

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 08 - 25 – 13

AN ORDINANCE ADOPTING ESTIMATED ASSESSMENTS AND CERTIFYING UNPAID CHARGES FOR 2025/2026 CURB AND GUTTER REPAIR/REPLACEMENT WORK TO THE MONTGOMERY COUNTY AUDITOR FOR COLLECTION WITH REAL ESTATE TAXES (FIVE ANNUAL INSTALLMENTS) AND DECLARING AN EMERGENCY

WHEREAS, the City Staff has heretofore studied the need to repair and/or remove and replace curbs and gutters within the areas identified on **Exhibit A** appended to the previously adopted Resolution of Necessity No. R-03-25-23 enacted on March 20, 2025; and

WHEREAS, the aforementioned Resolution of Necessity provided that in the event said curbs and gutters are not repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners and prior to April 25, 2025 in accordance with the plans and specifications filed with the Clerk of Council, the municipal corporation will cause such repair and/or removal and replacement to occur and assess the cost thereof against the lots and lands abutting thereon; and

WHEREAS, consistent with the aforementioned Resolution of Necessity, the City has caused certain curbs and gutters to be repaired and/or removed and replaced and a List of Estimated Assessments relative to same was provided to the subject property owners via publication per CCO 904.04(e) and issued to Council on March 14, 2025; and

WHEREAS, the Clerk of Council has delivered to Council all objections to the Estimated Assessments received to date, if any, and Council has reviewed same and desires to adopt the present Ordinance in order to levy upon the lots and lands enumerated in the List of Estimated Assessments the amounts set forth on such List of Estimated Assessments and attached hereto as **Exhibit A**.

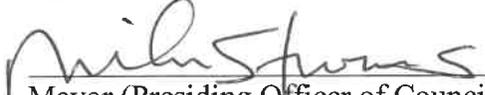
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That Council hereby approves and adopts the attached List of Estimated Assessments and levies same and the Finance Director is hereby authorized and directed to certify to the Auditor of Montgomery County, Ohio, the attached List of Estimated Assessments for 2025/2026 curbs and gutters repair/replacement assessments within the City of Clayton, Ohio by the City of Clayton, Ohio. The List, which is attached hereto as **Exhibit A** and incorporated by reference herein, identifies the properties to be assessed by Parcel I.D. and specifies the unpaid charges for said work. The City requests that these charges be made a lien against the respective properties in accordance with Ohio Revised Code 729.01, et. seq.

2. *That the attached Assessments NOT in excess of \$2,500.00 shall be payable in annual installments not exceeding five.*
3. That Assessments may be payable in cash until Friday, August 29, 2025.
4. That no later than Monday, September 8, 2025, the Clerk is directed to forward a certified copy of this Ordinance to the Montgomery County Auditor.
5. 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.
6. That in accordance with Clayton Charter Section 4.031(B) the requirement that this enactment be read on two (2) separate days is dispensed with by affirmative vote of at least five (5) of the members of Council.
7. That unless the assessments are immediately passed and submitted to the Auditor of Montgomery County the public peace, health, safety and welfare will be detrimentally affected because the assessments would not appear on the next tax duplicate and passage as an emergency will enable the City to timely assert its lien rights prior to properties being sold and/or transferred. Accordingly, pursuant to Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the 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 SEPTEMBER 4, 2025.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION

This shall certify that this is a true and correct copy of Ordinance No. O-08-25-13 enacted by Council on September 4, 2025 recorded in the permanent minutes and records of the City of Clayton, Ohio, and which remains in full force and effect as of the date of this certification.


Clerk of Council

Dated: September 4, 2025

CERTIFICATION OF PUBLICATION

This shall certify that 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
<u>Eaton Register Herald</u>	<u>September 10, 2025</u>


CLERK

Parcel ID	Project Code	Tax Year	Total Resident Charge
M60 25004 0006		2025	33.60
M60 25004 0006		2026	33.60
M60 25004 0006		2027	33.60
M60 25004 0006		2028	33.60
M60 25004 0006		2029	33.60
M60 25003 0009		2025	50.40
M60 25003 0009		2026	50.40
M60 25003 0009		2027	50.40
M60 25003 0009		2028	50.40
M60 25003 0009		2029	50.40
M60 25221 0014		2025	67.20
M60 25221 0014		2026	67.20
M60 25221 0014		2027	67.20
M60 25221 0014		2028	67.20
M60 25221 0014		2029	67.20
M60 25222 0007		2025	92.40
M60 25222 0007		2026	92.40
M60 25222 0007		2027	92.40
M60 25222 0007		2028	92.40
M60 25222 0007		2029	92.40
M60 25222 0019		2025	100.80
M60 25222 0019		2026	100.80
M60 25222 0019		2027	100.80
M60 25222 0019		2028	100.80
M60 25222 0019		2029	100.80
M60 25222 0020		2025	117.60
M60 25222 0020		2026	117.60
M60 25222 0020		2027	117.60
M60 25222 0020		2028	117.60
M60 25222 0020		2029	117.60
M60 25217 0007		2025	126.00
M60 25217 0007		2026	126.00
M60 25217 0007		2027	126.00
M60 25217 0007		2028	126.00
M60 25217 0007		2029	126.00
M60 25221 0031		2025	151.20
M60 25221 0031		2026	151.20
M60 25221 0031		2027	151.20
M60 25221 0031		2028	151.20
M60 25221 0031		2029	151.20

