

CITY OF KIRTLAND

ORDINANCE NUMBER 23-O-23

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1024.04 RELATING TO THE CHARGES IMPOSED UPON PROPERTY OWNERS FOR THE CITY'S INSTALLATION OF CULVERTS, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 88-O-32 was passed on May 16, 1988, adopting §1024.04 of the Kirtland Codified Ordinances relating to the charges imposed upon homeowners who have driveway culverts installed or inspected by the City of Kirtland; and

WHEREAS, the Utilities Standing Committee had met, performed a review of the current ordinances relative to said charges, and wishes to update the ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

SECTION I: Codified Ordinance Section 1024.04, entitled "Charges," is hereby amended as set forth in Exhibit "A" attached hereto and made a part hereof as though fully set forth herein at length.

SECTION II: That the heretofore existing 1024.04 of the Codified Ordinances of the City of Kirtland, previously enacted and in force, be amended by the passage of this ordinance, and is hereby replaced as set forth in Section I hereinabove.

SECTION III:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to recoup the costs relative to the City's installation and inspection of driveway culverts within the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2023.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2023.

Clerk of Council
Amend 1024.04 – Charges for Installation/Inspection of Culverts

Mayor Kevin F. Potter

§ 1024.04 CHARGES.

- (a) The Director of Public Service is hereby authorized and directed to invoice the property owner, for whose benefit a culvert was installed, the actual cost to the city for the purchase, installation and/or inspection of each culvert installed.
- (b) If the invoice is not paid within 30 days after rendition of the bill for such service, there shall be added to such cost an amount equal to five percent per month on the unpaid balance of the invoice to a maximum amount of 25 percent of the cost.
- (c) The Director of Finance shall collect such unpaid invoices in the same manner other municipal taxes are collected as provided by law, including, but not limited to, certification of charges for delinquent accounts to the County Auditor for placement on tax bills. As used in this section, "delinquent accounts" are those which remain due and unpaid for 30 days.
- (d) Funds collected under this chapter shall be administered by the Director of Finance and placed in a special account or accounts for particular purposes.
- (e) The Director of Public Service shall appoint the necessary personnel required to collect all invoices.

(Ord. 88-0-32, passed 5-16-1988)