



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 0601-2017, **Version:** 1

BACKGROUND: This ordinance is being submitted to authorize the director of the Department of Development to enter into a pre-annexation agreement with Thomas E. and Patricia A. Hawkins (Owners), regarding their property of residence - 951 Doherty Road (PID 241-000073), Prairie Township. The Owners septic system has failed. Annexation of the property would allow for a connection to the City's sewer system. The City has requested that the Owners use the annexation petition process outlined in ORC section 709.02, which allows for the City to conform the boundaries of the annexed territory. Boundary conformance made under these circumstances requires compensation to the Township of lost property tax revenues according to the formula outlined in ORC 709.19. The pre-annexation agreement will outline the steps necessary for the Owners to make connection to the City sewer system in conjunction with the annexation as well as reimbursement to the City of payments made to the Township. This ordinance is filed as emergency in order to expedite sewer connection for the property.

FISCAL IMPACT: Funds for this expenditure are allocated from the Prairie Township Joint Economic Development District (JEDD) Fund.

To authorize the Director of the Department of Development to enter into a pre-annexation agreement with Thomas E. and Patricia A. Hawkins regarding the property at 951 Doherty Road; to authorize an appropriation of up to \$6,000.00 from the Prairie Township JEDD Fund; to authorize the expenditure of up to \$6,000.00 from the Prairie Township JEDD Fund; and to declare an emergency. (\$6,000.00)

WHEREAS, Thomas E. and Patricia A. Hawkins own and reside at 951 Doherty Road (PID: 241-000073) within Prairie Township; and

WHEREAS, the property's septic system has failed and the Owners are seeking annexation to the City in order to obtain City sewer service for the Property; and

WHEREAS, the City will allow annexation using the annexation petition process outlined in section 709.02 of the Ohio Revised Code which allows the City to conform the boundaries of the annexed territory, thereby removing it from the township as outlined in ORC 503.07; and

WHEREAS, boundary conformance undertaken using these regulations requires compensation to the Township of lost property tax revenues according to the formula stated in ORC 709.19; and

WHEREAS, the Owners have agreed to reimburse the City for any payments made to the Township required to conform the boundaries of the Property in exchange for connecting to the City sewer system; and

WHEREAS, the City and the Owners desire to enter into this agreement prior to annexation to acknowledge and affirm their mutual commitments; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to enter into a pre-annexation agreement in order to address the current lack of sewer service at the subject property for the preservation of the public peace, property, health safety and welfare; now, therefore,

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

SECTION 1. That from the unappropriated monies and from all monies estimated to come into said fund from any and

all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2017, the sum of up to \$6,000.00 is appropriated in Fund 2239 Prairie Township JEDD in Object Class 03 Contractual Services per the accounting codes in the attachment to this ordinance.

SECTION 2. That the director of the Department of Development is authorized to enter into a pre-annexation agreement with Thomas E. and Patricia A. Hawkins regarding the property at 951 Doherty Road (PID 241-000073).

SECTION 3. That for the purpose stated in Section 2, the expenditure of up to \$6,000.00 or so much thereof as may be needed, is hereby authorized in Fund 2239 Prairie Township JEDD in Object Class 03 Contractual Services per the accounting codes in the attachment to this ordinance.

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated and expenditures are authorized and the City Auditor shall establish such accounting codes as necessary.

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.