

Legislative Resolution

JRS *AWB*

RESOLUTION NO. _____ - 2022

DECLARING the need for emergency repairs that have been made to sidewalks, sidewalk areas, curbs, and/or gutters at a variety of locations in the City and the need for levying assessments for the cost of such repairs on the abutting properties in accordance with Cincinnati Municipal Code Sections 721-149 to 721-169.

WHEREAS, Chapter 721 of the Cincinnati Municipal Code requires property owners to keep the sidewalks, sidewalk area, curbs, and gutters abutting their properties safe and in good repair; and

WHEREAS, City inspectors have documented the need for emergency sidewalk repairs adjacent to each of the properties listed in Exhibit A attached hereto and incorporated herein by reference (the "Properties"); and

WHEREAS, Cincinnati Municipal Code Section 721-165 authorizes the City to make emergency repairs without prior notice to the abutting property owner if necessary to provide for public safety and also to bill the owner for the cost of the work; and

WHEREAS, for the Properties, the City provided prior written notice of the emergency sidewalk conditions and the need for repairs to each property owner, which included notice that failure by an owner to permanently repair an emergency condition would result in the City performing the repair at the property owner's cost; and

WHEREAS, under Cincinnati Municipal Code Section 721-169, if a property owner fails to pay the City's bill for the cost of the work within 30 days, the City may levy an assessment on the abutting property for the cost of the work, which shall be collected by the County Treasurer in the same manner as real estate taxes; and

WHEREAS, by this resolution the City declares the need for emergency repairs to sidewalks, sidewalk areas, curbs, or gutters abutting the Properties and the need for the levying of an assessment, by subsequent ordinance, for the cost of the work against each such property if the property owner fails to pay the City's bill within 30 days; now, therefore,

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

Section 1. That the making of emergency repairs to the sidewalks, sidewalk areas, curbs and/or gutters abutting certain properties at certain miscellaneous locations within the City, as

identified in Exhibit A attached hereto and incorporated herein by reference, is hereby declared necessary for public safety in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

Section 2. That the work performed by the City shall be accomplished in accordance with plans and specifications on file in the Clerk of Council's office which are hereby approved.

Section 3. That Council finds that the City shall be responsible for two percent of the cost of the work and that the balance of the cost of the work shall be charged to the abutting property owners in the amounts shown in Exhibit A hereto.

Section 4. That a property owner who fails to pay the City's bill within 30 days shall, by subsequent ordinance, have an assessment levied upon such property for the cost of the work which shall be collected by the County Treasurer.

Section 5. That if a property owner does not pay the assessment in cash and, prior to the billing statement due date, does not indicate to the Director of the City's Department of Transportation and Engineering the property owner's election to pay the assessment over three, five, or ten years, the City shall assess the property for a period of three years. The interest rate charged shall correspond to the City-adopted rates in effect at the time Council passes the assessing ordinance for the respective property. The 2022 rates are 4.04% for three years, 4.37% for five years, and 4.63% for ten years. Assessments not timely paid shall be certified to the County Auditor for collection by the County Treasurer in the same manner as real estate taxes are collected.

Section 6. That notice of the passage of this resolution shall be given pursuant to Chapter 729 of the Ohio Revised Code and Section 721.153 of the Cincinnati Municipal Code.

Section 7. That this legislative resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

EXHIBIT A

2021 SSP Emergency Repairs

Total Construction Cost: \$295,566.72

| | |
|---------------------------------------|-------------|
| 2021 Dist 1 (Summer) Emergency | \$32,577.24 |
| 2021 Dist 2 (2020 Covid Resend) Emerg | \$35,888.88 |
| 2021 Dist 2 (Summer) Emergency | \$36,030.66 |
| 2021 Dist 3 (Summer) Emergency | \$74,385.96 |
| 2021 Dist 4 (Summer) Emergency | \$70,329.90 |
| 2021 Dist 5 (Summer) Emergency | \$18,213.24 |
| Emergency Work Group 2021 (980) | \$28,140.84 |

