>GRAND TOTAL</b>							<b>\$</b>	<b>1,143.30</b>
<b>FOR TAX LIEN</b>								

**LABOR AND EQUIPMENT CALCULATIONS**

<u>Labor</u>	<u>Amount/Hr</u>	<u>Medicare Employer</u>	<u>OPERS</u>	<u>Medical*</u>	<u>Less 15% Copay</u>	<u>TOTAL LABOR</u>
Joe	\$ 39.40	\$	0.57	\$ 5.51	\$ (0.65)	\$ 49.15
FT Laborer	\$ 30.83	\$	0.45	\$ 4.31	\$ (0.65)	\$ 39.26
PT Laborer	\$ 20.15	\$	0.29	2.82	n/a	\$ 23.26

Equipment State EMA Equipment Schedules or Hourly Rental Schedules

Walk Behind Mower	\$ 3.86
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Chain Saw	\$ 1.71
Dump Truck	\$ 37.02

<u>*Medical Benefits Calculation</u>	<u>Single Premium Monthly</u>	<u>Annual Cost</u>	<u>Hourly Cost</u>
	\$ 748.83	\$ 8,985.96	\$ 4.32

adjacent properties. Approved retention and detention basins shall be installed and maintained as required.

**302.3 Sidewalks and Driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in good repair, and maintained free from hazardous conditions, provided, however, that This Code does not apply to sidewalks and sidewalk areas subject to Ordinance No. 34-1997, as amended. Stairs shall comply with the requirements of Sections 303.10 and 702.9.

**302.4 Weeds.** All premises and exterior property areas shall be maintained free from plant growths in excess of 8 inches including natural plant growth of non-nursery cultivated plantings, growth which is not in character with the surrounding properties, and all grasses, including weeds.

**302.4.1 Growth Obstructing Roadway.** Plant growth may not obstruct or otherwise pose a safety hazard to any street, road, or other public thoroughfare. Plant growth shall be prima facie compliant with This Code if cut or grown to a height of not more than two and one half feet within ten feet of any street, road, or other public thoroughfare or within twenty five feet of any intersection thereof.

**302.5 Rodent Harborage.** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**302.6 Exhaust Vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property of that of another tenant.

**302.7 Accessory Structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. All such structures shall also be maintained as provided in Section 303.2 or otherwise in This Code.

**302.7.1** Gates which are required to be self closing and self latching in accordance with the Building Code shall be maintained such that the gate will positively close and latch when released from a still position of 6 inches (152mm) from the gatepost.

**302.8 Motor Vehicles and Trailers.**

A. For the purpose of this section, a junk vehicle is defined as any motor vehicle that is abandoned, unusable, dismantled, partly dismantled, or unlicensed.

B. For the purpose of this section, a junk trailer is defined as any apparatus ordinarily pulled by a motor vehicle and used to transport equipment, materials, and/or supplies, that is abandoned, unusable, dismantled, partly dismantled, or unlicensed.

**303.18 Guards for Basement Windows.** Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

### **SECTION 304 - INTERIOR STRUCTURE**

**304.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

**304.2 Structural Members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**304.3 Interior Surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

**304.4 Stairs and Railings.** All interior stairs and railings shall be maintained in sound condition and good repair.

**304.5 Stairs and Walking Surfaces.** Every stair, ramp, balcony, porch, deck or other walking surface shall comply with the provisions of Section 702.9.

**304.6 Handrails and Guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.7 Interior Doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

### **SECTION 305 - RUBBISH AND GARBAGE**

**305.1 Accumulation of Rubbish or Garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**305.2 Disposal of Rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.