



Legislation Text

File #: 1580-2016, **Version:** 1

BACKGROUND: In 1999 the Short North Special Improvement District of Columbus, Inc. (SID) was created by the property owners in a defined area of High Street in the Short North. The SID was created for a 12 year period and was very successful. The twelve-year SID period concluded in December, 2011 and reauthorized for a 5 year term, which concludes this year 2016. The property owners initiated a one petition process in which at least 60% of the property owners within the District signed that they are interested in reauthorizing the SID and approving the Articles of Incorporation. This petition was accepted and approved by Columbus City Council by Ordinance 1612-2016, passed March 14, 2016. Another action required by the Ohio Revised Code is the approval of the Plan for Improvements and Services and the inclusion of City owned property in said plan. This legislation was approved by Columbus City Council by Resolution 0044X-2016, adopted March 21, 2016. The third piece of legislation was to declare the necessity to implement the Plan of Services adopted by the Short North Special Improvement District of Columbus, Inc. and to levy a special assessment for the services. This legislation was approved by Columbus City Council by Resolution 0099X-2016, adopted May 2, 2016.

This legislation is an ordinance to proceed with the Plan of Improvements and Services of the Short North Special Improvement District, Inc. and to provide for the levy of assessment to property owners within the Special Improvement District.

Emergency action is requested to allow the special assessment process to proceed in a timely manner.

FISCAL IMPACT: No funding is required for this legislation.

To determine to proceed with the Plan of Improvements and Services of the Short North Special Improvement District, Inc. and to provide for the levy of assessments in said district; and to declare an emergency.

WHEREAS, Chapter 1710 of the Revised Code, effective September 29, 1994 provides for the creation of Special Improvement Districts (SIDs), by non-profit corporations governed by trustees elected by the property owners for the provision of special services in a designated district; and

WHEREAS, this Council has approved the Short North Special Improvement District, Inc. Petition and Articles of Incorporation by Ordinance 0612-2016, passed March 14, 2016; and

WHEREAS, this Council has approved the Plan for Improvements and Services to be provided by the Short North Special Improvement District, Inc. by Resolution 0044X-2011, adopted March 21, 2016; and

WHEREAS, this Council adopted Resolution 0099X-2016, adopted May 2, 2016 declaring the necessity of implementing the Plan of Improvements and Services and the necessity to levy a special assessment for the services set forth in the plan of the Short North Special Improvement District, Inc.; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to levy the assessments in order to proceed with the Plan of Improvements and Services of the Short North Special Improvement District, Inc., all for the immediate preservation of the public health, property, safety and welfare;
NOW, THEREFORE,

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

SECTION 1. That it is hereby determined to proceed with the Plan of Improvements and Services of the Short North Special Improvement District, Inc. as set forth in said Plan heretofore approved by Resolution 0044X-2016, adopted on March 14, 2016 and as provided for in the Resolution of Necessity, 0099X-2016, adopted on May 2, 2016.

SECTION 2. That the improvements and services constituting the Plan shall be made in accordance with the provision of the Resolution of Necessity, 0099X-2016, adopted on May 2, 2016 and in accordance with the Plan of Improvements and Services and estimate of cost of the Plan previously approved and on file in the office of the Clerk of Council.

SECTION 3. That the Council does hereby find that no claim for damages resulting from said Plan of Improvements and Services have been filed with the Clerk of Council.

SECTION 4. That the assessable portion of the cost of the Plan of Improvements and Services shall be assessed against the benefiting properties, in the manner and in the number of annual installments as provided in the Resolution of Necessity.

SECTION 5. That the estimated assessment heretofore prepared and filed in the office of the Clerk of this Council in accordance with the Resolution of Necessity are hereby adopted and confirmed.

SECTION 6. That the portion of the cost provided in the above-mentioned Resolution of Necessity to be assessed are hereby levied and assessed in the manner and number of installments provided in said Resolution 0099X-2016, passed on May 2, 2016 and on the lots and lands described therein, which assessments are in proportion to the special benefits and are not in excess of any statutory limitations.

SECTION 7. The assessment against each lot or parcel of land shall be payable in cash within thirty (30) days after passage of this ordinance or, at the option of the property owner, over five (5) years in semi-annual installments. All cash payments shall be made to the City of Columbus Auditor. All assessments and installments remaining unpaid at the expiration of said thirty (30) days shall be collected in two semi-annual collections, by the County Treasurer. The City Auditor shall certify the herein-referenced unpaid special assessment to the County Auditor as provided by law.

SECTION 8. That pursuant to the provisions of Section 1710.11 of the Ohio Revised Code, Short North Special Improvement District, Inc., as soon as funds are available, may make and execute contract(s) for said Plan of Improvements and Services in accordance with Short North Special Improvement District, Inc.'s rules for competitive bidding, and such improvements and services shall be financed as provided in the aforesaid Resolution of Necessity.

SECTION 9 That the Clerk of Council shall cause a notice of passage of this ordinance to be published once in a newspaper of general circulation in the City of Columbus and to continue on file in the office of the Clerk of Council said assessments.

SECTION 10. That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the Auditor of Franklin County, Ohio within fifteen (15) days after its passage.

SECTION 11. That the Clerk of Council is hereby directed to post a copy of this ordinance in the Office of the Clerk of Council.

SECTION 12. 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.