

RECORD OF RESOLUTIONS

Resolution No. 2024-R-08

February 12, 2024

City of Bellbrook State of Ohio

Resolution No. 2024-R-08

APPROVING INDIVIDUAL ASSESSMENT AMOUNTS AND DIRECTING THE CITY MANAGER TO CERTIFY THE AMOUNTS TO THE GREENE COUNTY AUDITOR TO ENTER THE DELINQUENT AMOUNTS ON THE TAX DUPLICATE FOR CERTAIN PROPERTIES

WHEREAS, pursuant to Section 6, Article XVIII of the Ohio Constitution the General Assembly has enacted general laws stating purposes for which municipalities may assess specially benefited property; and

WHEREAS, the General Assembly has enacted laws that require a County Auditor to act at the direction, or on behalf, of a municipality with respect to collection of certain costs assessed to properties including but not limited to R.C 743.04, 715.261 and 731.51-54; and

WHEREAS, as a result of the foregoing, the City of Bellbrook has passed, and will in the future pass laws to assess real property for all or part of the cost of a public improvement and/or certain permitted costs of abatement or collection, including but not limited to Ordinance No.2005-2 and 2009-7 codified as Bellbrook Code of Ordinances Section 678.03 (cutting trees, weeds, other vegetation); Ordinance No. 86-14 and 2013-6 codified as Bellbrook Code of Ordinances Section 1042.05 (unpaid water service); and Bellbrook Code of Ordinances Section 660.16 (abatement of nuisances) and such other ordinances or resolutions that may be passed from time to time pursuant to these codified laws; and

WHEREAS, in order to better track and account for authorized legal assessments and the amounts due to the City, City Council has determined it is in the best interest of the citizens to pass this Ordinance setting forward the applicable properties and assessment amounts to be certified to the County for collection; and

WHEREAS, the assessments set forth in Exhibit A have been authorized by the City Council of the City of Huber Heights and are required by law to be assessed and collected by the County on behalf of the City.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. The properties set forth in Exhibit A incorporated herein by reference are to be assessed in the amount also set forth in the applicable section of Exhibit A unless payment is made within the time frame set forth in the applicable section of Exhibit A.

Section 2. In the event a payment for the amount or any portion of the amount set forth in Exhibit A is received by the City prior to final assessment date set forth in Exhibit A, which is the same date set forth in the notice sent to such property owner, the City Manager is authorized to remove or revise such assessment from Exhibit A prior to certification to the County Auditor.

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Section 3. The City Manager is instructed to certify this Resolution, including the final assessed properties in Exhibit A, to the GreeneCounty Auditor for collection.

Section 2. That it is found and determined that all formal actions of the City Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

Section 3. That this resolution shall take effect and be in force forthwith.

PASSED BY City Council this ____ day of _____, 2024.

____ Yeas; ____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council