

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2021-19

Ordinance No. ~~#2019~~

Passed ~~October 14~~, 20~~20~~**21**

AN ORDINANCE AUTHORIZING THE RELEASE OF SPECIAL ASSESSMENTS FOR CLINTON COUNTY LAND REUTILIZATION CORPORATION OWNED PROPERTIES.

**WHEREAS**, Ohio Revised Code 727.01, provides “[e] ach municipal corporation shall have special power to levy and collect special assessments. The legislative authority of a municipal corporation may assess upon the abutting, adjacent, and contiguous, or other specially benefited, lots or lands in the municipal corporation, any part of the cost connected with the improvement of any street, alley, dock, wharf, pier, public road, place, boulevard, parkway, or park entrance or an easement of the municipal corporation available for the purpose of the improvement to be made in it by grading, draining, curbing, paving, repaving, repairing, treating the surface with substances designed to lay the dust on it or preserve it, constructing sidewalks, piers, wharves, docks, retaining walls, sewers, sewage disposal works and treatment plants, sewage pumping stations, water treatment plants, water pumping stations, reservoirs, and water storage tanks or standpipes, together with the facilities and appurtenances necessary and proper therefor, drains, storm-water retention basins, watercourses, water mains, or laying of water pipe, or the lighting, sprinkling, sweeping, or cleaning thereof,” et. al,

**WHEREAS**, Under R.C. Chapter 727, municipalities have the power to levy and collect special assessments for the costs of improvements that specially benefit property. See, e.g., R.C. 727.01. Special assessments are typically considered to be different from general taxes because they cannot be levied on property without notice to the owner and cannot exceed the special benefit. *Hammond v. Winder* (1919), 100 Ohio St. 433, 444–445, 126 N.E. 40; and

**WHEREAS**, the Village has provided a special assessment for [sewer, water, lighting]; and,

**WHEREAS**, the Village Council finds both the Clinton County Land Reutilization Corporation is a non-profit corporation organized under the laws of the State of Ohio and serves a public purpose to eliminate blighted and abandoned properties in Clinton County; and,

**WHEREAS**, the Village Council finds it necessary and appropriate to reaffirm its commitment to the continued success of the Clinton County Land Reutilization Corporation by authorizing the release, abatement, and discharge of all special assessments for [sewer, water, light] accruing before or after the acquisition by the Clinton County Land Reutilization, until transferred to any other entity, unless and until further action is taken by the Council.

**NOWTHEREFORE**, be it hereby **ORDAINED**, the following:

Section 1. The Council finds the Clinton County Land Reutilization Corporation is organized under the laws of the State of Ohio, which have previously, and will in the future continue, to provide important services to the citizenry of the Village of Sabina and each constitute municipal and/or public purposes.

Section 2. The Council the authorizes the Village of Sabina to release, abate, waive, and discharge of all special assessments for [sewer, water, light] accruing before or after the acquisition by the Clinton County Land Reutilization, until parcel is transferred by the Clinton County Land Reutilization Corporation to any other entity, unless and until further action is taken on behalf of the Council.

Section 3. The Council releases, waives, and relinquishes all special assessments for [sewer, water, light] accruing before or after the acquisition by the Clinton County Land Reutilization, until the parcel is transferred by the Clinton County Land Reutilization Corporation to any other entity.

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Abe Arnold moved the forgoing.  
Benjamin Collings seconded.

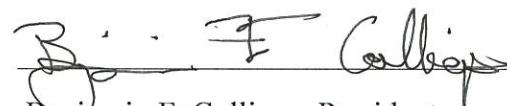
A roll being called the members voted as follows:

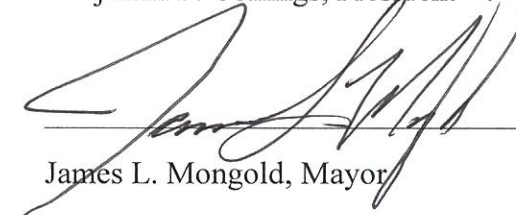
Abe Arnold - Yes  
Benjamin Collings - Yes  
Peggy Sloan - Yes  
Ty Baker - Yes  
Bruce Gottschalk - Yes  
Vicki Mongold - Yes

1st Read: October 14th, 20212nd Read: October 27th, 20213rd Read: November 10th, 2021Passed this Day 10<sup>th</sup>, November 2021

Attest:

  
Nancy L. Cornell, Fiscal Officer

  
Benjamin F. Collings, President

  
James L. Mongold, Mayor