

Resolution # 95-2018

WHEREAS, Ohio Revised Code Section 5543.14 authorizes a board of township trustees to trim or remove any and all trees, shrubs, and other vegetation growing in or encroaching onto the right-of-way of the township roads of its township, as is necessary in the board's judgment to facilitate the right of the public to improvement and maintenance of, an uninterrupted travel on, township roads; and

WHEREAS, Ohio Revised Code Section 5543.14 further provides that the board of township trustees is not required to compensate the abutting landowner for trimming or removing such trees, shrubs, and other vegetation as is necessary to facilitate these rights;

THEREFORE BE IT RESOLVED, that the Board of Trustees of Moorefield Township, Clark County, Ohio do hereby adopt the following regulations under authority of Section 5543.14 of the Revised Code of Ohio.

The Board of Township Trustees of Moorefield Township, Clark County, Ohio, do hereby ban the planting of any tree in any right of way adjacent to, or associated with, a township road.

For purposes of this resolution, a "tree" shall be defined as a woody plant with one or more perennial main stems or a trunk, which develops branches from the aerial section of the stem(s) or trunk rather than from the base.

Upon the Township's discovery of a tree planted within the right of way of a township road, the Township will make a good faith effort to contact the property owner, either by mail or personal contact in order to provide them with an opportunity to remove the tree no more than 30 days from that contact and restore the ground to substantially the same condition as it was in before the tree was planted. If the abutting landowner fails to remove the tree in a timely manner, the Township will remove and dispose of the tree by any means the Township road supervisor sees fit. No compensation will be provided to the abutting landowner for the removal of said tree.

Nothing in this Resolution precludes the Township from pursuing the removal of the tree through the process set forth in Ohio Revised Code Section 505.87, if that Section of the Code is applicable.

Date: _____

Moorefield Township Trustees

Daren Cotter, President

Joseph Mosier, Vice President

Jack McKee, Trustee