

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 08 - 25 - 19

AN ORDINANCE TO IMPOSE ASSESSMENTS UPON OWNERS OF REAL PROPERTY IN ARREARS FOR PAYMENT OF FEES FOR WASTE HAULING AND DISPOSAL SERVICES FOR 2025/2026 AND DECLARING AN EMERGENCY

WHEREAS, Charter Section 3.01(B) grants to Council the power to adopt and provide for enforcement of local police, sanitary and other similar regulations as are not in conflict with the general laws of Ohio; and

WHEREAS, Charter Section 3.01(A) provides the legislative power to levy taxes and assessments; and

WHEREAS, R.C. 715.43 provides that a municipality may provide for the collection and disposition of garbage and assess a reasonable fee for such services; and

WHEREAS, the appended list of Collection Assessments sets forth the Parcel ID numbers of the properties to whom service has been provided and the unpaid waste disposal fees attributable to each property; and

WHEREAS, the City desires to impose a lien upon the identified properties served and to refer said liens to the County Auditor to be collected in the same manner as other taxes.

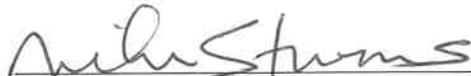
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That there is hereby levied and assessed against the parcels specifically identified on the appended list(s) those amounts set forth which represent unpaid charges for waste collection and disposal services. The appended list(s) are incorporated herein and made a part hereof.
2. That immediately upon becoming effective, the Clerk is directed to forward a copy of this Ordinance to the Montgomery County Auditor.
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 Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is dispensed with by affirmative vote of at least five (5) members of Council.
5. 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. 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:

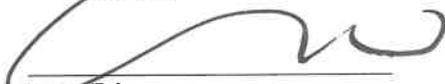


Mayor (Presiding Officer of Council)



Clerk of Council

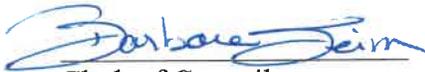
APPROVED AS TO FORM:



Law Director

CERTIFICATION

This shall certify that this is a true and correct copy of Ordinance No. O-08-25-19 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.



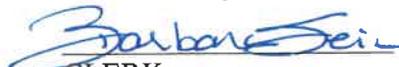
Clerk of Council

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

Ref: Clayton Charter §§ 3.01; 4.02; 4.031; 4.033, and R.C. 715.43 and Portsmouth v. McGraw (1986), 21 Ohio St3d 117.

Parcel ID	Project Number	Tax Year	Amount
M60 00101 0017	31850	2025	170.59
M60 00102 0008	31850	2025	270.18
M60 00103 0006	31850	2025	190.09
M60 00107 0002	31850	2025	270.18
M60 00112 0003	31850	2025	105.04
M60 00112 0007	31850	2025	190.09
M60 00113 0004	31850	2025	246.81
M60 00204 0005	31850	2025	246.81
M60 00204 0006	31850	2025	105.04
M60 00205 0004	31850	2025	397.53
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M60 00208 0013	31850	2025	386.90
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M60 03107 0090	31850	2025	256.22
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