



Legislation Text

File #: 1793-2016, **Version:** 1

1. BACKGROUND

This legislation authorizes the Department of Public Service to submit information to the Franklin County Auditor or other county auditors as appropriate for property tax assessments. These assessments are for repairs made to sidewalks, driveway approaches, and drive approach curbs within the public right-of-way at various locations within the corporation limits of the City of Columbus under the Sidewalk NOV program.

The Columbus Service Center (311) receives complaints about the condition of sidewalks, driveway approaches, and drive approach curbs within the public right-of-way. Public Service sends an inspector to investigate the complaints to determine if a violation of City Code exists. In 2015, under Columbus City Code 905, the department sent notices of violation to 350 property owners. The department also advertised the notices of the violations. Of the 350 property owners that received a notice of violation, 192 corrected the violation on their own.

Ordinance 1076-2015 authorized the Pedestrian Safety Improvements - Sidewalk Program NOV 2015 contract. Public Service used the contract to make repairs for the 158 properties that did not make the repairs on their own and has invoiced these property owners for the repairs. Property owners have the option of paying the invoice or having the amount of the repair assessed against their property taxes.

The list of parcels to assess and the dollar amount of the assessment is attached to this legislation. Property owners that make full or partial payment before the information is submitted for assessment in early September will be removed from the list or have the assessment amount adjusted accordingly.

2. FISCAL IMPACT

Public Service has expended funds to make the repairs and additional funds are not required. This legislation is necessary to reimburse Public Service for the funds already expended.

3. EMERGENCY DESIGNATION

The department is requesting emergency designation in order to allow sufficient time to prepare and submit the documentation by the appropriate county auditor deadline for 2017 assessment.

To approve the request to assess properties under the Department of Public Service Sidewalk NOV program; to allow adjustments to the assessment list to reflect additional payments or errors; to authorize the submission of information to the appropriate county auditors to assess the properties; to authorize funds the City receives which were collected for these assessments to be returned to the Department of Public Service; and to declare an emergency. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, is engaged in the Pedestrian Safety Improvements - Sidewalk Program NOV project; and

WHEREAS, 350 property owners received a notice of violation in 2015 concerning the condition of sidewalks, driveway approaches, and drive approach curbs within the public right-of-way at various locations within the corporation limits of the City of Columbus, with 158 not making the repairs; and

WHEREAS, Ordinance 1076-2015 authorized a contract to make repairs for these violations if the property owner did not make the repairs; and

WHEREAS, the Department of Public Service paid to make repairs on these 158 properties; and

WHEREAS, some of these property owners may make full or partial payment prior to the list being presented for assessment, and this list may be adjusted to reflect these payments, errors, or omissions; and

WHEREAS, a property tax assessment must be established with the Franklin County Auditor or other appropriate county auditors for the Department of Public Service to recover these funds if the property owner does not pay for them; and

WHEREAS, this ordinance authorizes the Department of Public Service to submit information to the Franklin County Auditor or other appropriate county auditor to establish the property tax assessments to recover the funds; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to prepare documentation to do the assessments and submit them by the appropriate county auditor deadline, thereby preserving the public health, peace, property, safety and welfare; **now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That this Council approves the request to assess the properties listed in the attachment hereto under the Department of Public Service's Sidewalk NOV program and pursuant to City Code.

SECTION 2. That the Director of the Department of Public Service may make adjustments to this list to reflect additional payments received or to correct errors or omissions.

SECTION 3. That the Director of the Department of Public Service is authorized to submit information to the appropriate county auditor to assess these properties.

SECTION 4. That the funds the city receives which were collected for these assessments are to be returned to the Department of Public Service.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.