

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1989-10

Passed \_\_\_\_\_

July 5, 1989

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, REPAIR, AND REPLACEMENT OF SIDEWALKS AND CURBS IN THE MUNICIPALITY OF BROOKVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, this Council did on the 2nd of August, 1988, duly adopt Resolution No. 88-24, declaring the necessity of constructing, repairing, and replacing certain designated sidewalks and curbs; and

WHEREAS, the Municipality of Brookville has subsequently constructed, repaired and replaced that portion of such sidewalks and curbs which were not constructed, repaired, and replaced by the owners of the property abutting thereon; and

WHEREAS, a list of the estimated assessments of the total cost of said construction, repair, and replacement has been prepared and placed on file in the office of the Clerk of this Council; and

WHEREAS, no objections to said estimated assessments have been filed;

NOW, THEREFORE, be it ordained by the Council of the Municipality of Brookville, Ohio;

## SECTION I:

That the list of estimated assessments of the cost of constructing, repairing and replacing certain sidewalks in the Municipality of Brookville, Ohio, as provided for in said Resolution 88-24, heretofore reported to this Council and now on file in the office of the Clerk of this Council, and aggregating in the amount of \$17,927.90, be and the same hereby are adopted.

## SECTION II:

That the several amounts of said assessments, as aforesaid, be and the same hereby are assessed and levied upon the lots and land bounding and abutting upon said improvement, unless already paid.

## SECTION III:

That it is hereby determined that said assessments, as aforesaid, do not exceed the special benefits resulting from said improvement and do not exceed any statutory limitation.

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## SECTION IV:

That the Clerk of this Council be and he hereby is authorized and directed to continue on file in his office a list of said assessments and the description of said lots and land.

## SECTION V:

That the total assessment against each lot and parcel of land shall be payable in cash to the Director of said Municipality within thirty (30) days after the passage of this Ordinance, or, at the option of the property owner assessed, in five (5) annual installments with interest at ten percent (10%) per annum plus a collection fee to the County Auditor of five percent (5%). All assessments and installments thereof which have not been paid at the expiration of said thirty-day period shall be certified by the Clerk of this Council to the County Auditor to be placed by him on the tax duplicate and collected at the same time and in the same manner as other taxes are collected, as provided by law.

## SECTION VI:

That the Clerk of this Council be and he herby is authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the County Auditor within twenty (20) days following the passage of this ordinance.

## SECTION VII:

This Ordinance is hereby declared to be an emergency ordinance in order to provide proper bookkeeping and financial records as prescribed by law for the Municipality of Brookville, Ohio. This ordinance shall take effect and be in full force from and after the date has been passed according to the charter of the Municipality of Brookville, Ohio.

PASSED THIS 5th DAY OF July, 1989.

E. Eugene Roeser  
E. Eugene Roeser, Clerk

Michael A. Duncan  
Michael A. Duncan, Mayor

## CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1989-10 passed by the Council of said Municipality on the 5th day of July, 1989.

E. Eugene Roeser  
E. Eugene Roeser, Clerk

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## CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1989-10 was posted at the Municipal Building, U. S. Post Office and the Brookville National Bank, Brookville on the 14th day of July, 1989 to the 12th day of July, 1989, both days inclusive.



E. Eugene Roeser, Clerk