



Legislation Details (With Text)

File #: 21-0247 **Version:** 1 **Name:** 3/1/21 Ordinance Amendment - New Sidewalks
Type: Ordinance **Status:** Passed
File created: 3/1/2021 **In control:** City Council
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Title: An Ordinance to Amend Section 1:271(4) of Chapter 12 (Financing Local Public Improvements) of Title I of the Code of the City of Ann Arbor (ORD-21-05)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-21-05 Briefed and Approved.pdf, 2. ORD-21-05 Briefed.pdf, 3. Ordinance Amendment Sec 1-271 local public improvement 2021-02-04.pdf, 4. Attachment A - New Sidewalk Fund Use.pdf, 5. ORD-21-05 Washtenaw Legal News clipping.tif, 6. ORD-21-05 Approval notice.pdf, 7. WLN clipping Financing Local Public Improvements - Public Hearing Notice.pdf

Date	Ver.	Action By	Action	Result
3/15/2021	1	City Council	Held and Closed	
3/15/2021	1	City Council	Adopted on Second Reading	Pass
3/1/2021	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Section 1:271(4) of Chapter 12 (Financing Local Public Improvements) of Title I of the Code of the City of Ann Arbor (ORD-21-05)

On November 3, 2020, voters approved a millage to fully fund eligible new sidewalk projects starting 2021 through the life of the millage and replace special assessments for the construction of new sidewalks subject to some exceptions. The Use Memo approved by Council on July 20, 2020 provides that, if approved, the new sidewalk millage would not change the obligation of developers to install sidewalks at their cost along a parcels right-of-way frontages when those parcels are developed or redeveloped, and the costs of constructing new sidewalks on tax-exempt parcels are also excluded from being funded from the millage; thus, those new sidewalk projects would be special assessed to or paid for by the adjacent benefitted owner(s).

To recognize the voters' approval of the new sidewalk millage, Chapter 12 of the City's Code pertaining to Financing Local Public Improvements must be amended. The attached ordinance amendment removes new sidewalk projects eligible for funding by the new sidewalk millage from the definition of "local public improvement" which will continue to be funded by special assessment. See, also, Code Sections 1:272(1), 1:274(2), and Chapter 13 (Special Assessments). Consistent with the approved Use Memo, the amendment would retain the special assessment requirements and procedures for new local public improvement projects that are not eligible to be funded by the new sidewalk millage, including the examples above.

City staff recommends approval of this ordinance amendment to reflect the voters' approval of the new sidewalk millage.

Prepared by: Tim Wilhelm, Senior Assistant City Attorney

Review by: Craig Hupy, Public Services Area Administrator
Review by: Matthew Horning, Interim CFO
Approved by: Tom Crawford, City Administrator
[\(See Attached Ordinance\)](#)