



## Legislation Text

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**File #:** ORD-0067-2023, **Version:** 1

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AN ORDINANCE AUTHORIZING THE LEVYING OF SPECIAL ASSESSMENTS FOR CERTAIN REAL ESTATE WITHIN THE 2021 SIDEWALK MAINTENANCE PROGRAM; WAIVING SECOND READING AND DECLARING AN EMERGENCY

**WHEREAS**, Council adopted SR-0001-2022 on June 6, 2022, determining the necessity to repair or replace sidewalks in the identified 2021 Sidewalk Maintenance Program Area; and

**WHEREAS**, construction activities have been completed on the 2021 Sidewalk Maintenance Program; and

**WHEREAS**, Council has revised the Sidewalk Maintenance Program so that each property bears only fifty percent of the cost for the remedial repairs made by the City along its given frontage; and

**WHEREAS**, with prior notice having been issued to property owners through ordinary U.S. mail on August 24, 2023, pursuant to the provisions of Code Section 903.4(j), the Council held a public hearing on September 5, 2023 for the purpose of hearing any assertions of mistake of fact regarding the allocation of assessments; and

**WHEREAS**, pursuant to Code Section 903.4(j)(2), it is the responsibility of Council to approve the actual field measured quantities and cost for these improvements as provided by the City Engineer; and

**WHEREAS**, the Department of Engineering requests waiver of second reading and passage of the Ordinance as an emergency measure immediately necessary to the preservation of public peace, safety, health, and welfare of the City in order to maintain adequate, essential infrastructure affordably and proactively for City residents and to meet the filing deadline of the special assessments with the County Auditor by September 11, 2023.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:**

**Section 1.** That in accordance with the Codified Ordinances of the City of Gahanna, having determined no mistake of fact regarding the allocation of assessments, the Council authorizes the levying of special assessments for certain real estate in the 2021 Sidewalk Maintenance Program as set forth in EXHIBIT A attached hereto and made a part herein.

**Section 2.** That in accordance with the Codified Ordinances of the City of Gahanna, property owners of record have thirty (30) days from the date of the public hearing to pay in full or have the cost assessed against their real property over the course of five (5) years at a rate of zero (0) percent interest.

**Section 3.** That at the conclusion of the thirty (30) days as set forth in Section 2, the Clerk of Council is hereby directed to certify the amount of such assessment, its effective date, and its rate of interest to the County Auditor for addition to the tax duplicate of the properties affected by such assessment.

**Section 4.** That the second reading is hereby waived.

**Section 5.** That for the reasons set forth in the preamble, this Ordinance is declared an emergency which shall be in full force and effect immediately upon passage by this Council and on date of signature of approval by the Mayor.