Group Name: 2021 Dist 1 (Summer) Emergency

| | Location: | Parcel: | Construction Cost: |
|---|------------------|----------------|---------------------------|
| 1 | 1013 CENTRAL Av | 0134-0005-0508 | \$1,653.12 |
| 2 | 2000 Dunlap St | 0096-0005-0116 | \$25,582.32 |
| 3 | 1001 Gest St | 0139-0002-0246 | \$1,381.20 |
| 4 | 29 E McMicken Av | 0094-0005-0312 | \$1,859.76 |
| 5 | 817 RACE St | 0077-0001-0098 | \$2,100.84 |

Group Name: 2021 Dist 2 (2020 Covid Resend) Emerg

| | Location: | Parcel: | Construction Cost: |
|----|---------------------|----------------|---------------------------|
| 6 | 2957 ANNWOOD St | 0053-0006-0007 | \$1,033.20 |
| 7 | 2969 ANNWOOD St | 0053-0006-0009 | \$688.80 |
| 8 | 3940 BRIGGS PI | 0040-0003-0139 | \$2,152.50 |
| 9 | 215 CONGRESS Av | 0028-0003-0132 | \$430.50 |
| 10 | 1283 CRISTWAY Ct | 0004-0004-0192 | \$696.00 |
| 11 | 1729 DEXTER Av | 0055-0004-0079 | \$3,314.88 |
| 12 | 3342 FAIRFIELD Av | 0054-0004-0029 | \$1,377.60 |
| 13 | 3346 FAIRFIELD Av | 0054-0004-0027 | \$2,509.50 |
| 14 | 35 Hampton Ln | 0038-0002-0329 | \$1,661.76 |
| 15 | 3201 HARDISTY Av | 0044-0003-0067 | \$1,893.96 |
| 16 | 1807 HURON Av | 0054-0004-0210 | \$3,616.20 |
| 17 | 5801 KELLOGG Av | 0009-0003-0099 | \$861.00 |
| 18 | 1815 KINNEY Av | 0054-0001-0004 | \$1,102.08 |
| 19 | 1821 KINNEY Av | 0054-0001-0006 | \$1,937.28 |
| 20 | 3143 LINWOOD Av | 0044-0004-0022 | \$430.50 |
| 21 | 6339 MADISON Rd | 0036-0003-0096 | \$1,033.20 |
| 22 | 1610 E MCMILLAN Av | 0062-0002-0082 | \$430.50 |
| 23 | 2506 MOORMAN Av | 0062-0002-0125 | \$2,152.50 |
| 24 | 3606 NORTHDAL PI | 0129-0004-0047 | \$696.00 |
| 25 | 3314 OBSERVATORY Av | 0039-0001-0046 | \$1,745.88 |
| 26 | 6602 PALMETTO St | 0037-0002-0243 | \$551.04 |
| 27 | 1315 PAXTON Av | 0046-0002-0041 | \$1,305.00 |
| 28 | 228 STANLEY Av | 0028-0003-0115 | \$365.40 |
| 29 | 1307 SUNCREST Dr | 0043-0004-0109 | \$3,103.20 |
| 30 | 3129 TROY Av | 0122-0003-0035 | \$800.40 |

