

MARLOWE WITT
ATTORNEY AT LAW
203 W. MAIN STREET
NAPOLEON, OHIO 43545

AREA CODE 419 592-2006

February 10, 1977

Mr. Thomas W. Terranova
Napoleon Municipal Building
255 W. Riverview
Napoleon, Ohio 43545

Re: Thomas Colwell, Sr.

Dear Tom:

Enclosed find the complaint against Thomas Colwell, Sr. I don't have the address for the trailer and I presume that actually is his home address. That needs to be filled in. Then this should be signed before the Clerk of Municipal Court.

Very truly yours,



Marlowe Witt
Law Director

MW/wy

Enc.

RECEIVED

FEB 11 1977

CITY OF NAPOLEON
BUILDING DEPT

BY: 

NOTE: 12/30/76

DELIVERED COPY TO MISS COLWELL (T. COLWELL'S SR. DAUGHTER) AT TRAILER AND POSTED COPY AT MR. BUEHRER'S SHOP, RON SONNENBERG PRESENT, fwp

December 30, 1976

Mr. Howard Buehrer
708 Canal Street
Napoleon, Ohio 43545

and

Mr. Thomas Colwell, Sr.
P. O. Box 224
Liberty Center, Ohio 43532

Re: Recreation Trailer - Violating
Zoning Ordinance No. 1104

Dear Mr. Buehrer and Mr. Colwell:

An investigation of a complaint was made on the location and use of what is classified a recreational vehicle (trailer) located on the West side of the Howard Cartage building at 708 Canal Street, Napoleon, in the Northeast quarter of the Northeast quarter of Section 13, of Napoleon Township. I conducted an on-site inspection on December 23, 1976 and the following conditions are evident and is in violation of the Zoning Code of Napoleon, Ordinance No. 1104, Sections 85.36 and Section 85.42:

- 1) The said recreational vehicle (trailer) on said property does not have current license plates. Therefore, it is deemed to be dead storage and is prohibited in all zoning districts throughout the City of Napoleon.
- 2) Said recreational vehicle (trailer) is presently being used for living, sleeping and/or housekeeping purposes by Mr. Thomas Colwell, Sr. and/or other individuals and is prohibited in all zoning districts throughout the City of Napoleon.

Said mentioned violations are hereby declared to be a common nuisance and shall be remedied on or before January 30, 1977 in the following manner:

Mr. Howard Buehrer and
Mr. Thomas Colwell, Sr.
December 30, 1976
Page 2

- 1) Current Ohio license plates shall be installed on said mentioned recreational vehicle (trailer) or remove said R.V. trailer from the corporation limits of the City of Napoleon.
- 2) Mr. Thomas Colwell, Sr. and/or other individuals shall discontinue using said recreational vehicle (trailer) for living, sleeping and/or housekeeping purposes while parked and/or stored anywhere in the corporation limits of the City of Napoleon.

Any person (owner and/or tenant) failing to comply with this notice within the time aforesaid will be subject to the penalties set forth in Section 85.99, which could mean, upon conviction thereof, paying a fine of up to one thousand dollars (\$1,000.00).

Please be advised any person having any record title or legal interest in said property may appeal from this notice to the Napoleon Board of Zoning Appeals, provided the appeal is made in writing as provided in the Code, and filed with the Building Department within thirty (30) days from the date of service of this notice and that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

If you have any further questions regarding this matter, please do not hesitate to contact this office.

Yours very truly,

Thomas W. Terranova
Building Commissioner
Building Department

TWT/cm

cc: Mr. Oliver Bishop, City Manager
Mr. Marlowe Witt, Law Director
Mr. Terry Zellers, Henry County Health Dept.

C
O
P
Y

HENRY COUNTY

Department of Health

Court House

NAPOLEON, OHIO 43545

January 11, 1977

Mr. Howard Buehrer
708 Canal Street
Napoleon, Ohio 43545

Dear Mr. Buehrer:

Re: Mobile Home

An investigation of a complaint was made on the mobile home on the west side of the Howard Cartage building at 708 Canal Street, Napoleon, Ohio in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13 of Napoleon Township. I conducted an on site inspection on December 23, 1976 and found no evidence of any sanitary privy in operation, which is in violation of Section 2, 3, of Regulations for Installation, Operation, Inspection and Abandonment of Sewage Disposal Systems for 1, 2 and 3 family units in the Henry County General Health District.

This letter is to notify you that you have until January 31, 1977 to have the mobile home removed.

Any further communication on this matter will be with the Henry County Prosecutor's Office.

Yours truly,



Terry Zellers, Sanitarian

cc Thomas Teranova, Building Commissioner
Jay Hanna, Prosecutor
Oliver Bishop, City Manager

RECEIVED

JAN 13 1977

CITY OF NAPOLEON
BUILDING DEPT.

