

# CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 08 - 20 – 17

## AN ORDINANCE ADOPTING ESTIMATED ASSESSMENTS AND CERTIFYING UNPAID CHARGES FOR 2020/2021 CURB AND GUTTER REPAIR/REPLACEMENT WORK TO THE MONTGOMERY COUNTY AUDITOR FOR COLLECTION WITH REAL ESTATE TAXES (FIVE ANNUAL INSTALLMENTS) AND DECLARING AN EMERGENCY

**WHEREAS**, the City Staff has heretofore studied the need to repair and/or remove and replace curbs and gutters within the areas identified on **Exhibit A** appended to the previously adopted Resolution of Necessity No. R-03-19-24 enacted on March 21, 2019; and

**WHEREAS**, the aforementioned Resolution of Necessity provided that in the event said curbs and gutters are not repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners and prior to May 13, 2019 in accordance with the plans and specifications filed with the Clerk of Council, the municipal corporation will cause such repair and/or removal and replacement to occur and assess the cost thereof against the lots and lands abutting thereon; and

**WHEREAS**, consistent with the aforementioned Resolution of Necessity, the City has caused certain curbs and gutters to be repaired and/or removed and replaced and a List of Estimated Assessments relative to same was provided to the subject property owners via publication per CCO 904.04(e) and issued to Council on July 31, 2020; and

**WHEREAS**, the Clerk of Council has delivered to Council all objections to the Estimated Assessments received to date, if any, and Council has reviewed same and desires to adopt the present Ordinance in order to levy upon the lots and lands enumerated in the List of Estimated Assessments the amounts set forth on such List of Estimated Assessments and attached hereto as **Exhibit A**.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**

1. That Council hereby approves and adopts the attached List of Estimated Assessments and levies same and the Finance Director is hereby authorized and directed to certify to the Auditor of Montgomery County, Ohio, the attached List of Estimated Assessments for 2020/2021 curbs and gutters repair/replacement assessments within the City of Clayton, Ohio by the City of Clayton, Ohio. The List, which is attached hereto as **Exhibit A** and incorporated by reference herein, identifies the properties to be assessed by Parcel I.D. and specifies the unpaid charges for said work. The City requests that these charges be made a lien against the respective properties in accordance with Ohio Revised Code 729.01, et. seq.

2. ***That the attached Assessments NOT in excess of \$2,500.00 shall be payable in annual installments not exceeding five.***
3. That Assessments may be payable in cash until August 30, 2020.
4. That no later than Monday, September 14, 2020, the Clerk is directed to forward a certified copy of this Ordinance to the Montgomery County Auditor.
5. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
6. That in accordance with Clayton Charter Section 4.031(B) the requirement that this enactment be read on two (2) separate days is dispensed with by affirmative vote of at least five (5) of the members of Council.
7. That unless the assessments are immediately passed and submitted to the Auditor of Montgomery County the public peace, health, safety and welfare will be detrimentally affected because the assessments would not appear on the next tax duplicate and passage as an emergency will enable the City to timely assert its lien rights prior to properties being sold and/or transferred. Accordingly, pursuant to Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

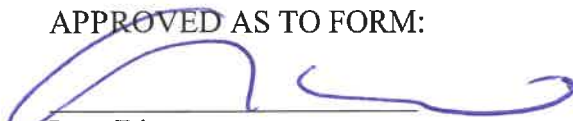
ADOPTED BY COUNCIL ON AUGUST 20, 2020.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor (Presiding Officer of Council)

  
\_\_\_\_\_  
Clerk of Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Law Director

CERTIFICATION

This shall certify that this is a true and correct copy of Ordinance No. O-08-20-17 enacted by Council on August 20, 2020 recorded in the permanent minutes and records of the City of Clayton, Ohio, and which remains in full force and effect as of the date of this certification.

