

ORDINANCE NO. 62-2011
INTRODUCED BY: Mayor and All of Council

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PROPERTIES IN THE CITY OF RICHMOND HEIGHTS BY CONSTRUCTING PUBLIC SIDEWALKS, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, IN CERTAIN DESIGNATED LOCATIONS IN THE HIGHLAND ROAD, RICHMOND ROAD, AND CHARDONVIEW DRIVE VICINITIES; AND DECLARING AN EMERGENCY.

WHEREAS, the improvement described in Section 1 below has been completed and the final cost of that improvement has been determined;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, Cuyahoga County, State of Ohio, that:

Section 1: The special assessments for the cost and expense of improving, in the City of Richmond Heights, the properties described in Section 4 of Resolution No. 3-2011, adopted on February 8, 2011, by the installation of public sidewalks in the following public rights-of-way, together with all necessary appurtenances: the north side of Highland Road from Richmond Road easterly approximately 2,600 feet to the Highland Heights westerly corporation line, but excepting therefrom those areas with existing concrete sidewalks; the east side of Richmond Road from A.E.C. Parkway (formerly Swetland Court) northerly approximately 2,000 feet to Chardonview Drive, but excepting therefrom those areas with existing concrete sidewalks; and the easterly side of Chardonview Drive from Richmond Road northerly approximately 1,300 feet to Brushview Drive, but excepting therefrom those areas with the existing concrete sidewalks, pursuant to Resolution No. 3-2011, amounting in total to \$74,458.80, which were filed and are on file with the Clerk of Council and dated September 1, 2011, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in Resolution No. 3-2011 in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2: This Council finds and determines that the special assessments are in the same proportion to the estimated special assessments as the actual cost of the improvement is to the estimated cost of the improvement as originally filed.

Section 3: The special assessment against each lot or parcel of land shall be payable in whole or in part in cash or by check on or before 4:00 p.m. on October 6, 2011, or, at the option of the owner, in ten annual installments with interest at a rate of interest not to exceed the same rate or rates of interest, which is 3.0%. All payments in cash or by check shall be made to the "City of Richmond Heights" in care of the Director

of Finance of this City. All special assessments remaining unpaid at the expiration of that cash payment period shall remain in the certification sent by the Clerk of Council to the County Fiscal Officer as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 4: The Clerk of Council shall cause a notice of the passage of this Ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in the office of the Clerk of Council the special assessments.

Section 5: The Clerk of Council shall deliver a certified copy of this Ordinance, and the unpaid special assessments levied thereby, to the County Fiscal Officer on or before the statutory deadline of September 12, 2011.

Section 6: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 7: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City and for the further reason that this Ordinance must be immediately effective so that the levy of the special assessments is effective at once to begin the cash payment period in order to enable the City to certify the special assessments to the County Fiscal Officer by the statutory deadline of September 12, 2011, for necessary collection in 2012; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____, 2011

Daniel J. Ursu, Mayor

APPROVED: _____, 2011

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council