

ORDINANCE NO. 18-19

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Beale ON THE 19th DAY OF August, 2019.

AN ORDINANCE APPROVING INDIVIDUAL ASSESSMENTS AMOUNTS AND DIRECTING THE FINANCE DIRECTOR OR HIS DESIGNEE TO CERTIFY THE AMOUNTS TO THE COUNTY AUDITOR FOR COLLECTION AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 6, Article XVIII of the Ohio Constitution the General Assembly has enacted general laws stating purposes for which municipalities may assess specially benefited property; and

WHEREAS, these laws include Ohio Revised Code (O.R.C.) sections 727.01, 727.011, 727.012, 727.013, 729.06, 729.11, 1710.01(h) and others, which authorize the City to levy and collect special assessments upon the abutting, adjacent, and contiguous, or other specially benefited, lots or lands in the municipal corporation, for among other things, any part of the cost connected with the improvement of any street, public road, place, boulevard, parkway, or park entrance or an easement of the municipal corporation; sidewalk construction; sewers; sewage disposal works and treatment plants, sewage pumping stations, water treatment plants, water pumping stations, reservoirs, and water storage tanks or standpipes, together with the facilities and appurtenances necessary and proper therefor; drains, storm-water retention basins, watercourses, water mains, or laying of water pipe; lighting; any part of the cost and expense of planting, maintaining, and removing shade trees thereupon; any part of the cost and expense of constructing, maintaining, repairing, cleaning, and enclosing ditches; and

WHEREAS, for certain approved assessments, the county auditor is to act at the direction, or on behalf, of a municipality with respect to collection of the assessments under O.R.C. 727.30 and O.R.C. 727.33; and

WHEREAS, the General Assembly has also enacted laws that require a county auditor to act at the direction, or on behalf, of a municipality with respect to collection of certain costs assessed to properties including but not limited to R.C 743.04, 715.261 and 731.51-54; and

WHEREAS, as a result of the foregoing, the City of Centerville has passed, and will in the future pass, laws to assess real property for all or part of the cost of a public improvement and/or certain permitted costs of abatement or collection, including but

not limited to Municipal Code of the City of Centerville, Section 660.14 (Weeds and Grass); Municipal Code of the City of Centerville, Section 1060.09, (Garbage and Rubbish Charges); Municipal Code of the City of Centerville, Section 1028.08, (Shrubbery or other Vegetation Cutting Costs); and such other ordinances or resolutions that may be passed from time to time pursuant to these codified laws; and

WHEREAS, in order to better track and account for authorized legal assessments and the amounts due to the City, Montgomery County has requested that assessments be individually set forth; and

WHEREAS, City Council has determined it is in the best interest of the citizens to pass this Ordinance setting forward the applicable properties and assessment amounts to be certified to the County for collection; and

WHEREAS, the assessments set forth in Exhibit "A" have been authorized by legislative action of the City Council of the City of Centerville and after providing legally required notice, are required by law to be assessed and collected by the County on behalf of the City;

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY ORDAINS:

Section 1. The properties set forth on the attached Exhibit "A", which is incorporated herein by this reference, are to be assessed in the amount also set forth on the applicable section of Exhibit "A" unless payment is made within the time frame set forth in the Assessment Payment Due Date set forth in Exhibit "A".

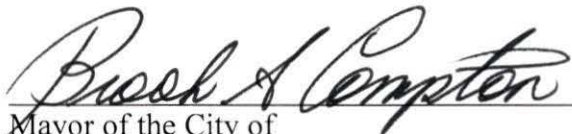
Section 2. In the event a payment for the amount or any portion of the amount set forth in Exhibit "A" is received by the City prior to the Assessment Payment Due Date set forth in Exhibit "A", which shall be included in the notice sent to such property owner, the Finance Director, or her designee is authorized to finalize such assessment through removal for full payment or revision (lowering) for partial payment from Exhibit "A" prior to certification to the County Auditor.

Section 3. The Finance Director or his designee is instructed to certify this Ordinance, including the final assessed properties in Exhibit "A" to the County Auditor for collection and the County Auditor is to collect the total amount of assessments set forth in Exhibit "A", with the auditor's fee included.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.


Section 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety of the City, and for the further reasons that finalizing and certifying assessment at the earliest time is necessary to timely establish a lien and protect the City's interest in payment of amounts owed to the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

PASSED THIS 19~~th~~ day of August, 2019.



Mayor of the City of
Centerville, Ohio


ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 18-19, passed by the Council of the City of Centerville, Ohio on the 19~~th~~ day of August, 2019.



Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman
Municipal Attorney

Exhibit "A"

<u>Parcel ID</u>	<u>Project Number</u>	<u>Project Desc</u>	<u>Address</u>	<u>Charge</u>	<u>Auditor Fee</u>	<u>Total</u>	<u>Tax Year</u>
O68 01118 0006	31850	Trash	2128 Belleville Ln	\$ 1,778.40	\$ 88.92	\$ 1,867.32	2019
O68 00714 0002	31850	Trash	828 New England Av	\$ 1,395.80	\$ 69.79	\$ 1,465.59	2019
O68 00107 0027	31850	Trash	9328 Paragon Mills Ln	\$ 1,231.20	\$ 61.56	\$ 1,292.76	2019
O68 00108 0013	31850	Trash	68 Weller Av	\$ 294.20	\$ 14.71	\$ 308.91	2019
O68 00108 0014	31850	Trash	74 Weller Av	\$ 1,261.40	\$ 63.07	\$ 1,324.47	2019
O68 00108 0023	31850	Trash	70 Lucas Dr	\$ 259.20	\$ 12.96	\$ 272.16	2019
O68 00109 0012	31850	Trash	175 Maple Av	\$ 1,180.60	\$ 59.03	\$ 1,239.63	2019
O68 00109 0020	31850	Trash	206 Maple Av	\$ 648.00	\$ 32.40	\$ 680.40	2019
O68 00113 0015	31850	Trash	183 E Elmwood Dr	\$ 1,296.00	\$ 64.80	\$ 1,360.80	2019
O68 00116 0004	31850	Trash	154 W Spring Valley Rd	\$ 1,418.41	\$ 70.92	\$ 1,489.33	2019
O68 00119 0002	31850	Trash	962 April Lynne Av	\$ 338.80	\$ 16.94	\$ 355.74	2019
O68 00121 0007	31850	Trash	7072 Far Hills Av	\$ 2,073.60	\$ 103.68	\$ 2,177.28	2019
O68 00121 0010	31850	Trash	38 Blackstone Dr	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00123 0004	31850	Trash	35 E Elmwood Dr	\$ 385.34	\$ 19.27	\$ 404.61	2019
O68 00125 0012	31850	Trash	178 Goldengate Dr	\$ 1,699.23	\$ 84.96	\$ 1,784.19	2019
O68 00125 0028	31850	Trash	180 Blackstone Dr	\$ 951.00	\$ 47.55	\$ 998.55	2019
O68 00126 0003	31850	Trash	521 Duberry Pl	\$ 1,634.40	\$ 81.72	\$ 1,716.12	2019
O68 00130 0004	31850	Trash	9190 Shawhan Dr	\$ 1,036.80	\$ 51.84	\$ 1,088.64	2019
O68 00130 0005	31850	Trash	9160 Shawhan Dr	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00130 0007	31850	Trash	9139 Mary Haynes Dr	\$ 142.56	\$ 7.13	\$ 149.69	2019
O68 00131 0003	31850	Trash	9295 Shawhan Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 00131 0005	31850	Trash	9296 Stephanie St	\$ 1,177.20	\$ 58.86	\$ 1,236.06	2019
O68 00131 0020	31850	Trash	9322 Shawhan Dr	\$ 259.20	\$ 12.96	\$ 272.16	2019
O68 00132 0023	31850	Trash	264 Ronne Ct	\$ 388.80	\$ 19.44	\$ 408.24	2019
O68 00134 0003	31850	Trash	148 Joy Elizabeth Dr	\$ 130.00	\$ 6.50	\$ 136.50	2019
O68 00140 0011	31850	Trash	235 S Main St	\$ 257.82	\$ 12.89	\$ 270.71	2019
O68 00141 0008	31850	Trash	224 Prague Ct	\$ 634.46	\$ 31.72	\$ 666.18	2019
