

City of Cincinnati

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An Ordinance No. 302

- 2020

LEVYING assessments for unpaid costs for necessary sidewalk, sidewalk area, curb and gutter construction, reconstruction, and emergency repairs conducted at miscellaneous locations by the City of Cincinnati through its Sidewalk Safety Program, made in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

WHEREAS, Cincinnati Municipal Code Chapter 721 requires abutting property owners to maintain the sidewalks, sidewalk area, and curbs and gutters adjacent to or abutting their property; and

WHEREAS, if a property owner fails to maintain and repair the sidewalks, sidewalk areas, and curbs and gutters abutting the property, then Cincinnati Municipal Code Chapter 721 and Ohio Revised Code Chapter 729 authorize the City to perform the repairs and to bill the property owner for the resulting costs; and

WHEREAS, the City has made repairs to sidewalks, sidewalk area, and curbs and gutters adjacent to or abutting the properties listed in Exhibit 1 hereto after the abutting property owners were given notice of the City's intent to repair said areas in accordance with Cincinnati Municipal Code Section 721-149; and

WHEREAS, Cincinnati Municipal Code Sections 721-149 through 721-169 provide that the City may enact an ordinance levying assessments on the abutting property for repair and administrative costs if the property owner fails to pay the bill for the City's repair costs within 30 days of being billed, which assessments shall be collected by the County Treasurer 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 amounts set forth in Exhibit 1 hereto, totaling \$162,611.85, are levied and assessed on the abutting properties listed in Exhibit 1 (the "Assessed Properties") in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169, which provide for recovery of City administrative and repair costs for necessary repairs under the Sidewalk Safety Program.

Section 2. That each of the Assessed Properties is listed in Exhibit 1 to this ordinance together with the amount of the assessment, the length of the assessment period, and reference to the resolution previously passed by Council giving notice of the City's intent to assess the property.

Section 3. That assessments are payable in cash to the City Treasurer within 30 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 assessments not paid in cash within 30 days are to be certified to the County Auditor by the City Treasurer with interest at the rate of 4.59% for 3-year assessments, 4.67% for 5-year assessments, 4.88% for 10-year assessments, and 5.19% for 20-year assessments.

Section 5. That the City provided the property owner for each of the Assessed Properties with notice to repair and a copy of a City Council resolution of intent to assess the property pursuant to Ohio Revised Code Chapter 729 and Cincinnati Municipal Code Sections 721-149, 721-167, and 721-169.

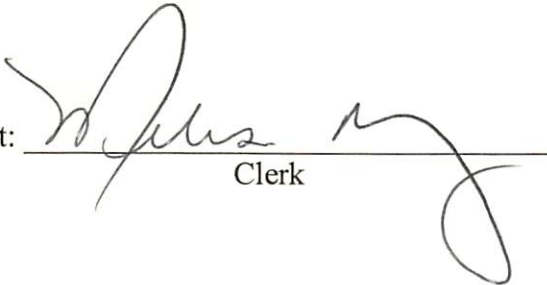
Section 6. That notes and bonds of the City of Cincinnati may be issued in anticipation of the collection of the assessments.

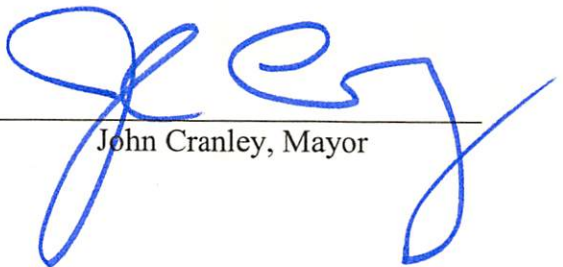
Section 7. That any amount received as a result of the assessments levied herein shall be deposited into the Sidewalk Special Assessment Fund.

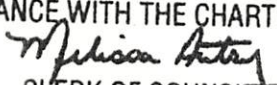
Section 8. That a property owner's right under Section 721-159 of the Cincinnati Municipal Code to file a protest against an assessment shall expire 180 days following the date of the first tax bill containing a sidewalk assessment for the protested work.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: September 16, 2020

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 302-2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 9-29-2020

CLERK OF COUNCIL