

ORDINANCE 07-04

AN ORDINANCE BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO , ESTABLISHING A CREDIT FOR CERTAIN SIDEWALK AND CURB ASSESSMENTS

WHEREAS, the Council of The Village of Rockford, Ohio, mandates that certain real property owner's install and maintain sidewalks, and

WHEREAS, the Village also regularly engages in projects and improvements that include the installation and construction of new sidewalks and curbs for the benefits of Village residents, and that many of these improvements necessitate the replacement of sidewalks and curbs which may have been previously installed by the real property owners; and

WHEREAS, it has been the practice of the Village to assess the benefiting landowners the cost of said improvements, and

WHEREAS, the Village finds that real property owners should not unnecessarily be penalized for the compliance with Village Ordinances and property improvements; and

NOW THEREFORE, BE IT ORDAINED, by the Council of the Village of Rockford, Ohio, as follows:

SECTION ONE

The costs for all assessments for sidewalk and curb improvement shall be the responsibility of the real property owners as established by the assessment methods provided by Ohio Law and Village Ordinances, as amended from time to time, with the following exception:

1. Any real property owner who has been assessed by the Village for sidewalk and/or improvement may apply to the Village for a credit towards the cost of assessment if:
 - a. The real property owner can establish, by evidence satisfactory to the Village, the date when the owner had previously installed the sidewalk and/or curb at the same location ; and
 - b. That, prior to the improvement by the Village, the sidewalk and/or curb was maintained in conformance with Village Ordinances.

2. In the event the owner satisfies the conditions of paragraphs 1(a) and 1(b) above, the owner shall be entitled to a credit, based upon the age of the sidewalk and or/curb installed by the owner as follows:

- a. If the owner installed the sidewalk and/or curb 0 to 5 years before the date of the proposed assessment, the owner will receive 100% credit towards payment of the assessed amount.
- b. If the owner installed the sidewalk and/or curb 6 to 10 years before the date of the proposed assessment, the owner will receive a 70% credit towards the payment of the assessed amount.
- c. If the owner installed the sidewalk and/or curb 11 to 15 years before the date of the proposed assessment, the owner will receive a 40% credit towards the payment of the assessed amount.
- d. If the owner installed the sidewalk and/or curb 16 or more years before the date of the proposed assessment, the owner will receive no credit towards payment of the assessed amount.

SECTION TWO

This Ordinance shall take effect from and after its passage as provided by Law.

PASSED, THIS 3RD DAY OF JULY 2007.