

ORDINANCE NO. 2015-1012

AN ORDINANCE TO LEVY SPECIAL ASSESSMENTS UPON ALL LOTS AND LANDS WITHIN THE VILLAGE OF ARLINGTON, OHIO, AT THE RATE OF 1.3 MILLS OF THE TAX VALUE OF THE PROPERTY ASSESSED TO PROVIDE FOR THE REPAIR, MAINTENANCE AND INSTALLATION OF STREETS, ALLEYS AND SIDEWALKS WITHIN THE VILLAGE OF ARLINGTON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Arlington is without funds to properly maintain the streets, alleys and sidewalks within the Village, and;

WHEREAS, it is deemed necessary and conducive to the safety, comfort, convenience and welfare of the citizens of this community to have adequate streets, alleys and sidewalks at all times, and;

WHEREAS, Section 727.01 of the Ohio Revised Code, provides a method of special assessment by which any part of such cost may be assessed against the benefitted property and it is now determined that each and every lot or parcel of land within the corporation by reason of a **depreciated value** in the event that adequate streets, alleys and sidewalks were not available.

NOW, THEREFORE, BE IT ORDAINED by the Village of Arlington, Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That the assessment of the cost and expense, except a fiftieth part thereof, of paving, maintaining, installing and improving in and maintaining in any manner streets, alleys, and sidewalks throughout the Village of Arlington, Ohio, be and is hereby levied upon all lots and lands within said Village, which assessments shall be the rate of 1.3 mills of the tax value of the property assessed as listed on the tax records in the County Auditor's Office, and are not in excess of any statutory limitation. Said assessments shall be for the 2015 tax year.

SECTION 2: That one-fiftieth of the part of the cost of paving, maintaining, installing and improving in and maintaining in any manner streets, alleys and sidewalks throughout the Village of Arlington, Ohio, shall be paid by the Village of Arlington from the General Fund to be collected as other general taxes.

SECTION 3: That the total assessment against each lot or parcel of land shall be payable in each case within Thirty (30) days from and after the passage of this ordinance and publication of legal notice. All assessments remaining unpaid at the expiration of said Thirty (30) days shall be certified by the Clerk of this Council to the County Auditor, as provided by law to be by him placed on the tax duplicate and collected as other taxes are collected.

SECTION 4: That the assessments so collected shall be placed in a separate and distinct fund and shall be used for no other purpose whatsoever.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the Village of Arlington and for the further reason it is immediately necessary to enact said legislation so as not to deplete the existing Street Repair Fund,