

ORDINANCE NO. 2013-052

AN ORDINANCE DETERMINING TO PROCEED WITH THE PROVISION OF THE ENHANCED PUBLIC SERVICES IN THE DOWNTOWN FINDLAY SPECIAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, Council adopted Resolution 009-2013 the renewal petition, services plan and budget of the Downtown Findlay Special Improvement District (THE DISTRICT), all in accordance with the petition signed by the owners of at least seventy-five percent (75%) of the area of lots and lands affected by the proposed District, which has been amended by Resolution 024-2013 which has no affect other than modifying THE DISTRICT boundaries, which are all contiguous, and still represents at least seventy-five percent (75%) of the area of lots and land affected by the amendment to said District, and which properly assesses said properties on the basis of square footage of each respective property within THE DISTRICT; and,

WHEREAS, the renewal petition requests that this Council levy special assessments against the benefited properties in THE DISTRICT to pay costs of the enhanced public services described in renewed and amended plan, and;

WHEREAS, this Council adopted Resolution 025-2013 declaring the necessity of providing the enhanced public services described above, and;

WHEREAS, this Council has provided proper notice of said amended assessments to all properties within THE DISTRICT, dated August 17, 2013 and no objections to said assessments have been received.

NOW, THEREFORE, BE IT ORDAINED by the Council of the city of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: It is determined to proceed with the provisions of the enhanced public services described in the Renewal Petition, Services Plan and Budget, as amended, and as approved by Resolutions 009-2013, 024-2013 and 025-2013 (THE COMPREHENSIVE PLAN), each of which is now on file in the office of the Clerk of Council.

SECTION 2: The enhanced public services shall be provided in accordance with the provisions of Resolution 009-2013, 024-2013, 025-2013 and THE COMPREHENSIVE PLAN.

SECTION 3: All claims for damages resulting from the provision of the enhanced public services that have been legally filed shall be inquired into after completion of the provision of the services and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 4: The whole cost of the enhanced public services to be assessed in accordance with Resolution 009-2013, 024-2013 and 025-2013 shall be assessed on an annual basis for a period of Five (5) years in the manner and pursuant to the payment schedule set forth, and on the lots and lands described, in those Resolutions.

SECTION 5: The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.


SECTION 6: The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within fifteen (15) days after its passage with a copy of the appropriate assessments for each property, as determined by the City Auditor, to be attached thereto as "Exhibit A".

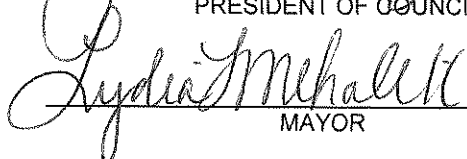
SECTION 7: That the assessments contained in "Exhibit A" represent the annual assessment on each property or parcel and that said assessments shall be assessed against each property or parcel each successive year for a period of not less than Five (5) years, unless otherwise paid in full, and renewable as provided by law.

SECTION 8: This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the Law.

SECTION 9: This Ordinance is declared to be necessary for the immediate preservation of the public peace, health, safety and property of the City and for the further reason for the passage of this Ordinance necessary to cause enhanced public services to be provided in THE DISTRICT which services are urgently needed to maintain and improve THE DISTRICT as a business, cultural, residential and recreational community;


WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.



PRESIDENT OF COUNCIL


MAYOR

PASSED: August 20, 2013

ATTEST: 

CLERK OF COUNCIL

APPROVED: August 20, 2013