

ORDINANCE NO. 2021.23

AN ORDINANCE LEVYING AN AGREED SPECIAL ASSESSMENT FOR THE PURPOSE OF SECURING PAYMENT FOR A SANITARY SEWER TAP SERVICING THE PROPERTY LOCATED AT 660 SOUTH OLD 3C HIGHWAY AND DECLARING AN EMERGENCY

WHEREAS, on June 2, 2021, the owner of certain real property commonly known as 660 South Old 3C Highway, Sunbury Ohio 43074, parcel identification number 417-412-03-005-000 requested permission to tap into the Village of Sunbury sanitary sewer system: and

WHEREAS, said property owner has a failing onsite system that must be connected to the municipal system as the existing onsite system cannot be repaired or replaced; and

WHEREAS, the property owner, to wit: Awny R. Kingsley approached Sunbury Village Council for approval of her connection and delaying payment of the required tap in fees due to financial hardship; and

WHEREAS, the fees for such sanitary sewer tap are \$8268.00; and

WHEREAS, pursuant to O.R.C. Section 729.06 Sunbury Village Council and the property owner, by agreement wish to provide for delayed payment of such sanitary sewer tap fee through the levy of a special assessment against the property with payments of \$826.80 per annum plus applicable processing fees to be assessed against the property and invoiced on the real property tax duplicate over a term of ten years; and

WHEREAS, Awny R. Kingsley has waived any notice of estimated assessment costs, resolution of necessity or other applicable notices or waiting period and has consented to said assessment being levied forthwith.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Sunbury, Delaware County, Ohio.

SECTION I: That the property commonly known as 660 South Old 3C Highway, Sunbury, Ohio 43074, parcel identification number 417-412-03-005-000, has obtained a sanitary sewer tap from the Village of Sunbury, costing \$8268.00, inclusive of fees and costs.

SECTION II: The \$8268.00 shall hereby be levied and assessed against the property commonly known as 660 South Old 3C Highway, Sunbury, Ohio 43074, parcel identification number 417-412-03-005-000, and within twenty days shall be certified by the Village Fiscal Officer and delivered with a copy of this Ordinance to the County Auditor to be placed on the property's tax duplicate and collected in ten annual installments of \$826.80 (to be billed biannually in amounts of \$413.40) without interest over a period of ten years.

SECTION III: It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION IV: This section is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the Village of Sunbury, Ohio to allow connection to the municipal system and use of the existing failing onsite system to be discontinued without delay and to allow said assessment to be placed on the Delaware County Auditor's duplicate without undo delay and thus provide a means for repayment and security for said repayment.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

VOTE ON SUSPENSION OF THE RULES	YEAS	NAYS
	_____	_____
VOTE ON THE EMERGENCY	YEAS	NAYS
	_____	_____
VOTE ON ORDINANCE NO. 2021.23	YEAS	NAYS
	_____	_____

PASSED: _____, 2021

Joseph St. John, Mayor

ATTEST:

Kathy Belcher, Director of Finance

CERTIFICATION

I hereby certify on this ____ day of _____, 2021, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on _____, 2021, of the Village of Sunbury, County of Delaware, State of Ohio.

Director of Finance

ACKNOWLEDGEMENT AND CONSENT

The undersigned property owner Awny R. Kingsley hereby acknowledges receipt of a copy of Ordinance 2021.23 and waives notices provided therein consent to said assessment in the amount of \$8268.00 being levied against the property known as 660 South Old 3C Highway, Sunbury, Ohio 43074 and being placed on the property tax duplicate for parcel identification number 417-412-03-005-000 to be collected in ten annual installments of \$826.80 (with bi-annual billings of \$413.40)

Awny R. Kingsley

Dated: _____