

RECORD OF ORDINANCES

Ordinance No. 2024-54

Passed AUGUST 7, 2024

SPONSOR: FINANCE COMMITTEE

AN ORDINANCE LEVYING A SPECIAL ASSESSMENT AGAINST THE REAL PROPERTY LOCATED AT 3651 PROSPECT AVENUE, MOGADORE, OHIO 44260, AND DECLARING AN EMERGENCY.

WHEREAS, Sections 93.05 and 93.60 of the Codified Ordinances of the Village authorize the Village to place charges for services for the removal of trees by the Village as special assessments on the tax duplicate of real property within the Village to be collected as other taxes and assessments upon such real property, and remitted to the Village for deposit into the General Fund; and

WHEREAS, Section 93.53 of the Codified Ordinance of the Village further authorizes the Village to assess an administrative fee of \$100.00 for each occurrence wherein the Village is required to serve notice of violation in addition to the charges for services for removal of trees, and said administrative fee may also be placed upon the tax duplicate of said real property as a special assessment to be collected as other taxes and assessments upon such real property, and remitted to the Village for deposit into the General Fund; and

WHEREAS, the Village has incurred the costs for the removal of a dead ash tree from the property located at 3651 Prospect Avenue, Mogadore, Ohio 44260 (the "Property"); and

WHEREAS, to levy such costs as special assessments against the Property, this Council must certify said special assessments to the Summit County Fiscal Officer to be placed on the tax duplicate for the Property, collected as other taxes and assessments upon the Property, and remitted to the Village for deposit into the General Fund; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to certify to the Summit County Fiscal Officer the amount set forth in Exhibit A to be placed on the tax duplicates for the Property, collected as other taxes and assessments upon said Property, and remitted to the Village for deposit into the General Fund.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby certifies to the Summit County Fiscal Officer the costs and fees set forth in Exhibit A, attached hereto and incorporated herein by reference, to be placed on the tax duplicates for the Property as a special assessment, collected as other taxes and assessments upon the Property, and remitted to the Village for deposit into the General Fund.

SECTION 2: The special assessment in the amounts set forth on Exhibit A against the Property is hereby adopted.

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SECTION 3: The Clerk-Treasurer shall deliver a copy of this Ordinance to the Summit County Fiscal Officer within five (5) business days after its adoption.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately authorizing said special assessments within the time period allowed by law so that the Village may recover its costs incurred, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 8-7-24  
President of Council Date

Michael 8-7-24  
Mayor Date

Attest:

Sutker  
Clerk-Treasurer

ORDINANCE #

2024-54

PARCEL

No #

5500819

FISCAL

USE

EFFECTIVE

TAX YEAR

2024

ANNUAL

AMOUNT

950.00

# of Years

1

PROJECT

TYPE

33

OPTIONAL JURISDICTION USE

Address, Property Description, Notes, etc.

3651 PROSPECT AVE TREE REMOVAL

TOTALS

950.00