

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 14th day of August, 2023,
Ordinance No. 10-23 was adopted by the Centerville City Council; and
3. That a certified copy of Ordinance No. 10-23 was published in the
posting locations prescribed by the City of Centerville Council.



Clerk of Council

ORDINANCE NO. 10-23
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Palcher ON THE 14th DAY
OF August, 2023.

**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 Exhibits “A” and “B” 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 Exhibits “A” and “B”, which are incorporated herein by this reference, are to be assessed in the amount also set forth on the applicable section of Exhibits “A” and “B” unless payment is made within the time frame set forth in the Assessment Payment Due Date set forth in Exhibits “A” and “B”.

Section 2. In the event a payment for the amount or any portion of the amount set forth in Exhibits “A” or “B” is received by the City prior to the Assessment Payment Due Date set forth in Exhibits “A” and “B”, 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 Exhibits “A” or “B” 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 Exhibits “A” and “B” to the County Auditor for collection and the County Auditor is to collect the total amount of assessments set forth in Exhibits “A” and “B”, 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 14th day of August, 2023.



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. 10-23, passed by the Council of the City of Centerville, Ohio on the 14th day of August, 2023.



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 00126 0003	31850	Trash	521 Duberry Pl	\$ 248.40	2023
O68 01009 0010	31850	Trash	1785 Valley Brook Pl	\$ 259.20	2023
O68 00101 0066	31850	Trash	50 Cemetery Dr	\$ 259.20	2023
O68 00101 0067	31850	Trash	40 Cemetery Dr	\$ 253.60	2023
O68 00102 0085	31850	Trash	126 Sheldon Dr	\$ 259.20	2023
O68 00103 0063	31850	Trash	35 E Franklin St	\$ 259.20	2023
O68 00104 0014	31850	Trash	136 E Ridgeway Dr	\$ 248.40	2023
O68 00105 0059	31850	Trash	49 S Main St A	\$ 280.80	2023
O68 00106 0025	31850	Trash	33 Weidner Ln	\$ 302.40	2023
O68 00107 0027	31850	Trash	65 Weller Ave	\$ 259.20	2023
O68 00107 0028	31850	Trash	77 Weller Ave	\$ 280.80	2023
O68 00108 0013	31850	Trash	68 Weller Ave	\$ 302.40	2023
O68 00108 0014	31850	Trash	74 Weller Ave	\$ 259.20	2023
O68 00113 0015	31850	Trash	183 E Elmwood Dr	\$ 259.20	2023
O68 00116 0004	31850	Trash	154 W Spring Valley Rd	\$ 280.80	2023
O68 00125 0015	31850	Trash	148 Goldengate Dr	\$ 280.80	2023
O68 00125 0021	31850	Trash	191 Blackstone Dr	\$ 259.20	2023
O68 00126 0016	31850	Trash	471 Willowhurst St	\$ 280.80	2023
O68 00128 0017	31850	Trash	515 Clareridge Ln	\$ 234.00	2023
O68 00131 0020	31850	Trash	9322 Shawhan Dr	\$ 280.80	2023
O68 00142 0003	31850	Trash	95 Dale Ridge Dr	\$ 259.20	2023
O68 00144 0006	31850	Trash	100 Dale Ridge Dr	\$ 302.40	2023
O68 00148 0016	31850	Trash	95 Peach Grove Ave	\$ 216.00	2023
O68 00150 0008	31850	Trash	213 Gerber Ct	\$ 270.00	2023
O68 00204 0009	31850	Trash	135 Tuxworth Rd	\$ 259.20	2023
O68 00206 0003	31850	Trash	104 Martha Ave	\$ 280.80	2023
O68 00210 0002	31850	Trash	31 Gershwin Dr	\$ 239.00	2023
O68 00210 0005	31850	Trash	51 Gershwin Dr	\$ 248.40	2023
O68 00213 0017	31850	Trash	160 Bethel Rd	\$ 280.80	2023
O68 00215 0011	31850	Trash	230 Boyce Rd	\$ 280.80	2023
O68 00217 0022	31850	Trash	262 Laurel Oak Dr	\$ 248.40	2023
O68 00310 0005	31850	Trash	214 Mimosa Dr	\$ 280.80	2023
O68 00314 0012	31850	Trash	455 Clareridge Ln	\$ 302.40	2023
O68 00408 0009	31850	Trash	215 Waterford Dr	\$ 259.20	2023
O68 00508 0013	31850	Trash	1190 Durham Dr	\$ 259.20	2023
O68 00511 0001	31850	Trash	306 Zengel Dr	\$ 302.40	2023
O68 00610 0005	31850	Trash	5250 Marshall Rd	\$ 280.80	2023
O68 00617 0020	31850	Trash	5230 Glenmina Dr	\$ 259.20	2023
O68 00709 0001	31850	Trash	7623 Clys Rd	\$ 280.80	2023
O68 00713 0003	31850	Trash	5360 Marshall Rd	\$ 216.00	2023
O68 00714 0005	31850	Trash	880 New England Ave	\$ 302.40	2023
O68 00808 0001	31850	Trash	1014 Regent Park Dr	\$ 224.64	2023
O68 00809 0006	31850	Trash	5329 Red Coach Rd	\$ 280.80	2023
O68 00819 0009	31850	Trash	1112 Green Tree Rd	\$ 259.20	2023

O68 00906 0005	31850 Trash	6321 Millbank Dr	\$ 259.20	2023
O68 00911 0027	31850 Trash	6120 Park Ridge Dr	\$ 216.00	2023
O68 01204 0007	31850 Trash	1103 Black Oak Dr	\$ 223.20	2023
O68 01210 0002	31850 Trash	7680 John Elwood Dr	\$ 302.40	2023
O68 01216 0004	31850 Trash	6473 Hollowview Trl	\$ 248.40	2023
O68 01217 0009	31850 Trash	1860 Ravine View Ct	\$ 223.64	2023
O68 01316 0007	31850 Trash	1022 Princewood Ave	\$ 280.80	2023
O68 01502 0004	31850 Trash	9910 Redbarn Trl	\$ 248.40	2023
O68 01506 0019	31850 Trash	7150 Wilderness Way	\$ 290.40	2023
O68 01608 0009	31850 Trash	9912 Shawnee Trl	\$ 259.20	2023
O68 01610 0001	31850 Trash	8201 Rhine Way	\$ 259.20	2023
O68 01713 0019	31850 Trash	5779 Stone lake Dr	\$ 249.00	2023
Total Trash			\$ 14,800.28	

Exhibit "B"

<u>Parcel ID</u>	<u>Project Number</u>	<u>Project Desc</u>	<u>Address</u>	<u>Charge</u>	<u>Tax Year</u>
O68 00607 0063	31500	Mowing	Alexandersville Bellbrook Road	\$ 2,160.00	2023
O68 01217 0009	31500	Mowing	1860 Ravine View Court	\$ 310.00	2023
O68 00153 0015	31500	Mowing	161 East Drive	\$ 250.00	2023
Total Mowing				\$ 2,720.00	