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Presented by the Administration

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 1 - 2015

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REPAIR OR REPLACEMENT OF SIDEWALKS AND DRIVE APPROACHES IN THE SIDEWALK AND DRIVE APPROACH REPAIR AND REPLACEMENT DISTRICT, FOR THE YEAR 2014, AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 1-2014, adopted by the Council of the City of Cuyahoga Falls on January 13, 2014, created the Sidewalk and Drive Approach Repair and Replacement District for the year 2014, and determined the necessity of adjusting or replacing certain sidewalks and drive approaches within the district; and

WHEREAS, such sidewalks and drive approaches within the district have been repaired or replaced;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio, that:

Section 1. The portion of the total cost and expense of repairing or replacing sidewalks and driveway approaches located within the Sidewalk and Drive Approach Repair and Replacement District for the year 2014 to be paid for by special assessments is hereby established at the rate of \$12.00 per linear foot for replacement and \$5.00 per square foot for driveway approaches. That portion of the total cost of the improvement to be paid for by special assessments is hereby levied and assessed upon the lots and lands provided for in the schedule of special assessments now on file with the Clerk of Council, which special assessments are in proportion to the special benefits and are not in excess of any statutory limitation and which are hereby adopted and confirmed.

Section 2. The assessment against each lot or parcel of land shall be payable in cash within thirty (30) days from the levy thereof in the office of the Finance Director with the further provision that all assessments thereof remaining unpaid at the expiration of said thirty days shall be certified by the Clerk of Council to the County Fiscal Officer to be placed on the tax duplicate and collected in two (2) semi-annual installments.

Section 3. A certified copy of this ordinance shall be provided to the County Fiscal Officer by the Clerk of Council within twenty (20) days after its passage.

Section 4. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

56 Section 6. This ordinance is hereby declared to be an emergency measure necessary
57 for the preservation of the public peace, health, safety, convenience and welfare of the
58 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
59 affirmative vote of two thirds of the members elected or appointed to Council, it shall
60 take effect and be in force at the earliest period allowed by law.

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Passed: 1/26/2015

Mary Ellen Pyke
President of Council

David Quinn
Clerk of Council

Approved: 1-27-15

[Signature]
Mayor