Group Name: 2021 Dist 2 (Summer) Emergency

| | Location: | Parcel: | Construction Cost: |
|----|---------------------|----------------|---------------------------|
| 31 | 1327 AULT VIEW Av | 0043-0005-0029 | \$865.50 |
| 32 | 1331 AULT VIEW Av | 0043-0005-0030 | \$430.50 |
| 33 | 3432 AULTWOODS Ln | 0043-0005-0013 | \$861.00 |
| 34 | 1265 CRESTWOOD Av | 0023-0002-0271 | \$275.52 |
| 35 | 1230 HAYWARD Av | 0023-0002-0141 | \$1,722.00 |
| 36 | 1238 HAYWARD Av | 0023-0002-0143 | \$1,033.20 |
| 37 | 6812 HURD Av | 0037-0003-0379 | \$1,865.52 |
| 38 | 3930 KILBOURNE Av | 0039-0002-0450 | \$1,033.20 |
| 39 | 3112 LINWOOD Av | 0043-0001-0027 | \$688.80 |
| 40 | 3140 LINWOOD Av | 0044-0006-0130 | \$344.40 |
| 41 | 3310 LOOKOUT Dr | 0019-0002-0094 | \$1,587.84 |
| 42 | 3314 LOOKOUT Dr | 0019-0002-0095 | \$688.80 |
| 43 | 3317 LOOKOUT Dr | 0019-0002-0106 | \$1,377.60 |
| 44 | 3318 LOOKOUT Dr | 0019-0002-0096 | \$275.52 |
| 45 | 3322 LOOKOUT Dr | 0019-0002-0097 | \$344.40 |
| 46 | 3326 LOOKOUT Dr | 0019-0002-0098 | \$344.40 |
| 47 | 3330 LOOKOUT Dr | 0019-0002-0099 | \$344.40 |
| 48 | 3334 LOOKOUT Dr | 0019-0002-0100 | \$1,033.20 |
| 49 | 3237 OBSERVATORY Av | 0039-0001-0184 | \$861.00 |
| 50 | 3246 OBSERVATORY Av | 0039-0001-0129 | \$2,152.50 |
| 51 | 3251 OBSERVATORY Av | 0039-0001-0050 | \$861.00 |
| 52 | 3271 OBSERVATORY Av | 0039-0001-0051 | \$1,291.50 |
| 53 | 3281 OBSERVATORY Av | 0039-0001-0052 | \$1,722.00 |
| 54 | 3417 OBSERVATORY Av | 0038-0006-0006 | \$861.00 |
| 55 | 3441 OBSERVATORY PI | 0039-0001-0039 | \$551.04 |
| 56 | 1302 PARK RIDGE PI | 0043-0004-0062 | \$344.40 |
| 57 | 3429 ST JOHNS PI | 0039-0001-0133 | \$2,587.50 |
| 58 | 3436 ST JOHNS PI | 0039-0001-0125 | \$1,735.50 |
| 59 | 3437 ST JOHNS PI | 0039-0001-0132 | \$435.00 |
| 60 | 3441 ST JOHNS PI | 0039-0001-0160 | \$1,296.00 |
| 61 | 3443 ST JOHNS PI | 0039-0001-0172 | \$430.50 |
| 62 | 3444 ST JOHNS PI | 0039-0001-0156 | \$430.50 |
| 63 | 3449 ST JOHNS PI | 0039-0001-0170 | \$3,013.50 |
| 64 | 1310 SUNCREST Dr | 0043-0004-0094 | \$1,033.20 |
| 65 | 1338 SUNCREST Dr | 0043-0004-0101 | \$1,033.20 |
| 66 | 3443 WELLSTON PI | 0039-0001-0088 | \$275.52 |