O68 00144 0006	31850	Trash	100 Dale Ridge Dr	\$ 854.96	\$ 42.75	\$ 897.71	2019
O68 00147 0017	31850	Trash	104 Virginia Av	\$ 331.20	\$ 16.56	\$ 347.76	2019
O68 00149 0007	31850	Trash	205 Freyn Dr	\$ 1,063.60	\$ 53.18	\$ 1,116.78	2019
O68 00149 0010	31850	Trash	240 Gershwin Dr	\$ 1,036.80	\$ 51.84	\$ 1,088.64	2019
O68 00150 0024	31850	Trash	1103 Black Oak Dr	\$ 263.70	\$ 13.19	\$ 276.89	2019
O68 00152 0009	31850	Trash	75 Benzell Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 00152 0026	31850	Trash	44 Tuxworth Rd	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 00204 0001	31850	Trash	362 Kimbary Dr	\$ 979.96	\$ 49.00	\$ 1,028.96	2019
O68 00204 0006	31850	Trash	124 Benzell Dr	\$ 1,164.20	\$ 58.21	\$ 1,222.41	2019
O68 00204 0009	31850	Trash	135 Tuxworth Rd	\$ 566.36	\$ 28.32	\$ 594.68	2019
O68 00205 0012	31850	Trash	193 Martha Av	\$ 1,515.02	\$ 75.75	\$ 1,590.77	2019
O68 00206 0003	31850	Trash	104 Martha Av	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00209 0012	31850	Trash	195 Weller Av	\$ 1,296.00	\$ 64.80	\$ 1,360.80	2019
O68 00210 0002	31850	Trash	31 Gershwin Dr	\$ 536.83	\$ 26.84	\$ 563.67	2019
O68 00215 0009	31850	Trash	250 Boyce Rd	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 00215 0011	31850	Trash	230 Boyce Rd	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00217 0011	31850	Trash	223 Poinciana Dr	\$ 891.60	\$ 44.58	\$ 936.18	2019
O68 00306 0015	31850	Trash	85 Waterford Dr	\$ 1,690.33	\$ 84.52	\$ 1,774.85	2019
O68 00312 0011	31850	Trash	65 S Gracewood Dr	\$ 1,036.80	\$ 51.84	\$ 1,088.64	2019
O68 00313 0010	31850	Trash	335 Clareridge Ln	\$ 1,296.60	\$ 64.83	\$ 1,361.43	2019
O68 00314 0012	31850	Trash	455 Clareridge Ln	\$ 1,296.00	\$ 64.80	\$ 1,360.80	2019
O68 00319 0004	31850	Trash	6030 Cobbleskill Ct	\$ 375.20	\$ 18.76	\$ 393.96	2019
O68 00401 0009	31850	Trash	220 Whittington Dr	\$ 1,050.64	\$ 52.53	\$ 1,103.17	2019
O68 00407 0001	31850	Trash	105 Waterford Dr	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00407 0014	31850	Trash	55 Graywood Ct	\$ 386.06	\$ 19.30	\$ 405.36	2019
O68 00410 0020	31850	Trash	181 N Johanna Dr	\$ 518.40	\$ 25.92	\$ 544.32	2019
O68 00413 0009	31850	Trash	7860 Bigger Rd	\$ 461.12	\$ 23.06	\$ 484.18	2019
O68 00501 0005	31850	Trash	101 S Village Dr	\$ 259.20	\$ 12.96	\$ 272.16	2019
O68 00503 0003	31850	Trash	320 Glen Vista Ct	\$ 1,183.60	\$ 59.18	\$ 1,242.78	2019
O68 00508 0013	31850	Trash	1190 Durham Dr	\$ 1,684.80	\$ 84.24	\$ 1,769.04	2019

