

City of Cincinnati

JRS

AWB

An Ordinance No. _____ - 2022

LEVYING assessments to recover the unpaid costs of necessary sidewalk, sidewalk areas, curb, and gutter repairs incurred by the City of Cincinnati in the Mount Washington neighborhood in accordance with Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729.

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

WHEREAS, Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729 authorize the City to perform repairs to sidewalks, sidewalk areas, curbs, and gutters when abutting property owners fail to do so, to bill the abutting property owners for the resulting costs, and to levy assessments against the abutting properties if those costs go unpaid; and

WHEREAS, City inspectors documented the need for sidewalk repairs adjacent to each of the properties listed in the attached Exhibit A (the "Properties"); and

WHEREAS, the City Council passed Resolution 53-2021 declaring the need to perform the identified sidewalk repairs and further declaring the need to assess the abutting property owners for repair and administrative costs incurred by the City in making the repairs should the abutting property owners fail to make the necessary repairs; and

WHEREAS, the abutting property owners were notified of the need to make the repairs and that they would be assessed for any costs incurred by the City in performing the repairs, and the Clerk of Council has not received any objections to the assessments after providing such notice; and

WHEREAS, the City made repairs to sidewalks, sidewalk areas, curbs, and gutters abutting the Properties after the abutting property owners failed to do so; and

WHEREAS, in accordance with Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Section 729-09, the Council hereby levies assessments on the Properties for which repair and administrative costs remain outstanding following the abutting property owners' failure to pay such amounts within thirty days of being billed, which assessments shall be certified to the Hamilton County Auditor and shall be collected in the same manner as real estate taxes; now, therefore,

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

Section 1. That the Council hereby assesses those properties identified on the attached Exhibit A (the "Assessed Properties"), incorporated herein by reference, for outstanding repair and

administrative costs incurred by the City in making repairs to the sidewalks, sidewalk areas, curbs, and gutters abutting the Assessed Properties.

Section 2. That each of the Assessed Properties is listed in Exhibit A together with the amount of the assessment, the length of the assessment period, and reference to the resolution earlier passed by Council giving notice of the City's intent to assess each property.

Section 3. That the assessments shall be payable in cash to the City Treasurer within thirty days after the passage of this ordinance or, at the option of each property owner, in semi-annual installments for the assessment period.

Section 4. That the assessments not paid in cash within thirty days are to be certified to the Hamilton County Auditor by the City Treasurer with interest at the rate of 4.04% for 3-year assessments, 4.37% for 5-year assessments, and 4.63% for 10-year assessments.

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 the Sidewalk Special Assessment Fund No. 791.

Section 7. That a property owner's right under Section 721-159 of the Cincinnati Municipal Code to file a protest against an assessment shall expire 180 days following the date of the first tax bill containing a sidewalk assessment for the protested work.

Section 8. That the Clerk of Council is hereby directed to cause notice to be published once in a newspaper of general circulation within the City of Cincinnati, in accordance with Ohio Revised Code Section 729.10 and Article II, Section 6 of the Charter of the City of Cincinnati, which notice shall state the assessments have been made, that they are on file with the Clerk of

Council, and that they are available for public inspection and examination by any person interested therein.

Section 9. That this ordinance 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

Resolution No. 53-2021

Total Assessment Amount \$48,237.59

Term Years: 3

Term Assessment Amount: \$39,181.98

Location #	Billing Parcel	Location	Collection Amount
1	000100010077	6504 COFFEY St	\$536.88
2	000100010091	6519 COFFEY St	\$266.24
3	000100010101	6527 COFFEY St	\$762.96
4	000100010082	6532 COFFEY St	\$2,249.68
5	000100010083	6536 COFFEY St	\$517.08
6	000100010079	6540 COFFEY St	\$279.44
7	000100010099	6543 COFFEY St	\$378.45
8	000100010100	6547 COFFEY St	\$926.34
9	000100010090	6548 COFFEY St	\$1,399.22
10	000100010188	6552 COFFEY St	\$279.44
11	000100010311	6556 COFFEY St	\$510.47
12	000100010190	6568 COFFEY St	\$259.64
13	000100010183	6575 COFFEY St	\$814.12
14	000100010181	6601 COFFEY St	\$612.53
15	000100010177	6619 COFFEY St	\$649.10
16	000100010175	6627 COFFEY St	\$596.29
17	000100010167	6632 COFFEY St	\$350.50
18	000100010170	6644 COFFEY St	\$800.92
19	000100010143	2412 FINDLATER Ct	\$642.49
20	000100010147	2413 FINDLATER Ct	\$352.05
21	000100010142	2416 FINDLATER Ct	\$1,861.54
22	000100010146	2417 FINDLATER Ct	\$626.02
23	000100010144	2420 FINDLATER Ct	\$1,038.55
24	000100010105	6511 GRAF Dr	\$767.20
25	000100010116	6515 GRAF Dr	\$1,476.06
26	000100010106	6519 GRAF Dr	\$286.04
27	000100010121	6524 GRAF Dr	\$312.44
28	000100010110	6539 GRAF Dr	\$523.68
29	000100010119	6540 GRAF Dr	\$779.76
30	000100010246	6561 GRAF Dr	\$2,053.02
31	000100010251	6564 GRAF Dr	\$568.94
32	000100010245	6565 GRAF Dr	\$1,661.15
33	000100010244	6569 GRAF Dr	\$682.10
34	000100010222	6606 HIALEA Ct	\$1,032.39
35	000100010314	2415 RAINBOW Ct	\$154.02
36	000100010316	2423 RAINBOW Ct	\$701.90
37	000100010334	2444 RAINBOW Ct	\$358.65
38	000100010322	2447 RAINBOW Ct	\$378.45
39	000100010325	2459 RAINBOW Ct	\$299.24
40	000100010326	2463 RAINBOW Ct	\$408.86
41	000100010067	6458 RAINBOW Ln	\$266.24
42	000100010075	6461 RAINBOW Ln	\$1,195.33
43	000100010070	6470 RAINBOW Ln	\$520.18
44	000100010073	6482 RAINBOW Ln	\$1,050.40
45	000100010157	6504 RAINBOW Ln	\$956.04

46	000100010156	6516 RAINBOW Ln	\$886.73
47	000100010125	6523 RAINBOW Ln	\$365.25
48	000100010151	6524 RAINBOW Ln	\$1,045.16
49	000100010150	6528 RAINBOW Ln	\$352.05
50	000100010267	6557 RAINBOW Ln	\$1,210.93
51	000100010266	6563 RAINBOW Ln	\$682.10
52	000100010260	6589 RAINBOW Ln	\$1,497.74

Term Years: 5

Term Assessment Amount: \$3,498.36

Location #	Billing Parcel	Location	Collection Amount
53	000100010172	6639 COFFEY St	\$602.89
54	000100010088	6504 GRAF Dr	\$760.60
55	000100010107	6523 GRAF Dr	\$783.88
56	000100010232	6607 HIALEA Ct	\$1,005.55
57	000100010335	2436 RAINBOW Ct	\$345.45

Term Years: 10

Term Assessment Amount: \$5,557.25

Location #	Billing Parcel	Location	Collection Amount
58	000100010162	6610 COFFEY St	\$1,210.93
59	000100010123	6516 GRAF Dr	\$754.71
60	000100010158	6508 RAINBOW Ln	\$1,361.00
61	000100010136	6542 RAINBOW Ln	\$1,482.50
62	000100010212	6628 TRIESTA Ct	\$748.11