

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 03 – 15 - 04

AN ORDINANCE AMENDING THE *CLAYTON IMPROVEMENT DISTRICT ORDINANCE TO PROVIDE FOR A REDUCTION OF COST RECOVERY IMPACT FEES AND DECLARING AN EMERGENCY*

WHEREAS, by Ordinance No. O-05-05-07 enacted May 19, 2005, as amended by Ordinance No. O-03-07-08 enacted April 5, 2007, and as further amended by Ordinance No. O-07-12-07 enacted July 17, 2012 (collectively the “Clayton Improvement District Ordinance”) Council approved the establishment of Clayton Improvement District No. 1 and the imposition and modification from time to time of Cost Recovery/Impact Fees on development within said District; and

WHEREAS, staff and Council have periodically reviewed the fees specified in the Clayton Improvement District Ordinance and pursuant to their most recent review have concluded that a modification of the Cost Recovery/Impact Fee is appropriate to adjust the fee to reflect separate collection of the Montgomery County Sewer tap fee in the current amount of \$2,180.00 while maintaining the overall collection of the adjusted amount of the Cost Recovery/Impact Fee necessary to completely fund the infrastructure improvements directly benefiting Clayton Improvement District No. 1; and

WHEREAS, immediate implementation of the reduction of the fee is important to encourage prompt commencement of development within time periods conducive to construction and in order to better protect the health, safety and welfare of the citizens of Clayton.

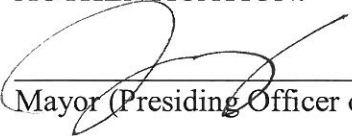
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the Cost Recovery/Impact Fees as currently provided, shall be adjusted by deleting therefrom collection of “tap fees”; and
2. That all other fees set forth in Exhibits to the Clayton Improvement District Ordinance, including discounts, temporary reductions and fees for multi-family dwelling units shall remain in effect as provided under prior enacted legislation.
3. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
4. That in accordance with Charter Section 4.031(B) the requirement that this ordinance be read on two different days is dispensed with by affirmative vote of at least five (5) of the members of Council.

5. That the immediate implementation of this ordinance is necessary to provide increased incentive to developers to commence construction on lots within the Clayton Improvement District No. 1 and to encourage development within the and in order to better protect the welfare of the citizens of Clayton. Therefore, in accordance with Clayton Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety, and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

ADOPTED BY COUNCIL ON MARCH 19, 2015.

AUTHENTICATION:




Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director ASST

CERTIFICATION OF PUBLICATION

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication
Englewood Independent March 26, 2015



Clerk