Group Name: 2021 Dist 3 (Summer) Emergency

| | Location: | Parcel: | Construction Cost: |
|-----|----------------------|----------------|--------------------|
| 67 | 954 CHATEAU Av | 0175-0016-0190 | \$1,894.20 |
| 68 | 958 CHATEAU Av | 0175-0016-0189 | \$1,904.10 |
| 69 | 1020 DEL MONTE PI | 0174-0009-0160 | \$2,415.30 |
| 70 | 502 ELBERON Av | 0177-0034-0110 | \$7,069.50 |
| 71 | 705 ELBERON Av | 0176-0021-0111 | \$4,166.22 |
| 72 | 2369 FERGUSON Rd | 0248-0001-0262 | \$2,010.48 |
| 73 | 3019 FERGUSON Rd | 0208-0059-0134 | \$1,102.08 |
| 74 | 6558 GRACELY Dr | 0165-0002-0171 | \$5,011.02 |
| 75 | 3044 HULL Av | 0210-0077-0102 | \$1,790.88 |
| 76 | 3017 IRVELLA PI | 0208-0059-0262 | \$2,066.40 |
| 77 | 3021 IRVELLA PI | 0208-0059-0263 | \$895.44 |
| 78 | 189 IVANHOE Av | 0165-0002-0084 | \$7,490.70 |
| 79 | 2670 MOUNTVILLE Dr | 0208-0064-0109 | \$1,033.20 |
| 80 | 2725 ORLAND Av | 0206-0009-0034 | \$1,377.60 |
| 81 | 3378 PARKCREST Ln | 0212-0063-0075 | \$1,040.40 |
| 82 | 3226 PICKBURY Dr | 0211-0067-0169 | \$275.52 |
| 83 | 515 PURCELL Av | 0177-0034-0095 | \$2,462.46 |
| 84 | 1022 RUTLEDGE Av | 0179-0077-0391 | \$3,003.84 |
| 85 | 4929 SHIRLEY PI | 0183-0001-0007 | \$826.56 |
| 86 | 4013 ST LAWRENCE Av | 0179-0076-0044 | \$6,371.40 |
| 87 | 4015 ST LAWRENCE Av | 0179-0076-0179 | \$861.00 |
| 88 | 4140 ST. WILLIAMS Av | 0179-0078-0126 | \$1,148.40 |
| 89 | 3217 STANHOPE Av | 0212-0062-0163 | \$1,724.88 |
| 90 | 3219 STANHOPE Av | 0212-0062-0151 | \$1,518.96 |
| 91 | 940 SUMMIT Av | 0175-0015-0082 | \$2,410.80 |
| 92 | 2043 E TERALTA Cir | 0206-0004-0026 | \$688.80 |
| 93 | 3379 TREASURE Ct | 0209-0005-0189 | \$2,352.00 |
| 94 | 3380 TREASURE Ct | 0209-0005-0199 | \$1,033.20 |
| 95 | 3206 WARSAW Av | 0173-0004-0063 | \$792.12 |
| 96 | 3208 WARSAW Av | 0173-0004-0064 | \$516.60 |
| 97 | 3214 WARSAW Av | 0173-0004-0066 | \$2,999.10 |
| 98 | 3216 WARSAW Av | 0173-0004-0067 | \$1,377.60 |
| 99 | 1015 WELLS St | 0174-0008-0100 | \$1,377.60 |
| 100 | 1041 WELLS St | 0174-0008-0086 | \$1,377.60 |

