

NOTICE OF ADOPTION

I, Teri Davis, do hereby certify:

1. That I am the Clerk of Council of the Council of the City of Centerville, Ohio;
and
2. That on the 15th day of August, 2022,
Ordinance No. 16-22 was adopted by the Centerville City Council; and
3. That a certified copy of Ordinance No. 16-22 was published in the
posting locations prescribed by the City of Centerville Council.



Clerk of Council

ORDINANCE NO. 16-22
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER JoAnne Rau ON THE 15th DAY OF August, 2022.

AN ORDINANCE APPROVING INDIVIDUAL ASSESSMENTS AMOUNTS AND DIRECTING THE DIRECTOR OF FINANCE 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 Director of Finance or his designee is instructed to certified 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 not 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 15th day of August, 2022.



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. 16-22, passed by the Council of the City of Centerville, Ohio on the 15th day of August, 2022.



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>Tax Year</u>
O68 00102 0071	31850	Trash	113 Sheldon Dr	\$ 259.20	2022
O68 00102 0082	31850	Trash	153 Sheldon Dr	\$ 300.24	2022
O68 00103 0063	31850	Trash	35 E Franklin St	\$ 216.00	2022
O68 00105 0059	31850	Trash	49 S Main St A	\$ 259.20	2022
O68 00106 0025	31850	Trash	33 Weidner Ln	\$ 259.20	2022
O68 00107 0027	31850	Trash	65 Weller Ave	\$ 248.40	2022
O68 00108 0013	31850	Trash	68 Weller Ave	\$ 259.20	2022
O68 00108 0014	31850	Trash	74 Weller Ave	\$ 236.40	2022
O68 00113 0015	31850	Trash	183 E Elmwood Dr	\$ 236.40	2022
O68 00114 0002	31850	Trash	259 Cherry Dr	\$ 259.20	2022
O68 00116 0004	31850	Trash	154 W Spring Valley Rd	\$ 259.20	2022
O68 00121 0007	31850	Trash	7072 Far Hills Ave	\$ 257.60	2022
O68 00121 0010	31850	Trash	38 Blackstone Dr	\$ 259.20	2022
O68 00125 0015	31850	Trash	148 Goldengate Dr	\$ 259.20	2022
O68 00126 0003	31850	Trash	521 Duberry Pl	\$ 248.40	2022
O68 00126 0016	31850	Trash	471 Willowhurst St	\$ 259.20	2022
O68 00131 0020	31850	Trash	9322 Shawhan Dr	\$ 259.20	2022
O68 00132 0007	31850	Trash	280 Devay Ave	\$ 259.20	2022
O68 00142 0004	31850	Trash	105 Dale Ridge Dr	\$ 290.40	2022
O68 00144 0006	31850	Trash	100 Dale Ridge Dr	\$ 259.20	2022
O68 00149 0010	31850	Trash	240 Gershwin Dr	\$ 259.20	2022
O68 00153 0023	31850	Trash	132 East Dr	\$ 259.20	2022
O68 00205 0012	31850	Trash	193 Martha Ave	\$ 259.20	2022
O68 00206 0003	31850	Trash	104 Martha Ave	\$ 259.20	2022
O68 00209 0012	31850	Trash	195 Weller Ave	\$ 259.20	2022
O68 00215 0011	31850	Trash	230 Boyce Rd	\$ 259.20	2022
O68 00217 0022	31850	Trash	262 Laurel Oak Dr	\$ 248.40	2022
O68 00305 0003	31850	Trash	7974 Bigger Rd	\$ 236.40	2022
O68 00310 0005	31850	Trash	214 Mimosa Dr	\$ 226.80	2022
O68 00314 0012	31850	Trash	455 Clareridge Ln	\$ 259.20	2022
O68 00407 0001	31850	Trash	105 Waterford Dr	\$ 259.20	2022
O68 00511 0001	31850	Trash	306 Zengel Dr	\$ 259.20	2022
O68 00610 0005	31850	Trash	5250 Marshall Rd	\$ 259.20	2022
O68 00617 0020	31850	Trash	5230 Glenmina Dr	\$ 243.84	2022
O68 00702 0009	31850	Trash	5213 Haxton Dr	\$ 236.40	2022
O68 00709 0001	31850	Trash	7621 Clys Rd	\$ 259.20	2022
O68 00714 0002	31850	Trash	828 New England Ave	\$ 259.20	2022
O68 00714 0005	31850	Trash	880 New England Ave	\$ 259.20	2022
O68 00803 0006	31850	Trash	724 Torreyson Ave	\$ 259.20	2022
O68 00809 0006	31850	Trash	5329 Red Coach Rd	\$ 259.20	2022
O68 00818 0002	31850	Trash	1077 E Rahn Rd	\$ 259.20	2022
O68 00819 0009	31850	Trash	1112 Green Tree Dr	\$ 247.20	2022
O68 00911 0025	31850	Trash	6140 Park Ridge Dr	\$ 216.00	2022
O68 00914 0004	31850	Trash	521 Cedarleaf Dr	\$ 259.20	2022

O68 01102 0001	31850 Trash	7985 Brainard Woods Dr	\$ 259.20	2022
O68 01202 0005	31850 Trash	1385 Black Oak Dr	\$ 259.20	2022
O68 01210 0002	31850 Trash	7680 John Elwood Dr	\$ 259.20	2022
O68 01216 0004	31850 Trash	6473 Hollowview Trl	\$ 248.40	2022
O68 01306 0009	31850 Trash	8137 Lytle Trails Rd	\$ 290.40	2022
O68 01316 0004	31850 Trash	5111 Foxmoor Cir	\$ 270.00	2022
O68 01322 0016	31850 Trash	6614 Hollowview Trl	\$ 259.20	2022
O68 01406 0005	31850 Trash	9735 Pawnee Pass	\$ 236.40	2022
O68 01502 0004	31850 Trash	9910 Redbarn Trl	\$ 248.40	2022
O68 01519 0003	31850 Trash	2565 Briggs Rd	\$ 259.20	2022
O68 01520 0013	31850 Trash	6649 Leeds Cir	\$ 259.20	2022
O68 01523 0001	31850 Trash	6699 Sandyhill Dr	\$ 290.40	2022
O68 01606 0003	31850 Trash	1050 Hyde Park Dr	\$ 572.40	2022
O68 01713 0002	31850 Trash	5665 Stone Lake Dr	\$ 224.00	2022
O68 01730 0007	31850 Trash	9771 Cobblewood Ct	\$ 259.20	2022
O68 01915 0007	31850 Trash	1743 Olde Haley Dr	\$ 259.60	2022
O68 50720 0007	31850 Trash	15 Westerly Ln	\$ 259.20	2022
Total Trash			\$ 15,919.28	