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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 RESOLUTION NO. | - 2016

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8
9 A RESOLUTION CREATING FOR THE YEAR 2016 A SIDEWALK AND
10 DRIVE APPROACH REPAIR OR REPLACEMENT DISTRICT
11 CONTAINING SUCH STREETS, ALLEYS, OR PUBLIC ROADWAYS
12 WITHIN THE CORPORATE LIMITS OF THE CITY OF CUYAHOGA
13 FALLS, DECLARING THE NECESSITY OF REPAIRING OR
14 REPLACING THE SIDEWALKS AND DRIVE APPROACHES ABUTTING
15 ON SUCH STREETS, ALLEYS OR PUBLIC ROADWAYS WITHIN SAID
16 CORPORATE LIMITS AND PROVIDING THE METHOD FOR LEVYING
17 SPECIAL ASSESSMENTS, AND DECLARING AN EMERGENCY.

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19 WHEREAS, it is the opinion of this Council that certain sidewalks and drive approaches abutting
20 on the streets, alleys or public roadways within the City of Cuyahoga Falls are in disrepair.

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

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25 Section 1. A Sidewalk and Drive Approach Repair or Replacement District is hereby created for
26 the year 2016 containing those streets, alleys or public roadways within the corporate limits of the
27 City of Cuyahoga Falls, and declaring the necessity of repairing or replacing the sidewalks and drive
28 approaches abutting on such streets, alleys or public roadways, and to provide the method for
29 levying assessments and the right to object to or appeal said assessment.

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31 Section 2. It is hereby declared that the repair or replacement of sidewalks and drive
32 approaches abutting on necessary streets, alleys and public roadways within the Sidewalk and Drive
33 Approach Repair or Replacement District is necessary and will be of general benefit within the City
34 and of special benefit to property owners abutting said sidewalks and drive approaches.

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36 Section 3. Property abutting the necessary streets, alleys and public roadways receiving
37 sidewalk repair or replacement within the District may be assessed by the lineal foot of abutting
38 sidewalk at the rate of one-half of the total cost of installing or adjusting a linear foot of sidewalk,
39 with the remainder of such cost to be paid by the City. Property abutting the necessary streets,
40 alleys and public roadways receiving drive approach repair or replacement within the District may be
41 assessed by the square foot of drive approach at the rate of one-half of the total cost of installing or
42 adjusting a square foot of drive approach, with the remainder of such cost to be paid by the City.

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44 Section 4. The assessment to be levied may be paid in full within thirty (30) days from the levy
45 thereof in the office of the City Director of Finance, and all assessments thereof remaining unpaid at
46 the expiration of said thirty (30) days shall be certified by the Clerk of Council to the County Auditor
47 to be placed by him on the tax duplicate and collected in two (2) semi-annual installments.

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49 Section 5. Notice to the owners thereof shall be given by publishing the resolution establishing a
50 sidewalk and drive approach repair or replacement district and setting forth the portion of the cost
51 to be assessed, once each week for two weeks in a newspaper published and of general circulation to
52 the City.

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54 Section 6. If an owner objects to an assessment, he shall file his objections in writing with the
55 Clerk of Council within ten (10) days after the last publication of the resolution as provided in
56 Section 915.03 of the Codified Ordinances of the City of Cuyahoga Falls, thereupon, Council shall

57 consider such objections and if they are found to be well taken, may remit such portion of the
58 assessment against the property of the objecting owner as is deemed just or may determine by
59 resolution that a portion or portions of the work described in the ordinance adopted pursuant to
60 Sections 915.01 or 915.02 shall not be done. Any deficiency arising from such remitter may be
61 made up from any fund of the City available for the public improvement of streets or by
62 contributions from the owners desiring that the work be done.

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64 Section 7. After the expiration of the time within which objections may be filed under Section
65 915.04 of the codified Ordinances of the City of Cuyahoga Falls and the disposition of objections, the
66 Director of Public Service may proceed with the work mentioned in Sections 915.01 and 915.02 of
67 the Codified Ordinances of the City of Cuyahoga Falls or if proceeding by contract, the legislative
68 authority shall authorize the Service Director to advertise and take bids for the awarding of the
69 necessary contracts subject to any determination by the Council that a portion or portions of such
70 work shall not be done pursuant to Section 915.04 of the Codified Ordinances of the City of
71 Cuyahoga Falls.

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73 Section 8. It is found and determined that all formal actions of this Council concerning and
74 relating to the adoption of this resolution were adopted in an open meeting of this Council and that
75 all deliberations of this Council and of any of its Committees that resulted in such formal action
76 were in meetings open to the public in compliance with all legal requirements including, to the
77 extent applicable, Chapter 107 of the Codified Ordinances.


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79 Section 9. This resolution is hereby declared to be an emergency measure necessary for the
80 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
81 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the
82 members elected or appointed to Council, it shall take effect and be in force at the earliest period
83 allowed by law.

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87 Passed: 1-11-16




President of Council

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Clerk of Council

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96 Approved: 1-12-2016



Mayor

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