

ORDINANCE NO: 2019-51
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE TO PROVIDE FOR THE ASSESSMENT AND
MAINTENANCE CHARGE OF THE COST AND EXPENSE OF
LIGHTING CERTAIN STREETS, PUBLIC ROADS AND PARTS
THEREOF, IN THE CITY OF LYNTHURST FOR THE TAX YEARS
2020, 2021 and 2022 AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNTHURST,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. It is necessary to light certain streets in the City of Lyndhurst with electric lights in the years 2020, 2021, and 2022, and this Council finds that said lighting will be conducive to the public safety, convenience, and welfare.

SECTION 2. The Director of Finance of this City shall cause the charges and assessments to be made as hereinafter provided, for all streets which are lighted with electric lights for the tax years 2020, 2021, and 2022 for collection in the years 2021, 2022, and 2023. The Director of Public Service shall certify to the Director of Finance as the Director may require, a list of streets in this City which have no lights prior to the time that the assessments herein provided for are certified to the Cuyahoga County Fiscal Officer as provided in Section 7 hereinafter.

SECTION 3. The cost and expense of said lighting shall be assessed upon the property abutting upon said streets, public roads and parts thereof, served by said lighting, excluding, however, one hundred feet (100') of side yards or side properties measured from an intersecting street.

SECTION 4. Said assessments are fixed on the above named streets and roads and portions thereof at the rate of \$.42 per lineal foot per annum for single-family residences, two-family residences, church and school properties abutting upon said streets, roads or portions thereof and served by said lights.

SECTION 5. That underground fed street lighting for single-family residences and two-family residences abutting upon said streets, roads or portions thereof and served by said lights shall be at the rate of \$1.01 per lineal foot, except for those properties abutting on Acacia Park Drive, which shall be assessed at the same rate as commercial property. Said rate shall be an annual charge.

SECTION 6. Said assessments are fixed at the rate of \$3.50 per lineal foot per annum for commercial and all other types of property abutting upon said streets, roads or portions thereof and not herein otherwise provided for and served by said lights.

SECTION 7. The assessment charge against each subplot or parcel of land shall be certified by the Clerk of Council to the County Fiscal Officer as provided by law, and by him placed on the tax duplicate and collected as other taxes.

SECTION 8. All ordinances or part thereof heretofore adopted and in effect at the time of the passage of this Ordinance and inconsistent with the foregoing, are to that extent only hereby repealed, otherwise they shall remain in full force and effect and unaltered.

SECTION 9. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 10. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst for the reason that these assessments must be certified to the County Fiscal Officer on or before the second Monday in September. Therefore this Ordinance shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: August 5, 2019

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on August 15, 2019 and August 22, 2019.

Clerk of Council

First Reading: August 5, 2019

Second Reading: Suspended

Third Reading: Suspended