M60 25221 0028		2025	168.00
M60 25221 0028		2026	168.00
M60 25221 0028		2027	168.00
M60 25221 0028		2028	168.00
M60 25221 0028		2029	168.00
M60 25004 0011		2025	168.00
M60 25004 0011		2026	168.00
M60 25004 0011		2027	168.00
M60 25004 0011		2028	168.00
M60 25004 0011		2029	168.00
M60 25003 0001		2025	168.00
M60 25003 0001		2026	168.00
M60 25003 0001		2027	168.00
M60 25003 0001		2028	168.00
M60 25003 0001		2029	168.00
M60 25222 0011		2025	168.00
M60 25222 0011		2026	168.00
M60 25222 0011		2027	168.00
M60 25222 0011		2028	168.00
M60 25222 0011		2029	168.00
M60 25221 0026		2025	176.40
M60 25221 0026		2026	176.40
M60 25221 0026		2027	176.40
M60 25221 0026		2028	176.40
M60 25221 0026		2029	176.40
M60 25222 0018		2025	184.80
M60 25222 0018		2026	184.80
M60 25222 0018		2027	184.80
M60 25222 0018		2028	184.80
M60 25222 0018		2029	184.80
M60 25004 0016		2025	184.80
M60 25004 0016		2026	184.80
M60 25004 0016		2027	184.80
M60 25004 0016		2028	184.80
M60 25004 0016		2029	184.80
M60 25222 0021		2025	252.00
M60 25222 0021		2026	252.00
M60 25222 0021		2027	252.00
M60 25222 0021		2028	252.00
M60 25222 0021		2029	252.00
M60 25221 0007		2025	268.80
M60 25221 0007		2026	268.80
M60 25221 0007		2027	268.80
M60 25221 0007		2028	268.80

M60 25221 0007		2029	268.80
M60 25221 0012		2025	277.20
M60 25221 0012		2026	277.20
M60 25221 0012		2027	277.20
M60 25221 0012		2028	277.20
M60 25221 0012		2029	277.20
M60 25222 0014		2025	302.40
M60 25222 0014		2026	302.40
M60 25222 0014		2027	302.40
M60 25222 0014		2028	302.40
M60 25222 0014		2029	302.40
M60 25222 0025		2025	319.20
M60 25222 0025		2026	319.20
M60 25222 0025		2027	319.20
M60 25222 0025		2028	319.20
M60 25222 0025		2029	319.20
M60 25217 0034		2025	344.40
M60 25217 0034		2026	344.40
M60 25217 0034		2027	344.40
M60 25217 0034		2028	344.40
M60 25217 0034		2029	344.40
M60 25217 0006		2025	352.80
M60 25217 0006		2026	352.80
M60 25217 0006		2027	352.80
M60 25217 0006		2028	352.80
M60 25217 0006		2029	352.80
M60 25217 0030		2025	352.80
M60 25217 0030		2026	352.80
M60 25217 0030		2027	352.80
M60 25217 0030		2028	352.80
M60 25217 0030		2029	352.80
M60 25004 0004		2025	352.80
M60 25004 0004		2026	352.80
M60 25004 0004		2027	352.80
M60 25004 0004		2028	352.80
M60 25004 0004		2029	352.80
M60 25221 0015		2025	361.20
M60 25221 0015		2026	361.20
M60 25221 0015		2027	361.20
M60 25221 0015		2028	361.20
M60 25221 0015		2029	361.20
M60 25217 0031		2025	378.00
M60 25217 0031		2026	378.00
M60 25217 0031		2027	378.00

M60 25217 0031		2028	378.00
M60 25217 0031		2029	378.00
M60 25203 0014		2025	389.60
M60 25203 0014		2026	389.60
M60 25203 0014		2027	389.60
M60 25203 0014		2028	389.60
M60 25203 0014		2029	389.60
M60 25004 0017		2025	403.20
M60 25004 0017		2026	403.20
M60 25004 0017		2027	403.20
M60 25004 0017		2028	403.20
M60 25004 0017		2029	403.20
M60 25222 0003		2025	411.60
M60 25222 0003		2026	411.60
M60 25222 0003		2027	411.60
M60 25222 0003		2028	411.60
M60 25222 0003		2029	411.60
M60 28511 0011		2025	417.00
M60 28511 0011		2026	417.00
M60 28511 0011		2027	417.00
M60 28511 0011		2028	417.00
M60 28511 0011		2029	417.00
M60 25222 0004		2025	472.20
M60 25222 0004		2026	472.20
M60 25222 0004		2027	472.20
M60 25222 0004		2028	472.20
M60 25222 0004		2029	472.20
M60 25203 0001		2025	498.69
M60 25203 0001		2026	498.69
M60 25203 0001		2027	498.69
M60 25203 0001		2028	498.69
M60 25203 0001		2029	498.69

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