  
Clerk of Council

Dated: Aug. 20, 2020

CERTIFICATION OF PUBLICATION


This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Brookville Star

Date of publication

Aug. 20, 2020

  
CLERK

## 2020 City of Clayton Curb Assessments - 5 Years

Project Number	Parcel ID	Amount	Tax Year
	M60 03210 0228	58.46	2020
	M60 03210 0228	58.46	2021
	M60 03210 0228	58.46	2022
	M60 03210 0228	58.46	2023
	M60 03210 0228	58.46	2024
	M60 25302 0005	73.08	2020
	M60 25302 0005	73.08	2021
	M60 25302 0005	73.08	2022
	M60 25302 0005	73.08	2023
	M60 25302 0005	73.08	2024
	M60 25303 0003	73.08	2020
	M60 25303 0003	73.08	2021
	M60 25303 0003	73.08	2022
	M60 25303 0003	73.08	2023
	M60 25303 0003	73.08	2024
	M60 03209 0065	95.00	2020
	M60 03209 0065	95.00	2021
	M60 03209 0065	95.00	2022
	M60 03209 0065	95.00	2023
	M60 03209 0065	95.00	2024
	M60 03210 0170	102.31	2020
	M60 03210 0170	102.31	2021
	M60 03210 0170	102.31	2022
	M60 03210 0170	102.31	2023
	M60 03210 0170	102.31	2024
	M60 25302 0010	109.62	2020
	M60 25302 0010	109.62	2021
	M60 25302 0010	109.62	2022
	M60 25302 0010	109.62	2023
	M60 25302 0010	109.62	2024
	M60 25303 0011	124.24	2020
	M60 25303 0011	124.24	2021
	M60 25303 0011	124.24	2022
	M60 25303 0011	124.24	2023
	M60 25303 0011	124.24	2024
	M60 16431 0005	138.85	2020
	M60 16431 0005	138.85	2021
	M60 16431 0005	138.85	2022
	M60 16431 0005	138.85	2023
	M60 16431 0005	138.85	2024
	M60 16432 0025	138.85	2020

M60 16432 0025	138.85	2021
M60 16432 0025	138.85	2022
M60 16432 0025	138.85	2023
M60 16432 0025	138.85	2024
M60 25302 0004	146.16	2020
M60 25302 0004	146.16	2021
M60 25302 0004	146.16	2022
M60 25302 0004	146.16	2023
M60 25302 0004	146.16	2024
M60 25303 0021	146.16	2020
M60 25303 0021	146.16	2021
M60 25303 0021	146.16	2022
M60 25303 0021	146.16	2023
M60 25303 0021	146.16	2024
M60 03210 0153	153.47	2020
M60 03210 0153	153.47	2021
M60 03210 0153	153.47	2022
M60 03210 0153	153.47	2023
M60 03210 0153	153.47	2024
M60 16432 0027	153.47	2020
M60 16432 0027	153.47	2021
M60 16432 0027	153.47	2022
M60 16432 0027	153.47	2023
M60 16432 0027	153.47	2024
M60 03210 0225	168.08	2020
M60 03210 0225	168.08	2021
M60 03210 0225	168.08	2022
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M60 03210 0225	168.08	2024
M60 25311 0008	190.00	2020
M60 25311 0008	190.00	2021
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M60 25303 0013	204.62	2024
M60 25302 0015	204.92	2020
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M60 25302 0015	204.92	2023
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M60 16432 0026	219.24	2020
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M60 25303 0007	219.24	2024
M60 25302 0009	233.87	2020
M60 25302 0009	233.87	2021
M60 25302 0009	233.87	2022
M60 25302 0009	233.87	2023
M60 25302 0009	233.87	2024
M60 16430 0022	277.70	2020
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M60 16430 0022	277.70	2022
M60 16430 0022	277.70	2023
M60 16430 0022	277.70	2024
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M60 25113 0008	278.21	2022
M60 25113 0008	278.21	2023
M60 25113 0008	278.21	2024
M60 16430 0024	292.32	2020
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