


<b>CITY OF TROTWOOD</b>  3050 Olive Road Trotwood, Ohio 45426 Ph: 937/854-7211		<b>INVOICE #:</b> PM 2021-01 <b>DATE:</b> May 21, 2021
<b>TO</b> Sadie Groover/Clinton Stokes 3833 Brumbaugh Blvd Dayton, OH 45416	<b>FOR</b> May 3-4, 2021 Clean up - tires/debris at 3833 Brumbaugh Blvd	

Description	Amount
Labor and equipment for 3833 Brumbaugh Blvd, Tires / Debris Clean-up	
City of Trotwood Public Works	\$1,439.11
City of Trotwood Police	\$1,066.41
Tap Trashout Professional Services	\$2,800.00
City of Trotwood Planning Director (6 hrs @\$75)	\$450.00
Subtotal	5,755.52
PAST DUE: PUBLIC WORKS INVOICE 2021-03 Dated March 22,2021	\$320.74
<b>Total</b>	<b>\$6,076.26</b>

**Make all checks payable to: The City of Trotwood and mail to the address at the top of the form.**

**Payment is due within 10 days**

**If you have any questions concerning this invoice, contact:**

**Planning & Development Office | 937/854-7211**

**THANK YOU FOR YOUR PROMPT ATTENTION TO THIS MATTER!**



## LEGAL NOTICE OF VIOLATION

April 14, 2021

Sadie M. Groover and Clinton S. Stokes  
3833 Brumbaugh Blvd.  
Dayton, Ohio 45416

***Re: Property located at 3833 Brumbaugh Blvd.  
Parcel ID No. H33301011 0076***

Ms. Groover and Mr. Stokes:

A recent inspection of your property located at 3833 Brumbaugh Boulevard in Trotwood, Ohio (hereinafter the "Property") revealed that you are in violation of Trotwood Codified Ordinances ("TCO") Section 521.08 ("Littering and Deposit of Garbage, Rubbish and Junk"). Photographs of the Property that were taken on March 30, 2021, copies of which are attached, evidence the violation.

A copy of TCO Section 521.08 is also attached for your review. Pursuant to TCO Section 521.08(f), "No person owning, or in possession or control of real property, shall deposit garbage, waste, debris or litter on the open land of such property or adjacent properties or permit the same to be deposited on such properties, whether public or private, unless the garbage, waste, debris or litter is contained in proper, approved waste containers."

Accordingly, as a Code Official for the City of Trotwood and based on the violation described herein, you are hereby notified that, pursuant to TCO Section 521.08(g), you are required to remove all garbage, waste, debris and litter from the Property **within three (3) days** of the delivery of this Notice of Violation. However, as a courtesy to you, the City is extending the deadline by which you must comply. **You now have seven (7) days from the date of delivery of this Notice to remove all garbage, waste, debris and litter from the Property.**

PHONE 937-837-7771  
FAX 937-854-0574

TROTWOOD.ORG

3035 Olive Road  
Trotwood, OH 45426

Pursuant to TCO Section 521.08(h), if you fail to timely correct the violation present at the Property by the removal of all garbage, waste, debris and litter, the City shall have the right to go onto the Property and remove all garbage, waste, debris and litter. In that event, the City will send you an invoice/notice of the reasonable and necessary expenses incurred by the City in cleaning up your Property, which invoice you are required to pay in full **within ten (10) days**.

You are hereby notified that the City will go onto your Property on or after **Tuesday, April 20, 2021** to remove all garbage, waste, debris and litter, if those items are still present at that time.

If you have questions regarding this Notice of Violation, you are urged to consult with an attorney.

