

ORDINANCE NO. 02021-012

Passed 16-26, 2021

**AN ORDINANCE TO ASSESS SPECIAL ASSESSMENTS FOR THE COST OF STREET LIGHTING, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village provides street lighting along the streets of the Village; and

**WHEREAS**, funding is necessary to pay for the costs of providing street lighting along the streets of the Village; and

**WHEREAS**, on or about September 28, 2021, the Village passed Resolution 2021-004 which established the necessity of a special assessment pursuant to RC §727, *et al* for the funding of the costs of providing street lighting along the streets of the Village; and

**WHEREAS**, pursuant to RC §727.25, the Village seeks to assess the costs of said street lighting to the affected residents of the Village.

**NOW THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RISINGSUN, WOOD COUNTY, OHIO, WITH TWO-THIRDS OF ALL MEMBERS VOTING IN FAVOR THEREOF THAT:

**Section 1.** The Council finds it necessary for public safety and welfare of the Village to assess the costs and expenses necessary to provide ongoing improvements in the form of installing, repairing, operating, and maintaining street lights in public places in the Village.

**Section 2.** The Council determines the estimated annual cost of providing ongoing improvements in the form of installing, repairing, operating, and maintaining street lights to be a minimum of ten- thousand nine-hundred dollars (\$10,900.00) per year. The plans, specifications, profiles, and estimates of cost for the installation, repair, operation and maintenance of street lights are on file with the Clerk of Council and are hereby approved.

**Section 3.** The Council determines that the amount of one-thousand dollars (\$1,000.00), which amount exceeds the statutorily-required minimum contribution of the Village pursuant to RC §727.05 of two percent (2%) of the \$10,900.00 minimum cost to provide ongoing improvements in the form of installing, repairing, operating, and maintaining street lights shall be paid from Village resources other than special assessments.

**Section 4.** The Council determines the remaining \$9,900.00 cost of providing ongoing improvements in the form of installing, repairing, operating, and maintaining street lights shall be assessed upon all property abutting any of the streets of the Village, excepting any such tax-exempt property or property belonging to public utilities.

**Section 5.** The Council determines the special assessment shall be levied based upon a percentage of the tax value of all property abutting any of the streets of the at an equal rate sufficient to generate the amount of \$9,900.00.

**Section 6.** The Council determines said special assessment shall be levied in two annual installments per property tax year.

**Section 7.** The Council determines the method of collection of said special assessment shall be via certification by Village Fiscal Officer to the Wood County Auditor for collection in the same manner as County property taxes upon the property tax duplicates for collection in the subsequent year. The Village Fiscal Officer shall perform the certification of said special assessment each tax year this Resolution of Necessity remains in effect.

**Section 8.** No notes or bonds shall be issued in anticipation of the collection of said special assessment.

**Section 9.** The Council finds and determined that all formal actions of this Council relating to the adoption of this resolution have been taken at open meetings of this Council, and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

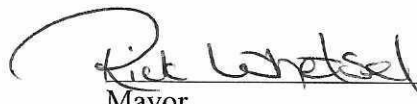
**Section 11.** This Resolution is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the Village of Risingsun, the emergency being the need to certify special assessments to the County Auditor by the September deadline. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

Passed 10-26-21

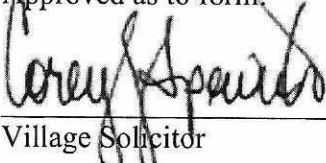
ATTEST:

  
\_\_\_\_\_  
Council President

  
\_\_\_\_\_  
Village Fiscal Officer

  
\_\_\_\_\_  
Mayor

Approved as to form:

  
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Village Solicitor