

ORDINANCE 16-17

AN ORDINANCE LEVYING ASSESSMENT FOR SIDEWALKS  
IN THE CITY OF PORT CLINTON ALONG WEST LAKESHORE  
DRIVE AND DECLARING AN EMERGENCY

Whereas, on March 8, 2016 the Council of the City of Port Clinton adopted a Resolution of Necessity to construct a sidewalk on the southerly side of West Lakeshore Drive between certain termini as a special assessment project, and

Whereas, the City applied for and received certain ODOT funding assistance to construct sidewalks along the southerly side of West Lakeshore Drive, and

Whereas, the City gave notice of the Resolution of Necessity and the time period for property owners to construct the improvements, and after the time period expired for the property owners to construct the sidewalk improvements the City proceeded to have the sidewalk improvements constructed in accordance with the approved plans and specification, and

Whereas, upon completion of the project, and upon ascertainment of the total cost of the project the City prepared the estimated assessments for the improvement and gave notice of the assessments to the benefitted property owners as required by law, and

Whereas, no objections to the amount of the estimated assessments were received within the period allowed by law, and

Whereas, this council finds and determines that amount of the assessments levied upon the lots and properties benefitted by the project as just and proper and in accordance with law.

Now, therefore, be it Ordained by the Council of the City of Port Clinton, Ottawa County, Ohio

**Section 1.** The list of estimated assessments of the cost of constructing a sidewalk in the City of Port Clinton, Ohio, on the southerly side of West Lakeshore Drive, as reported to this Council and now on file in the office of the Clerk of Council, and aggregating \$72,952.27, are adopted and confirmed. See Exhibit A attached hereto.

**Section 2.** The several amounts of the assessments are hereby assessed and levied on the lots and lands, as described on the assessment list, bounding and abutting the improvement.

**Section 3.** It is determined that the assessments do not exceed the special benefits resulting from the improvement, and do not exceed any statutory limitation.

**Section 4.** The Clerk of Council is directed to continue on file in her office a list of the assessments, and the descriptions of the lots and lands by Auditor’s permanent parcel number to which they apply.

**Section 5.** The total assessment against each lot and parcel of land shall be payable in cash to the Treasurer of the City within thirty days after the passage of this ordinance or, at the option of the property owner assessed, in five (5) annual installments with interest at the rate of 4.25% per annum, plus a two percent processing fee to the Ottawa County Auditor. All assessments and installments which have not been paid at the expiration of the thirty-day period shall be certified by the Clerk of Council to the County Auditor, to be placed by him on the tax duplicate and collected the same as other taxes, as provided by law.

**Section 6.** The Clerk of Council is directed to cause notice of the passage of this ordinance to be published as provided by law.

**Section 7.** The Clerk of this Council is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within twenty days following the passage of this ordinance.

**Section 8.** 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 committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

**Section 9.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the City may assess the remaining lots and parcels for the improvements and begin recovering the cost of the improvement at the earliest possible time with the current tax year; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_, 2017

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved \_\_\_\_\_, 2017