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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 RESOLUTION NO. 15 - 2022

6
7 A RESOLUTION CREATING FOR THE YEAR 2023 A SIDEWALK
8 AND DRIVE APPROACH REPAIR OR REPLACEMENT DISTRICT
9 CONTAINING SUCH STREETS, ALLEYS, OR PUBLIC ROADWAYS
10 WITHIN THE CORPORATE LIMITS OF THE CITY OF CUYAHOGA
11 FALLS, DECLARING THE NECESSITY OF REPAIRING OR
12 REPLACING THE SIDEWALKS AND DRIVE APPROACHES
13 ABUTTING ON SUCH STREETS, ALLEYS OR PUBLIC ROADWAYS
14 WITHIN SAID CORPORATE LIMITS AND PROVIDING THE
15 METHOD FOR LEVYING SPECIAL ASSESSMENTS, AND
16 DECLARING AN EMERGENCY.

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18 WHEREAS, it is the opinion of this Council that certain sidewalks and drive approaches
19 abutting on the streets, alleys or public roadways within the City of Cuyahoga Falls are in
20 disrepair.

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22 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls, County
23 of Summit and State of Ohio, that:

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25 Section 1. A Sidewalk and Drive Approach Repair or Replacement District is hereby created
26 for the year 2023 containing those streets, alleys or public roadways within the corporate limits
27 of the City of Cuyahoga Falls, and declaring the necessity of repairing or replacing the sidewalks
28 and drive approaches abutting on such streets, alleys or public roadways, and to provide the
29 method for levying assessments and the right to object to or appeal said assessment.

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31 Section 2. It is hereby declared that the repair or replacement of sidewalks and drive
32 approaches abutting on necessary streets, alleys and public roadways within the Sidewalk and
33 Drive Approach Repair or Replacement District is necessary and will be of general benefit within
34 the City and of special benefit to property owners abutting said sidewalks and drive approaches.

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36 Section 3. Property abutting the necessary streets, alleys and public roadways receiving
37 sidewalk repair or replacement within the District may be assessed by the lineal foot of abutting
38 sidewalk at the rate of one-half of the total cost of installing or adjusting a linear foot of sidewalk,
39 with the remainder of such cost to be paid by the City. Property abutting the necessary streets,
40 alleys and public roadways receiving drive approach repair or replacement within the District
41 may be assessed by the square foot of drive approach at the rate of one-half of the total cost of
42 installing or adjusting a square foot of drive approach, with the remainder of such cost to be paid
43 by the City.

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45 Section 4. The assessment to be levied may be paid in full within thirty (30) days from the
46 levy thereof to the office of the Finance Director, and all assessments thereof remaining unpaid
47 at the expiration of said thirty (30) days shall be certified by the Clerk of Council to the County
48 Fiscal Officer to be placed by her on the tax duplicate and collected in two (2) semi-annual
49 installments.

50 Section 5. Notice to the owners thereof shall be given by publishing the resolution
51 establishing a sidewalk and drive approach repair or replacement district and setting forth the
52 portion of the cost to be assessed, once each week for two weeks in a newspaper published and
53 of general circulation to the City.

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55 Section 6. If an owner objects to an assessment, he shall file his objections in writing with
56 the Clerk of Council within ten (10) days after the last publication of the resolution as provided
57 in Section 915.03 of the Codified Ordinances of the City of Cuyahoga Falls, thereupon, Council
58 shall consider such objections and if they are found to be well taken, may remit such portion of
59 the assessment against the property of the objecting owner as is deemed just or may determine
60 by resolution that a portion or portions of the work described in the ordinance adopted pursuant
61 to Sections 915.01 or 915.02 shall not be done. Any deficiency arising from such remitter may
62 be made up from any fund of the City available for the public improvement of streets or by
63 contributions from the owners desiring that the work be done.

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65 Section 7. After the expiration of the time within which objections may be filed under Section
66 915.04 of the Codified Ordinances of the City of Cuyahoga Falls and the disposition of objections,
67 the Director of Public Service may proceed with the work mentioned in Sections 915.01 and
68 915.02 of the Codified Ordinances of the City of Cuyahoga Falls or if proceeding by contract, the
69 legislative authority shall authorize the Director of Public Service to advertise and take bids for
70 the awarding of the necessary contracts subject to any determination by the Council that a
71 portion or portions of such work shall not be done pursuant to Section 915.04 of the Codified
72 Ordinances of the City of Cuyahoga Falls.

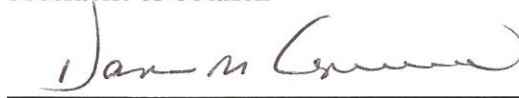
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74 Section 8. It is found and determined that all formal actions of this Council concerning and
75 relating to the adoption of this resolution were adopted in an open meeting of this Council and
76 that all deliberations of this Council and of any of its Committees that resulted in such formal
77 action were in meetings open to the public in compliance with all legal requirements including,
78 to the extent applicable, Chapter 107 of the Codified Ordinances.

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80 Section 9. This resolution is hereby declared to be an emergency measure necessary for the
81 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
82 Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of
83 the members elected or appointed to Council, it shall take effect and be in force immediately
84 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the
85 earliest period allowed by law.

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88 Passed: 12-27-2022

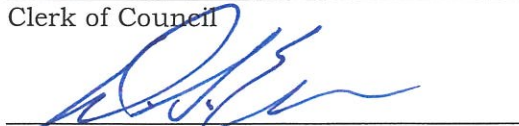


President of Council



Clerk of Council

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96 Approved: 12-27-2022



Mayor

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98 12/12/22

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