

City of Cincinnati

JRS

EESW

An Ordinance No. 196

- 2023

TO LEVY special assessments to pay for a portion of the cost of special street lighting in Lighting Group 2, pursuant to Ohio Revised Code Section 727.25, for the three-year period beginning on August 1, 2022.

WHEREAS, Resolution No. 36-2023 (the "Resolution"), adopted by City Council on April 12, 2023, pursuant to Ohio Revised Code Section 727.12, declared the necessity of extending special street lighting on the streets or portions of the streets described in Attachment A hereto and incorporated herein by reference; and

WHEREAS, pursuant to the Resolution, the estimated assessments were prepared and placed on file in the Office of the Clerk of Council; and

WHEREAS, there are no outstanding objections to the estimated assessments; and

WHEREAS, on June 1 2023, City Council passed Ordinance No. 195 -2023 determining to proceed with the assessments; and

WHEREAS, the actual costs for the special street lighting for the three-year period have been ascertained and found to be substantially the same as the estimated costs; now, therefore,

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

Section 1. That the actual costs of the assessments for special street lighting in Lighting Group 2 for the three-year period beginning on August 1, 2022, as set forth on Attachment A hereto and incorporated herein by reference, are hereby adopted and affirmed, pursuant to Ohio Revised Code Section 727.25.

Section 2. That, with the exception of public rights-of-way, state-owned land, and federally-owned land, there is hereby levied, in accordance with Chapter 727 of the Ohio Revised Code, an assessment upon the properties abutting the locations described on Attachment A to pay the owners' portion of the costs for special street lighting in Lighting Group 2, for a period of three years beginning on August 1, 2022 and ending on July 31, 2025.

Section 3. That it is hereby determined that the assessments levied by this ordinance comply with all applicable procedures and limitations as set forth in Chapter 727 of the Ohio Revised Code.

Section 4. That the assessments levied by this ordinance shall be payable in cash to the Treasurer of the City of Cincinnati within 45 days after the passage of this ordinance, or at the option of the property owner, in three annual installments at an annual rate of interest of nine percent.

Section 5. That the Clerk of Council or other appropriate City official shall certify, at the expiration of said 45-day period, any unpaid assessments to the Auditor of Hamilton County to be placed on the tax duplicate for collection at the time and in the same manner as property taxes are collected. Upon certification, the assessments shall be paid in three annual installments commencing with the December 2023 tax bill.

Section 6. That the City of Cincinnati shall not issue any notes or bonds in anticipation of the collection of the assessments.

Section 7. That the appropriate officials from the Finance Department are authorized to accept the assessment funds, deposit them into the appropriate account for the purpose of paying the costs and expenses of the special street lighting, and disburse them as required by law.

Section 8. That the portion of the cost of said improvements not specially assessed, any uncollectible assessments on property owned by the federal government and the State of Ohio, and assessments on property owned by the City of Cincinnati, shall be paid out of a fund provided to pay the City's portion of the cost of the special street lighting in the manner provided by law.

Section 9. That the Clerk of Council is hereby directed to cause notice of this ordinance to be published once in a newspaper of general circulation within the City of Cincinnati pursuant to Ohio Revised Code Section 727.26.

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 1, 2023

Jan Michele Tomkowiak  
Vice Mayor

Attest: Nicole Crawford  
Acting Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 120-2023  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 6/13/2023  
Melissa Harty  
CLERK OF COUNCIL