Sincerely,



Lisa L. Colwell  
National Inspection Corporation  
Code Official for the City of Trotwood, Ohio

cc: Stephen M. McHugh, Law Director for the City of Trotwood  
Debbie McDonnell, Planning & Development Director for the City of Trotwood

FOR OFFICIAL USE ONLY			
A copy of this Legal Notice of Violation was served upon the owner(s) and/or occupant(s) by:	Personal Delivery:	Posting the Notice on the Premises (if the property is vacant and the current address of the owner is unknown):	Regular U.S. Mail (evidenced by a Certificate of Mailing):
	€ Yes    € No	€ Yes    € No	€ Yes    € No
	On: _____ (DD/MM/YYYY)	On: _____ (DD/MM/YYYY)	On: _____ (DD/MM/YYYY)





**521.08 LITTERING AND DEPOSIT OF GARBAGE, RUBBISH AND JUNK.**

(a) No person, regardless of intent, shall deposit litter or cause litter to be deposited on any public property, on private property not owned by the person, or in or on waters of the State, or Municipality, unless one of the following applies:

(1) The person is directed to do so by a public official as part of a litter collection drive;

(2) Except as provided in subsection (b) hereof, the person deposits the litter in a litter receptacle in a manner that prevents its being carried away by the elements;

(3) The person is issued a permit or license covering the litter pursuant to Ohio R. C. Chapter 3734 or 6111.

(b) No person, without privilege to do so, shall knowingly deposit litter, or cause it to be deposited, in a litter receptacle located on any public property or on any private property not owned by the person, unless one of the following applies:

(1) The litter was generated or located on the property on which the litter receptacle is located.

(2) The person is directed to do so by a public official as part of a litter collection drive.

(3) The person is directed to do so by a person whom the person reasonably believes to have the privilege to use the litter receptacle.

(4) The litter consists of any of the following:

A. The contents of a litter bag or container of a type and size customarily carried and used in a motor vehicle;

B. The contents of an ash tray of a type customarily installed or carried and used in a motor vehicle;

C. Beverage containers and food sacks, wrappings and containers of a type and in an amount that reasonably may be expected to be generated during routine commuting or business or recreational travel by a motor vehicle;

(c) (1) As used in subsection (b)(1) hereof, "public property" includes any private property open to the public for the conduct of business, the provision of a service, or upon the payment of a fee but does not include any private property to which the public otherwise does not have a right of access.

(2) As used in subsection (b)(4) hereof, "casual passerby" means a person who does not have depositing litter in a litter receptacle as the person's primary reason for traveling to or by the property on which the litter receptacle is located.

(d) As used in this section:

(1) "Litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass or anything else of an unsightly or unsanitary or hazardous nature.

(2) "Deposit" means to throw, drop, discard or place.

(3) "Litter receptacle" means a dumpster, trash can, trash bin, garbage can or similar container in which litter is deposited for removal.

(ORC 3767.32)

(e) No person shall cause or allow litter to be collected or remain in any place to the damage or prejudice of others or of the public, or unlawfully obstruct, impede, divert, corrupt or render unwholesome or impure, any natural watercourse.

(f) No person owning, or in possession or control of real property, shall deposit garbage, waste, debris or litter on the open land of such property or adjacent properties or permit the same to be deposited on such properties, whether public or private, unless the garbage, waste, debris or litter is contained in proper, approved waste containers.

(g) A person who owns or has possession or control of real property with garbage, waste, debris or litter on open lands in violation of this section shall, within three (3) days after written notification of the violation by the City, remove all garbage, waste, debris and litter from the premises. The notice required hereunder shall be deemed complete upon delivery of the notice of the violation by one of these methods:

(1) Hand delivery of the notice of violation to the owner, tenant, or other person in possession or control of the property;

(2) Sending notice of the violation to the property owner via regular U.S. mail to the property owner's last known address; or

(3) Posting the notice of the violation on the premises when the property is vacant and the current address of the owner is unknown.

(h) On the failure of any person to comply with the written notice of the violation from the City, the City shall, without prejudice to the operation of (i) below, have the right to go onto the property of such person and remove all garbage, waste, debris and litter which is the subject of the written notice of violation. In this event, the person in violation of this section shall pay to the City, within ten (10) days after receipt of notice of the amount due, the reasonable and necessary expenses incurred by the City to clean up the property.

(i) In addition to the costs specified in subsection (h) above, whoever violates any provision of this section, is guilty of a minor misdemeanor and shall be fined \$25.00 for each day that there is a violation, and each day's violation shall constitute a separate offense. The sentencing court may, in addition to or in lieu of the penalty provided in subsection (i) above, require a person who violates this section to remove litter from any public or private property, or in or on any waters. (ORC 3767.99(C); Ord. 24-19. Passed 9-3-19.)