

ORDINANCE NO. 2007 - 255

ORDINANCE: TO LEVY SPECIAL ASSESSMENT UPON ALL LOTS AND LANDS WITHIN THE VILLAGE OF VAN BUREN, OHIO, AT THE RATE OF ONE AND ONE-HALF (1.5) MILLS OF THE TAX VALUE OF THE PROPERTY ASSESSED TO PROVIDE FOR THE LIGHTING OF THE STREETS, ALLEYS, AND PUBLIC WAYS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council for the Village of Van Buren, Ohio:

WHEREAS, the Village of Van Buren is without funds to pay the cost of lighting the streets, alleys and public places of the Village; and

WHEREAS, it is deemed necessary for the safety and comfort of the citizens of this community to continue said lighting system; and

WHEREAS, Section 727.01 of the Ohio Revised Code provides for a special assessment by which such cost may be assessed against the benefited properties, and it is hereby determined that each and every parcel of land and lot within the corporate limits of the Village of Van Buren, Ohio is specifically benefited by reason of the depreciated value in the event of failure of the street lighting system.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF VAN BUREN, OHIO:

**Section 1.** That the assessment of the cost and expense, except a one-fiftieth (1/50) part thereof, of lighting the streets, alleys and public places of the Village of Van Buren, Ohio, as now installed or as maybe installed in the future, be and is hereby levied upon all lots and lands within the said Village, and which assessments shall be at the rate of one and one-half (1.5) mills of the tax value of the property assessed as listed on the tax records in the County Auditor's office, and are not in excess of any statutory limitation.

**Section 2.** That a one-fiftieth (1/50) part of the aforesaid lighting cost shall be paid by the Village of Van Buren from the general tax fund, which shall be collected as other general taxes.

**Section 3.** That the total assessment against each lot or parcel of land shall be payable in each case within thirty (30) days from and after passage of this ordinance and publication of legal notice thereof. The list of those properties which have not paid the aforesaid assessment shall be certified and sent to the County Auditor, as provided by law, to be, by him, placed on the tax duplicate and collected as other taxes are collected.

**Section 4.** That the assessments so collected shall be placed in a separate and distinct fund and shall be used for no other purpose whatsoever.

BE IT FURTHER ORDAINED that this Ordinance is hereby declared to be an emergency measure necessary for the immediate health, safety, and welfare of the inhabitants of the Village.

IT IS ALSO ORDAINED that it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that result in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

WHEREUPON, the matter was placed before Council upon the motion presented by TERRI MOHR and seconded by JIM FOX. A vote was taken with the results being as follows:

<u>GREG AYERS</u>	<u>YEA</u>	<u>STAN HEITKAMP</u>	<u>YEA</u>
<u>TERRI MOHR</u>	<u>YEA</u>	<u>SCOTT DESTRACH</u>	<u>YEA</u>
<u>JIM FOX</u>	<u>YEA</u>	_____	_____
_____	_____	_____	_____

Passed: July 10, 2007

Attest:

Mary Huffman  
Clerk-Treasurer

Edward Doney  
Mayor

Terri L. Mohr  
President of Council

Published in Courier: July 18 and 25, 2007