

CITY OF FRANKLIN, OHIO
ORDINANCE 2023-16

**LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF
FOR THE YEAR 2024**

WHEREAS, this Council, on March 6, 2023, duly adopted Resolution 2023-13, declaring the necessity of improving City streets and public ways within the corporate limits of the City by the lighting thereof, said lighting to be provided by electrical lighting, for the year 2024;

WHEREAS, this Council by Ordinance 2023-09, adopted on April 3, 2023, determined to proceed with said improvement;

WHEREAS, the actual cost of the improvement has been ascertained and the amount of the special assessments have been increased or decreased in the same proportion to the estimated assessments as the actual cost of the improvements bears to the estimated cost of the improvement upon which the estimated assessments were based; and

WHEREAS, Ohio Revised Code Section 727.25 requires this Council, after the actual cost of improvement has been ascertained, to assess by Ordinance, upon the lots and lands enumerated in the estimated assessment, that portion of the total costs of the improvement to be paid for by special assessments,

THE CITY OF FRANKLIN HEREBY ORDAINS, a majority of the members of the Council present concurring, that:

Section 1. The adjusted assessment of the cost of improving City streets and public ways by the lighting thereof, said lighting to be provided by electrical lighting, in the City of Franklin, Ohio, for the year 2024, as reported to this Council and filed in the office of the Clerk of Council, and aggregating One Hundred Seventy Thousand Dollars and No Cents (\$170,000.00), is adopted and affirmed. The City shall pay two percent (2%) of the cost of the improvement.

Section 2. There are hereby levied and assessed upon all lots and lands lying within the corporate limits of the City of Franklin, Ohio the several amounts reported in the adjusted assessments, which assessments are in proportion to the tax value thereof. The assessments do not exceed any statutory limitations.

Section 3. The portion of the cost of the improvement to be assessed against benefited property, in the amount of One Hundred Sixty-Six Thousand Six Hundred Dollars and No Cents (\$166,600.00), shall be assessed in the amount, manner and number of installments provided in Resolution 2023-13, adopted on March 6, 2023, which declared the necessity of the improvement.

Section 4. The adjusted assessments are in the same proportion to the estimated assessments as the actual cost of the improvement bears to the estimated cost upon which such estimated assessments were based.

Section 5. The total assessment against each lot and parcel of land shall be payable, in cash, to the Finance Director of the City of Franklin within thirty (30) days after passage of this Ordinance or, at the option of the property owner assessed, in two (2) semi-annual installments. All assessments which have not been paid at the expiration of the thirty (30) day period shall be certified by the Finance Director to the County Auditor, to be placed on the tax duplicate and collected in the same as other taxes are collected, as provided by law.

Section 6. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City, as required by law.

Section 7. The Finance Director is authorized and directed to keep the adjusted assessments on file in her office for as long as any of them remain unpaid.

Section 8. The Finance Director is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within thirty (30) days after the passage of this Ordinance.

Section 9. It is found 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 that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 10. This Ordinance shall go into effect May 31, 2023.

INTRODUCED: April 17, 2023

ADOPTED: May 1, 2023

ATTEST: Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED: Brent Centers
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2023-16 passed by that body on May 1, 2023.

Khristi Dunn
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Ben Yoder, Law Director