

ORDINANCE NO. 17-3570

AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS ON PROPERTY FOR FIFTY PERCENT OF THE TOTAL COST OF REPLACING SIDEWALKS PURSUANT TO SECTIONS 95.80-.86 OF THE MUNICIPAL CODE OF ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, Silverton Village Council has established a new residential sidewalk program by the adoption of Ordinance 17-3538 adopted on January 19, 2017; and

WHEREAS, the sidewalk program created earlier this year allows the Village to inspect residential sidewalks, repair them, and assess 50% of the cost of the sidewalk replacement costs to the abutting property owner; and

WHEREAS, Silverton Village Council adopted Resolution 17-747 on February 2, 2017 declaring it necessary to repair certain sections of sidewalk on North Fordham, West Fordham, South, and Elm; and

WHEREAS, Silverton Village Council adopted Resolution 17-749 on February 16, 2017 declaring it necessary to repair certain sections of sidewalk on North Avenue; and

WHEREAS, the Silverton Village Council publicly bid the new sidewalk program and awarded the construction bid to the Fred A Nemann Company by adopting Resolution 17-756 on May 18, 2017; and

WHEREAS, the Silverton Village Council adopted revised sidewalk repair and assessment ordinances in Ordinance 17-3538, codified as Sections 95.80-.86; and

WHEREAS, the Fred A Nemann Company has completed the sidewalk repairs and the Village of Silverton has sent bills to the property owners providing them time to pay 50% of the costs to repair sidewalks abutting their respective properties in accordance with Municipal Code of Ordinances Section 95.85; and

WHEREAS, the Silverton Village wishes to place assessments on property owners to recover 50% of the costs of replacing sidewalks for those residents who have not thus far paid the bill, as designed by the new residential sidewalk program, in accordance with Municipal Code of Ordinances Section 95.85.

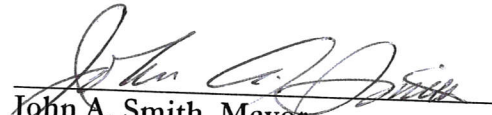
NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Silverton, Ohio, that:

SECTION I. The amount set forth for fifty percent of the total cost for replacing sidewalks is levied and assessed on the respective properties as attached in Exhibit A in accordance with Municipal Code of Ordinances Section 95.85.

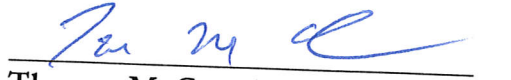
SECTION II. The assessment shall, with interest of 3%, be certified to the County Auditor by the Clerk of Council of the Village of Silverton for collection as provided by law. The assessment is to be collected in one lump sum commencing with the January 2017 tax bill, or as soon as legally thereafter.

SECTION III. This Ordinance is declared to be an emergency measure necessary to preserve the public peace, health, safety and welfare of the citizens of the Village of Silverton; the reason for the emergency being the immediate need to inform the County Auditor so that the assessments on the respective properties listed above can be collected at the earliest possible time. Accordingly, this Ordinance shall take effect and be in force from and after its passage and approval.


Passed this 21st day of September, 2017.


John A. Smith, Mayor

ATTEST:

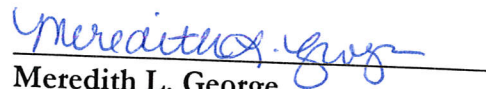

Thomas M. Carroll, Village Manager

Approved as to form:


Bryan E. Pacheco, Village Solicitor

CERTIFICATION:

I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 17-3570 has been duly made by posting true copies in three (3) of the most public places in said municipality, as determined by Council as follows: 1) Parkview Lane at Railroad; 2) Silverton Municipal Building and 3) The Village of Silverton's Website. Said posting was for a period of fifteen days commencing Sept 25, 2017.


Meredith L. George
Clerk of Council of Silverton, Ohio