BY: 

COPY

HENRY COUNTY

Department of Health

Court House

NAPOLEON, OHIO
January 11, 1977

Mr. Thomas Colwell, Sr.
P. O. Box 224
Liberty Center, Ohio 43532

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Jay Hanna, Prosecutor
Oliver Bishop, City Manager

RECEIVED

JAN 13 1977

CITY OF NAPOLEON
BUILDING DEPT

BY: *Red*

MARLOWE WITT
ATTORNEY AT LAW
203 W. MAIN STREET
NAPOLEON, OHIO 43545

AREA CODE 419 592-2006

February 7, 1977

RECEIVED

Mr. Thomas W. Terranova
Building Commissioner
City of Napoleon, Ohio
255 W. Riverview
Napoleon, Ohio

FEB 7 1977
CITY OF NAPOLEON
BUILDING DEPT
BY: *[Signature]*

Dear Tom:

In regard to the complaint against Mr. Buehrer and Mr. Colwell which you wrote me about and which you told me about on January 31st. I reviewed this and there is a court complaint for violation which can be filed, and, of course, I will need to know if you wish to file the charge against Mr. Colwell or against Mr. Buehrer. I had expected to call you on this but since you wrote I thought I had better respond by letter. Perhaps you could call me at your convenience and we could discuss this over the phone.

Also in regard to the Model Uniform Housing Code for Abatement of Dangerous Buildings which you gave me, I have looked it over and they appear to be satisfactory in form. Any content therein, however, is a matter for decision of Council. I presume in the Codes you will adopt these to the particular individuals whom we now have employed in our city, for example, City Manager, Building Inspector, and names of that nature. If you wish more detailed analysis of these, it will take longer than a week and one half of time for that purpose considering the other work which has to be done.

If you have any further questions please feel free to contact me.

Very truly yours,

[Signature]
Marlowe Witt
Law Director

MW/wy

February 3, 1977

Mr. Marlowe Witt
City Law Director
203 West Main Street
Napoleon, Ohio 43545

Re: Action to Enjoin Zoning Violation

Dear Marlowe:

Enclosed is a copy of the notice sent to Mr. Howard Buehrer (owner) and Mr. Thomas Colwell, Sr., (tenant).

On January 31, 1977, Patrolman Charles Bender of N.P.D. and I observed that the said mentioned R.V. trailer was still occupied.

I respectfully request that you proceed with the necessary action or proceedings to bring this case before the court. Contact this office if you have need for any additional information.

I thank you now for your cooperation.

Very truly yours,

Thomas W. Terranova
Building Commissioner
Building Department

TWT/cm

Enclosure

cc: Oliver Bishop - City Manager

February 3, 1977

Mr. Marlowe Witt
City Law Director
203 West Main Street
Napoleon, Ohio 43545

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Thomas W. Terranova
Building Commissioner
Building Department



TWT/cm

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cc: Oliver Bishop - City Manager

December 30, 1976

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Napoleon, Ohio 43545

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P. O. Box 224
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Mr. Howard Buehrer and
Mr. Thomas Colwell, Sr.
December 30, 1976
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Yours very truly,

T.W.T.
Thomas W. Terranova
Building Commissioner
Building Department

TWT/om

cc: Mr. Oliver Bishop, City Manager
Mr. Marlowe Witt, Law Director
Mr. Terry Zellers, Henry County Health Dept.

Chief of Police
RICHARD N. RUDO&PH

Lt. I. H. Ohlrich
Lt. W. K. Shafer, Jr.
Lt. I. K. Flory



AREA CODE 419
Phone 599-2810

Chief Dispatcher
Wm. E. Browning

December 21, 1976

Mr. Thomas Terranova
City Building Inspector
255 W. Riverview Ave.
Napoleon, Ohio 43545

Dear Tom:

I would like to bring to your attention that there is a mobile home set up at Howards Cartage, on Canal St. in Napoleon. The mobile home is set up on the west side of the office building. This can be seen from the front, but is easier accessible from the rear of the building. This home is the same one that was previously set up on Rye St. by Clarence Ferguson. It is unknown to me if he still owns this or not. At the present time a Colwell family is living in it.

I have no idea Tom if this is in violation of the zoning code or not, but thought I would bring it to your attention.

If I can be of further assistance to you in this matter, please feel free to contact me.

CC: Napoleon Police files

RECEIVED

DEC 21 1976

CITY OF NAPOLÉON
BUILDING DEPT

BY: *Dup*

Respectfully,
John S. Conn
John S. Conn
Patrolman
Napoleon Police Dept.
Napoleon, Ohio 43545

MEMO

from **TOM TERRANOVA**

TO BLDG. DEPT. DATE 12/17/77 TIME _____

SUBJECT FOLLOW-UP INSPECTION

PATROLMAN CHARLES BENDER
ACCOMPANIED ME TO SITE;
MRS. GARY COLWELL ANSWERED
THE DOOR. SHE DID RECEIVE
LETTER, INDICATED WILL MOVE
OUT WHEN THEY RECEIVE
A CHECK, WHEN ASKED BY
ME WHEN WILL THAT BE,
SHE REPLIED "I DON'T KNOW".
I ALSO OBSERVED AT LEAST
THREE CHILDREN LIVING
IN THE TRAILER;

AWP

- INFORMED LAW DIRECTOR
START PROCESSING FOR
COURT PROCEEDINGS.

REPLY INITIAL AND RETURN SEE ME