

City of Cincinnati

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An Ordinance No. 198 - 2023

LEVYING a special assessment for the Urban Forestry Program for the calendar year 2024 for control of blight and disease of shade trees and for planting, maintaining, trimming, and removing shade trees within the public right-of-way in the City of Cincinnati's Urban Forestry Maintenance District.

WHEREAS, on February 8, 2023, Council passed Resolution No. 8-2023 pursuant to Ohio Revised Code ("R.C.") Section 727.12, declaring the necessity of continuing the Urban Forestry Program for the control of blight and disease of shade trees and for planting, maintaining, trimming, and removing shade trees in the public right-of-way in the City's Urban Forestry Maintenance District, for the calendar year 2024; and

WHEREAS, under Resolution 8-2023, Council also authorized the assessment of properties within the Urban Forestry Maintenance District at the rate of \$0.31 per front foot, and the estimated assessments were prepared and placed on file in the Office of the Clerk of Council; and

WHEREAS, notice of the passage of the resolution was published in a newspaper of general circulation as required by law, and notice by certified mail has been completed to the property owners for whom the assessment amount exceeds \$500.00; and

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

WHEREAS, on June 7, 2023, Council passed Ordinance No. 197-2023 determining to proceed with the special assessment; and

WHEREAS, Council has determined that the actual cost of the Urban Forestry Program ("Program") does not exceed the estimated cost for the Program for the year 2024; now, therefore,

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

Section 1. That there is hereby levied, in accordance with R.C. Chapter 727, an assessment of \$0.31 per front foot upon the property abutting the public right-of-way and streets within the Urban Forestry Maintenance District, which includes all territory within, and

coextensive with, the City's boundaries, for the portion of the cost and expense of said shade tree program for the Urban Forestry Maintenance District for the year 2024.

Section 2. That it is hereby determined that said assessments do not exceed the special benefits resulting from said Urban Forestry Program and do not exceed any statutory limitations.

Section 3. That the special assessment against each lot and parcel of land shall be payable in one annual installment to the Treasurer of Hamilton County, Ohio at the same time and in the same manner as real property taxes, due and payable in December 2023, are paid.

Section 4. That the City Treasurer and the Clerk of Council are hereby directed to certify said assessments to the Auditor of Hamilton County, Ohio to be placed by the Auditor on the Tax List and collected in the same manner as real property taxes are collected for December 2023, as provided by law.

Section 5. That said assessments, when collected, shall be placed into a fund for the purpose of paying the cost and expense of the Urban Forestry Program and shall be paid out upon proper vouchers in payment of such cost and expense.

Section 6. That the following costs shall be paid out of a fund provided to pay the City's portion of the cost and expense of the shade tree program: the cost of street intersections, any uncollectible assessments on property owned by the federal government or the State of Ohio, assessments on property owned by the City of Cincinnati, and any portion of the cost not specifically assessed.

Section 7. 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.

Section 8. That this ordinance shall take effect and be in force from and after the earliest time allowed by law.

Passed: June 7, 2023

Attest: [Signature]
Clerk

[Signature]
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 198-2023
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 6/20/2023
[Signature]
CLERK OF COUNCIL