

ORDINANCE NO. 3 -75

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION,
REBUILDING AND REPAIRING OF SIDEWALKS WITHIN
THE VILLAGE OF SPENCER, OHIO

BE IT ORDAINED by the Council of the Village of
Spencer of the State of Ohio, three- fourths of its members
concurring herein, as follows:

SECTION I. That all the sidewalks hereinafter
constructed, rebuilt and repaired within the Village of
Spencer shall be constructed, rebuilt and repaired according
to the plans and specifications approved by Council of the
Village and on file in the records of the Village Clerk.

SECTION II. That whenever in the opinion of
said Council it becomes necessary to construct, rebuild
or repair any of the public sidewalks within the Village,
said Council of the Village shall declare by resolution
the location of the sidewalk to be improved, the plans,
specifications and dimensions for the sidewalk improvement,
and a deadline for the abutting property owner to complete
said improvement. After the passage of such resolution,
the Clerk of said Village shall cause a written notice
of the passage of such resolution to be served upon the
owner of each parcel abutting on the proposed sidewalk
improvement in the manner provided by law for the service
of summons in a civil action, and shall return a copy of
the notice with the time and manner of service endorsed
thereon to the said Council which shall file and preserve it.

SECTION III. It shall be the legal duty of each
abutting property owner to repair, construct or rebuild

Clerk within the time period set by Council. If such sidewalk or sidewalks are not constructed, rebuilt or repaired by such owner or owners within the time stated in such notice, the same shall be done forthwith by the Village of Spencer under the direction of said Village Council.

SECTION IV. The total cost on a front foot basis of any such sidewalk improved by the Village of Spencer shall be filed with the Village Clerk and Council shall, if such cost is correct and reasonable, approve the same and direct the Village Clerk to serve, in the manner provided by law for the service of summons in a civil action, a certificate of the cost of the sidewalk improvement to the property owners abutting said improvement, and to demand payment therefore. In case any of such owner shall neglect or refuse to pay such amount within 45 days of the date such certificate is served, the Village Clerk shall so certify upon the back thereof, with the date of Service of such certificate, and shall file the same with the records of said Village.

SECTION V. That upon the filing of such Certificate as described in the foregoing Section, the Council shall by Ordinance assess on a front foot basis the amount due thereon, with all costs, upon the lot and lands abutting upon such sidewalk and the amount so assessed shall be collected by civil suit in the name of the Village or by certification of such assessments to the Auditor of Medina County to be placed upon the tax duplicate of said County against the said abutting lots

Spencer, together with all costs, collection fees, legal interest and legal penalties thereon, and the same shall become a lien upon the lots and lands so assessed, and shall be collected as provided by law.

SECTION VI. That this ordinance shall take effect and be in force from and after its passage at the earliest time allowed by law.

PASSED May 28, 1975.

John A. Pomeroy
Mayor

ATTEST:

Imelda L. Taylor
Clerk

shall be subject to the jurisdiction of the Village Council and on file in the records of the Village Clerk. The Council of the Village shall declare by resolution the location of the sidewalk to be improved, the plans, specifications and drawings for the sidewalk improvement, and a deadline for the abutting property owner to complete said improvement. After the passage of such resolution, the Clerk of said Village shall cause a written notice of the passage of such resolution to be served upon the owner of such parcel abutting or lot proposed sidewalk improvement in the manner provided by law for the service of summons in a civil action, and shall return a copy of the notice with the time and manner of service required thereon to the said Council which shall file and preserve it.

SECTION VII. It shall be the responsibility of each abutting property owner to repair, construct or replace