O68 00511 0001	31850 Trash	306 Zengel Dr	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00607 0006	31850 Trash	7555 Clys Rd	\$ 259.20	\$ 12.96	\$ 272.16	2019
O68 00709 0001	31850 Trash	7623 Clys Rd	\$ 1,296.00	\$ 64.80	\$ 1,360.80	2019
O68 00714 0005	31850 Trash	880 New England Av	\$ 1,515.55	\$ 75.78	\$ 1,591.33	2019
O68 00717 0005	31850 Trash	719 Kings Row Av	\$ 1,296.00	\$ 64.80	\$ 1,360.80	2019
O68 00801 0002	31850 Trash	949 New England Av	\$ 777.60	\$ 38.88	\$ 816.48	2019
O68 00802 0014	31850 Trash	5620 Royalwood Dr	\$ 1,315.80	\$ 65.79	\$ 1,381.59	2019
O68 00809 0006	31850 Trash	5329 Red Coach Rd	\$ 1,425.60	\$ 71.28	\$ 1,496.88	2019
O68 00814 0008	31850 Trash	1360 Carrilon Woods Dr	\$ 648.00	\$ 32.40	\$ 680.40	2019
O68 00815 0005	31850 Trash	1345 Fenway Ct	\$ 1,296.00	\$ 64.80	\$ 1,360.80	2019
O68 00815 0009	31850 Trash	1305 Fenway Ct	\$ 677.60	\$ 33.88	\$ 711.48	2019
O68 00817 0006	31850 Trash	5713 King Arthur Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 00818 0002	31850 Trash	1077 E Rahn Rd	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 00819 0009	31850 Trash	1112 Green Tree Dr	\$ 423.80	\$ 21.19	\$ 444.99	2019
O68 00901 0005	31850 Trash	11 Westerfield Dr	\$ 125.04	\$ 6.25	\$ 131.29	2019
O68 00906 0015	31850 Trash	6189 Laurelhurst Ln	\$ 683.15	\$ 34.16	\$ 717.31	2019
O68 00914 0017	31850 Trash	456 Blackstone Dr	\$ 248.52	\$ 12.43	\$ 260.95	2019
O68 00916 0007	31850 Trash	1210 Brainard Woods Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 01002 0010	31850 Trash	1532 Langdon Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 01009 0011	31850 Trash	1795 Valley Brook Pl	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 01102 0001	31850 Trash	7985 Brainard Woods Dr	\$ 648.80	\$ 32.44	\$ 681.24	2019
O68 01102 0020	31850 Trash	1330 Carrilon Woods Dr	\$ 165.60	\$ 8.28	\$ 173.88	2019
O68 01108 0003	31850 Trash	9525 Sheehan Rd	\$ 1,045.80	\$ 52.29	\$ 1,098.09	2019
O68 01112 0022	31850 Trash	7690 Rambler Dr	\$ 1,166.40	\$ 58.32	\$ 1,224.72	2019
O68 01204 0007	31850 Trash	1101 Black Oak Dr	\$ 648.00	\$ 32.40	\$ 680.40	2019
O68 01204 0010	31850 Trash	7784 Obryan Pl	\$ 392.88	\$ 19.64	\$ 412.52	2019
O68 01204 0010	31850 Trash	7782 Obryan Pl	\$ 522.90	\$ 26.15	\$ 549.05	2019
O68 01216 0004	31850 Trash	6473 Hollowview Trl	\$ 1,205.60	\$ 60.28	\$ 1,265.88	2019
O68 01217 0009	31850 Trash	1860 Ravine View Ct	\$ 516.24	\$ 25.81	\$ 542.05	2019
O68 01303 0003	31850 Trash	730 E Whipp Rd	\$ 165.60	\$ 8.28	\$ 173.88	2019
O68 01303 0005	31850 Trash	790 E Whipp Rd	\$ 194.40	\$ 9.72	\$ 204.12	2019
O68 01317 0004	31850 Trash	2290 Lakeview Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 01322 0016	31850 Trash	6614 Hollowview Trl	\$ 164.60	\$ 8.23	\$ 172.83	2019
O68 01406 0005	31850 Trash	9735 Pawnee Pass	\$ 1,116.08	\$ 55.80	\$ 1,171.88	2019
O68 01416 0001	31850 Trash	7858 Millerton Dr	\$ 1,691.56	\$ 84.58	\$ 1,776.14	2019
O68 01508 0002	31850 Trash	9920 Redbarn Trl	\$ 165.60	\$ 8.28	\$ 173.88	2019
O68 01523 0001	31850 Trash	6699 Sandyhill Dr	\$ 936.40	\$ 46.82	\$ 983.22	2019
O68 01604 0016	31850 Trash	503 Country Squire Ct	\$ 129.60	\$ 6.48	\$ 136.08	2019
O68 01614 0010	31850 Trash	406 Shawee Tr	\$ 429.96	\$ 21.50	\$ 451.46	2019
O68 01705 0001	31850 Trash	2070 Centerville Sta Rd	\$ 906.72	\$ 45.34	\$ 952.06	2019
O68 01711 0003	31850 Trash	8035 Parkeast Ct	\$ 812.60	\$ 40.63	\$ 853.23	2019
O68 01713 0002	31850 Trash	5665 Stone Lake Dr	\$ 777.60	\$ 38.88	\$ 816.48	2019
O68 01807 0006	31850 Trash	1618 Heritage Lake Dr	\$ 259.20	\$ 12.96	\$ 272.16	2019
O68 01914 0012	31850 Trash	1679 Olde Haley Dr	\$ 129.12	\$ 6.46	\$ 135.58	2019
O68 01915 0007	31850 Trash	1743 Olde Haley Dr	\$ 129.60	\$ 6.48	\$ 136.08	2019
Total Trash			\$ 79,769.72	\$ 3,988.49	\$ 83,758.21	