Group Name: 2021 Dist 4 (Summer) Emergency

| | Location: | Parcel: | Construction Cost: |
|-----|-----------------------------|----------------|--------------------|
| 101 | 4018 BEECHWOOD Av | 0115-0006-0023 | \$1,726.50 |
| 102 | 4020 BEECHWOOD Av | 0115-0006-0022 | \$2,583.00 |
| 103 | 565 BOAL St | 0086-0001-0330 | \$1,102.08 |
| 104 | 1324 BURDETTE Av | 0061-0002-0026 | \$2,415.30 |
| 105 | 3336 BURNET Av | 0107-0007-0260 | \$6,481.92 |
| 106 | 7612 CASTLETON PI | 0117-0008-0116 | \$688.80 |
| 107 | 402 CATHERINE St | 0107-0007-0083 | \$1,377.60 |
| 108 | 406 CATHERINE St | 0107-0007-0159 | \$1,928.64 |
| 109 | 410 CATHERINE St | 0107-0007-0082 | \$1,102.08 |
| 110 | 413 CATHERINE St | 0107-0007-0103 | \$1,183.20 |
| 111 | 416 CATHERINE St | 0107-0007-0081 | \$2,479.68 |
| 112 | 420 CATHERINE St | 0107-0007-0080 | \$826.56 |
| 113 | 421 CATHERINE St | 0107-0007-0099 | \$832.32 |
| 114 | 1438 CORVALLIS Av | 0117-0A07-0099 | \$344.40 |
| 115 | 1578 CREST HILL Av | 0117-0015-0250 | \$688.80 |
| 116 | 3866 DAKOTA Av | 0110-0002-0021 | \$2,238.60 |
| 117 | 5 ESTELLE St | 0088-0008-0118 | \$2,152.50 |
| 118 | 1101 FENMORE Dr | 0117-0004-0167 | \$1,380.48 |
| 119 | 5119 GRAFTON Av | 0119-0A02-0146 | \$551.04 |
| 120 | 3329 HARVEY Av | 0107-0007-0096 | \$832.32 |
| 121 | 2307 KEMPER Ln | 0067-0001-0134 | \$2,679.00 |
| 122 | 5240 LILLIAN Dr | 0119-0A02-0187 | \$313.20 |
| 123 | 1228 E MCMILLAN Av | 0066-0001-0030 | \$8,115.66 |
| 124 | 143 MILLSDALE St | 0245-0002-0088 | \$1,215.48 |
| 125 | 2215 PARK Av | 0063-0004-0045 | \$861.00 |
| 126 | 3458 READING Rd | 0107-0010-0052 | \$1,291.50 |
| 127 | 3465 READING Rd | 0107-0008-0025 | \$757.68 |
| 128 | 3494 READING Rd | 0107-0010-0023 | \$2,920.50 |
| 129 | 7208 READING Rd | 0117-0009-0003 | \$688.80 |
| 130 | 7211 READING Rd | 0117-0A07-0005 | \$430.50 |
| 131 | 7215 READING Rd | 0117-0A07-0006 | \$430.50 |
| 132 | 7220 READING Rd | 0117-0009-0006 | \$688.80 |
| 133 | 7240 READING Rd | 0117-0009-0011 | \$1,033.20 |
| 134 | 7244 READING Rd | 0117-0009-0012 | \$688.80 |
| 135 | 7248 READING Rd | 0117-0009-0013 | \$688.80 |
| 136 | 7252 READING Rd | 0117-0009-0014 | \$1,033.20 |
| 137 | 7256 READING Rd | 0117-0009-0015 | \$344.40 |
| 138 | 7304 READING Rd | 0117-0009-0019 | \$344.40 |
| 139 | 7309 READING Rd | 0117-0A07-0021 | \$430.50 |
| 140 | 7349 READING Rd | 0117-0A07-0417 | \$1,033.20 |
| 141 | 7352 READING Rd | 0117-0009-0031 | \$688.80 |
| 142 | 520 W SIXTY-THIRD St | 0241-0002-0194 | \$1,383.36 |
| 143 | 2128 ST JAMES Av | 0069-0003-0153 | \$430.50 |
| 144 | 2132 ST JAMES Av | 0069-0003-0152 | \$861.00 |
| 145 | 8320 VINE St | 0245-0006-0001 | \$1,549.80 |
| 146 | 1126 William Howard Taft Rd | 0066-0001-0050 | \$5,220.00 |
| 147 | 4000 WINDING Wy | 0109-0005-0056 | \$1,291.50 |

Group Name: 2021 Dist 5 (Summer) Emergency

| | Location: | Parcel: | Construction Cost: |
|-----|-------------------|----------------|---------------------------|
| 148 | 418 ADA St | 0098-0006-0024 | \$774.90 |
| 149 | 1668 CEDAR Av | 0233-0002-0025 | \$688.80 |
| 150 | 2515 CLIFTON Av | 0101-0007-0082 | \$2,669.10 |
| 151 | 2725 Clifton Av | 0101-0006-0116 | \$1,653.12 |
| 152 | 6510 EDWOOD Av | 0247-0006-0047 | \$2,135.28 |
| 153 | 1626 ELKTON PI | 0233-0001-0033 | \$430.50 |
| 154 | 1210 HOLLYWOOD Av | 0247-0004-0258 | \$1,291.50 |
| 155 | 450 LLOYD PI | 0097-0002-0224 | \$902.64 |
| 156 | 452 LLOYD PI | 0097-0002-0223 | \$688.80 |
| 157 | 415 LUDLOW Av | 0214-0005-0092 | \$2,496.90 |
| 158 | 972 LUDLOW Av | 0215-0070-0022 | \$688.80 |
| 159 | 974 LUDLOW Av | 0215-0070-0023 | \$688.80 |
| 160 | 247 W MCMILLAN Av | 0100-0002-0003 | \$1,153.74 |
| 161 | 265 W MCMILLAN Av | 0100-0001-0144 | \$435.00 |
| 162 | 267 W MCMILLAN Av | 0100-0001-0143 | \$482.16 |
| 163 | 407 SOUTHVIEW Av | 0098-0006-0045 | \$1,033.20 |

Group Name: Emergency Work Group 2021 (980)

Location:
164 801 LINN St

Parcel:
0136-0001-0238

Construction Cost:
\$28,140.84