

ORDINANCE P - 07

AN ORDINANCE LEVYING ASSESSMENTS FOR THE DAIRY LANE EXTENSION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the extension of Dairy Lane as described in Resolution No. 38-06 has been completed and the costs of that improvement have been determined to be \$185,544.00; and

WHEREAS, this Council had determined the costs of this project, as described in Resolution No. 38-06, from the following sources, to-wit \$111,326.40 from special assessments against benefited property owners who will utilize \$100,000.00 in Roadwork Development Grant funds from the Ohio Department of Development, and \$74,217.60 from general obligation bonds and notes of the City;

NOW THEREFORE, pursuant to Resolution No. 38-06 adopted July 3, 2006, and in accordance with the special assessments portion of the construction costs in the amount of \$11,326.40, incurred by the City to complete the extension of Dairy Lane.

IT IS HEREBY ORDAINED by the Council of the City of Orrville, Wayne County, Ohio, three-fourths of all members elected thereto concurring:

Section 1: This Council finds and determines that the assessments for the improvement of the street shall be levied against the abutting property owners in the amounts designated as now on file in the office of the Clerk of Council.

Section 2: The special assessment against each lot parcel of land shall be payable in cash or by check within 30 days after the passage of this ordinance, or at the option of the owner in ten (10) semi-annual installments with interest at the same rate or rates of interest as borne by any securities to be issued in anticipation of the collection of the special assessments, or, if those securities are not issued, at the rate of 7% per year, which interest rate is determined by this Council to be substantially equivalent to the fair market rate that would have been borne securities issued in anticipation of the collection of the special assessments if those securities had been issued by this Council. All cash payments shall be made to the Director of Finance of this City. All special assessments remaining unpaid at the expiration of those 30 days shall be certified by the Finance Director to the County Auditor, as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 3: The Clerk of Council shall cause a notice of the passage of this Ordinance to be published once in a newspaper of general circulation in this City and to continue on file in the office of the Clerk of Council.

Section 4: The Clerk of Council is directed to deliver a certified copy of this Ordinance to the County Auditor within twenty (20) days after its passage.

Section 5: The Council finds and determines that all formal actions of this Council, concerning and relating to the passage of this Ordinance, were adopted in an open meeting of the

Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 6: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of said City, and for the further reason that the immediate effectiveness of this Ordinance is required in order that the assessments herein levied may be immediately effective;

wherefore, this Ordinance shall be in full force and effect immediately after its passage and approval by the Mayor.

Passed this _____ day of _____ 2007.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date _____