

RECORD OF ORDINANCES

Dayton Legal Blank Co. 10114

Ordinance No. 1983-04

Passed April 19, 1983

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

WHEREAS, this Council did, on the 6th day of April, 1982, duly adopt Resolution No. 82-13 declaring the necessity of constructing, repairing, and replacing certain designated sidewalks and curbs; and

WHEREAS, the Village 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 objection to said estimated assessments have been filed;

Now, therefore, be it ordained by the Council of the Village of Brookville, Ohio:

SECTION 1

That the list of estimated assessments of the cost of constructing, repairing, and replacing certain sidewalks in the Village of Brookville, Ohio, as provided for in said Resolution No. 82-13, heretofore reported to this Council and now on file in the office of the Clerk of this Council, and aggregating in amount \$28,462.77, be and the same hereby are adopted and confirmed.

SECTION 2

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

SECTION 3

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

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SECTION 4

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 lands.

SECTION 5

That the total assessment against each lot and parcel of land shall be payable in cash to the Director of Finance of said Village within thirty days after the passage of this ordinance, or, at the option of the property owner assessed, in five annual installments with interest at 13% per annum plus a collection fee to the County Auditor of 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 6

That the Clerk of this Council be and he hereby 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 days following the passage of this ordinance.

SECTION 7

This Ordinance shall be effective thirty (30) days after its passage by Council as provided in paragraph (B) of Section 4.07 of the Municipal Charter.

Passed this 19th day of April, 1983.

ATTEST:

E. Eugene Roeser
E. Eugene Roeser, Clerk

Robert N. Apgar
Robert N. Apgar, Mayor

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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. 1983-04 passed by Council of said Municipality on the 19th day of April, 1983.

E. Eugene Roeser
E. Eugene Roeser, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1983-04 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio, on the 21st day of April, 1983, to the 20th day of May, 1983, both days inclusive.

E. Eugene Roeser
E. Eugene Roeser, Clerk