

EMERGENCY

City of Cincinnati

ALA

EESW

An Ordinance No. 265 - 2022

LEVYING assessments for the unpaid costs of private lead service line replacements installed at various locations by the City of Cincinnati's Greater Cincinnati Water Works through its Lead Service Line Replacement Program in accordance with Cincinnati Municipal Code Sections 401-127 through 401-135 and as set forth in Attachment 1.

WHEREAS, Chapter 401 of the Cincinnati Municipal Code provides that property owners shall be responsible for the cost of replacing the portion of a lead water service line on their private property; and

WHEREAS, in order to assist property owners in financing the cost of private lead service line replacement, the City does not charge interest when the replacement costs are assessed to the property; and

WHEREAS, the owners of the approximately 700 properties listed in Exhibit A to Attachment 1 ("the Owners") were either notified by Greater Cincinnati Water Works ("GCWW") that their private lead service lines were required to be replaced pursuant to Chapter 401 of the Cincinnati Municipal Code and Chapter 729 of the Ohio Revised Code or provided a voluntary written waiver of such notice; and

WHEREAS, the Owners entered into agreements for GCWW to perform the replacement work on their private water lines, bill the property owner for the owner's share of the resulting costs, and assess to the property for repayment over ten years (or five years, if selected by the owner) any portion of the owner's share of costs that is unpaid following the bill due date; and

WHEREAS, GCWW has completed lead service line replacements at the properties listed on Exhibit A to Attachment 1, the property owners have been billed for their share of the costs, and the due date for payment (30 days from the billing date) has passed; and

WHEREAS, following the due date of the bill, any unpaid portion of the owner's share of costs shall be assessed against the property to be collected by the County Treasurer in the same manner as real estate taxes pursuant to Cincinnati Municipal Code Chapter 401 and the Owners' agreements with the City; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That in accordance with Cincinnati Municipal Code Sections 401-127 through 401-135, the unpaid costs of private lead service line replacement incurred by the City's Greater

Cincinnati Water Works (“GCWW”) are hereby levied as assessments upon the real property in the amounts and at the locations described in the attached Exhibit A to Attachment 1 (the “Assessed Properties”) for payment in semi-annual installments for the length of the assessment period indicated on Exhibit A to Attachment 1.

Section 2. That the listed assessments are payable in cash to the City Treasurer within seven calendar days after the passage of this ordinance or, at the option of each property owner, in semi-annual installments for the indicated assessment period.

Section 3. That assessments not paid in cash within seven calendar days are to be certified by the City Treasurer to the County Auditor.

Section 4. That for each of the Assessed Properties, GCWW has either provided written notice of the requirement to replace the private lead service line on the property to the property owner pursuant to Ohio Revised Code Chapter 729 and Cincinnati Municipal Code Chapter 401 or obtained a voluntary written waiver of service of such notice from the property owner.

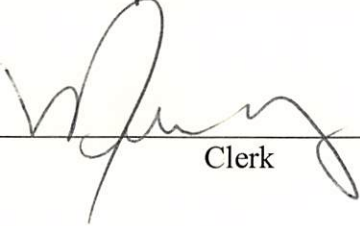
Section 5. That notes and bonds of the City of Cincinnati may be issued in anticipation of the collection of the assessments.

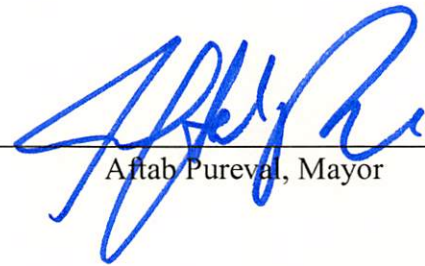
Section 6. That any amount received as a result of the assessments levied herein shall be deposited into GCWW Fund No. 312, “Private Lead Service Line Replacement.”

Section 7. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate necessity to authorize the Clerk of Council to certify the assessments by the Hamilton County Auditor's September 30, 2022 deadline for 2023 assessments to real estate.

Passed: September 8, 2022

Attest: 
Clerk


Affab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 265-2022
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 9.20.2022
Melissa Hestey
CLERK OF COUNCIL