

ORDINANCE NO. 51-79

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PROPERTIES IN THE CITY OF NORTH CANTON BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH HOUSE CONNECTIONS THEREFOR AND THE NECESSARY APPURTENANCES THERETO, IN CERTAIN DESIGNATED LOCATIONS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of North Canton, Stark County, State of Ohio:

Section 1. The revised assessments for the cost and expense of constructing sanitary sewers, together with house connections therefor and the necessary appurtenances thereto, in Pittsburg Avenue N.W. from an existing manhole located approximately 195 feet northerly of the centerline of Carosel Circle N.W. southerly approximately 1,505 feet to a point approximately 315 feet northerly of the centerline of Portage Street N.W., in Carosel Circle N.W. from Pittsburg Avenue N.W. easterly approximately 250 feet, in Woodrow Avenue N.W. from Pittsburg Avenue N.W. easterly approximately 1,725 feet to a point approximately 115 feet easterly of the centerline of Browning Avenue N.W., in Lois Avenue N.W. from Woodrow Avenue N.W. southerly approximately 574 feet, in Lois Avenue N.W. from Woodrow Avenue N.W. northerly approximately 540 feet, in Browning Avenue N.W. from Woodrow Avenue N.W. northerly approximately 545 feet, in Janet Avenue N.W. from Woodrow Avenue N.W. northerly approximately 640 feet and from Applegrove Street N.W. southerly approximately 1,085 feet and in Applegrove Street N.W. from an existing manhole located approximately 10 feet easterly of the centerline of Pittsburg Avenue N.W. easterly approximately 2,170 feet, pursuant to Resolution No. 15-77, adopted January 24, 1977, amounting in the aggregate to \$357,071.81, which were filed with the Clerk of this Council on the 17th day of January, 1977, and are now on file in such office, be and the same are hereby adopted and confirmed and such revised assessments are hereby levied and assessed upon the lots and lands benefited and to be charged therewith in the respective amounts set forth in the schedule of revised assessments, which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. This Council hereby finds and determines that the revised assessments as now on file in the office of the Clerk of this Council are in the same proportion to the estimated assessments as originally filed, as equalized, as the actual cost of the above-described improvement is to the estimated cost of the improvement as originally filed.

Section 3. The assessment against each lot or parcel of land shall be payable in cash within thirty (30) days after the passage of this ordinance or at the option of the owner in twenty annual installments with interest at the same rate as shall be borne by the bonds to be issued in anticipation of the collection of the same. All cash payments shall be made to the Director of Finance of this Municipality. All assessments and installments thereof remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as other taxes are collected.

Section 4. The Clerk of this Council shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this Municipality and to continue on file in her office said revised assessments.

Section 5. The Clerk of this Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor within twenty (20) days after its passage.

Section 6. 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 resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 7. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that the prompt issuance of bonds is necessary to preserve the credit of the Municipality by retiring the outstanding notes issued in anticipation thereof and therefore the levy of assessments provided for herein and the commencement of the cash payment period should be effective at once; wherefore, this ordinance shall be in full force and effect immediately after its passage and approval by the Mayor.

North Canton, Ohio
Passed: April 9, 1979

Approved: April 10, 1979

Dennis Grady
Mayor

Attest:

Marion J. Wilson
Clerk of Council

