

**Ordinance #:** O2022-008

**Passed:** 9-20-22

**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 August 22, 2022, the Village passed Resolution 2022-002 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 asses 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), with amount exceed 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 of 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 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 meeting open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 10.** 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 Risings, 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:

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

  
\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form;

  
\_\_\_\_\_  
Village Solicitor

CERTIFICATION OF SPECIAL ASSESSMENTS  
FOR MUNICIPAL STREET LIGHTING  
(VALUATION)

TO: MATTHEW OESTREICH  
WOOD COUNTY AUDITOR  
ONE COURTHOUSE SQUARE BOX 368  
BOWLING GREEN OH 43402-0368

I, GENA RATHBURN, CLERK OF THE CITY/VILLAGE OF RISINGSUN WOOD COUNTY OHIO, DO HEREBY CERTIFY THAT THE COUNCIL OF SAID CITY/VILLAGE HAS ORDERED THAT THE COST AND EXPENSE OF THE LIGHTING OF THE STREETS, ALLEYS, WAYS AND OTHER PUBLIC PLACES IN SAID CITY/VILLAGE, AND THE FURNISHING OF ELECTRICAL ENERGY, FOR THE TAX YEAR 2022 BE PAID FOR BY SPECIAL ASSESSMENT UPON THE LOTS AND LANDS, AS LISTED ON THE REAL ESTATE TAX DUPLICATE, WITHIN SAID CITY/VILLAGE, AND THAT FOR PURPOSES THERE SHALL BE LEVIED AND ASSESSED ACCORDING TO VALUATION FOR A TOTAL AMOUNT OF \$ \$9,900.00 FOR THE FULL YEAR, PAYABLE IN TWO EQUAL INSTALLMENTS, AND THAT SUCH ASSESSMENTS WERE ORDERED TO BE CERTIFIED BY ME TO YOU TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES.

ATTACHED HERETO IS A CERTIFIED COPY OF THE ORDINANCE AS PASSED BY THE  
RISINGSUN CITY/VILLAGE COUNCIL ON 20-Sep-21

<u>GENA RATHBURN</u>	FISCAL OFFICER
<u>420 MAIN ST.</u>	ADDRESS
<u>RISINGSUN, OH 43457</u>	
<u>419-457-4435</u>	PHONE
<u>20-Sep-21</u>	DATE

SPECIFY BY YES OR NO THOSE  
PARCELS TO BE ASSESSED:

Y RESIDENTIAL  
Y PUBLIC UTILITY  
N EXEMPT