

## **NOTICE**

This City of Kettering Code section is not the official version and is provided only for the convenience of the public. The only official version of the City of Kettering Code is available through the office of the Clerk of Council, located in the City of Kettering Government Center, 3600 Shroyer Road, Kettering, Ohio 45429.

This version may, occasionally, differ from the official version and should only be relied upon for general information purposes. Any errors or omissions should be reported to the Clerk of Council. In no event shall the City of Kettering be held liable for damages of any nature, direct or indirect, arising from the use of this service or reliance on this unofficial document.

**CHAPTER 947**  
**Street Lighting Assessment Procedure**

947.01 Street Lighting Petition and Procedure  
947.02 Street Lights Renewal and Recalculation  
947.03 Notification

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**947.01 STREET LIGHTING PETITION AND PROCEDURE.**

(a) The Council of the City of Kettering upon receipt of a petition for street lighting may, by Resolution, declare the necessity to proceed with the improvement. The Resolution shall state the location, the lots or lands to be assessed, the method of levying the special assessments, the mode of payment, number of installments and the estimated assessments.

The Clerk of Council shall provide for notice of the passage of the Resolution of Necessity by publication of such notice on the City web site for two (2) consecutive weeks.

The Clerk of Council shall file a copy of the Resolution with the County Auditor within 15 days following the passage of the Resolution.

The City Engineer, after the adoption of the Resolution of Necessity to proceed, shall cause the improvement to be constructed in accordance with the plans and specifications pursuant to the agreement with the public utility.

Following construction, the Engineer shall determine the actual cost of the improvement and the Council shall assess by Resolution all the lots and lands described in the Resolution of Necessity. The Clerk shall publish notice of the passage of the Resolution of Assessment once in a newspaper of general circulation in the municipality that the assessment has been made and is on file in the Office of the Clerk. The Clerk shall certify a copy of the Assessment Resolution to the County Auditor within 20 days after passage.

(b) The Council of the City of Kettering may, without petition, by a vote of three-fourths (3/4) of the Council, declare by Resolution, the necessity of street lights in accordance with Chapter 727, O.R.C.

**947.02 STREET LIGHTS RENEWAL AND RECALCULATION.**

(a) The Council of the City of Kettering may, by Resolution, direct that street light assessments be renewed or recalculated to conform to changes in the contracts between the City of Kettering and the Public Utility.

The City Engineer shall prepare and file in the Office of the Clerk of Council the renewed, recalculated assessments and the Council Clerk shall provide notice that the renewed

and recalculated assessments are on file and available for public inspection by publication of such notice on the City web site for two (2) consecutive weeks.

Not less than five (5) days following the date of the last publication, Council may, by Resolution, adopt the renewed and recalculated assessments.

(b) The Council of the City of Kettering may, by Resolution, amend or consolidate street lighting districts and to provide for more uniform and equitable basis of assessment for street lights.

### **947.03 NOTIFICATION.**

The City Engineer shall prepare and file a list of owners of any lot or parcel of land which will be assessed in excess of \$500.00 per year. The Clerk of Council shall notify such owners by certified mail addressed to such owner at the owner's last known address or to the address to which tax bills are sent. If it appears that one or more of the owners cannot be found, the Clerk shall serve such owners by publication of such notice on the City web site for two (2) consecutive weeks.

**Legislative History:** Ord. 3004-82; passed 4/13/82; Ord. 4409-24; passed 6/11/24.