



Legislation Text

File #: 08-0398, **Version:** 1

Resolution to Transfer Delinquent Sidewalk Maintenance Charges to the 2008 City Tax Roll

We recommend your approval of the attached resolution to add delinquent sidewalk maintenance charges to the 2008 City summer tax rolls as single lot special assessments with a 10% penalty, in accord with Section 1.292 of the City Code.

Twice per year, staff requests outstanding amounts on invoices that are unpaid for a period in excess of 45 days to be placed on the upcoming tax roll. On May 3, 2008, Council passed a similar resolution, #R-08-089, which was also an assessment for unpaid sidewalk maintenance charges. Those charges were initially requested to be placed on the winter tax roll, however, Council delayed action on that item while considering changes to the 2008 program with the result that those charges are being placed on the summer tax rolls.

The properties listed in Schedule A (attached) are in violation of City Ordinance Code: Chapter 49, Section 4:58, which requires all sidewalks within the City to be maintained in good repair by the owner of the land. The City as required by Code has completed the work required to bring these properties into compliance. The City issued Invoices to the property owners, which to date have not been paid. The property owners have been properly notified of these special assessments.

Passage of this resolution will permit the inclusion of these fees on the next tax roll.

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Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, On February 26, 2008, there were unpaid charges for sidewalk maintenance to properties within the City;

Whereas, Section 1:292 of the Ann Arbor City Code provides for assessment upon the tax roll for the respective lot or tax parcel for charges which have not been paid in full;

Whereas, Owners of the respective lots or tax parcels, having been previously invoiced and the charges remaining unpaid, were mailed a certified notice that the City Treasurer would request City Council to adopt a resolution placing a special assessment upon the lot or tax parcel for the delinquent sidewalk maintenance charges unless the delinquent charges were paid in full by March 28, 2008; and

Whereas, The notice period specified by City Code has lapsed and a list of the remaining unpaid charges has been filed with the City Clerk, a copy of which is attached to and incorporated in this resolution as Schedule A;

RESOLVED, That City Council approve a levy as a special assessment against each lot or tax parcel listed on Schedule A. The unpaid charge for sidewalk maintenance charges together with a penalty of

ten percent (10%) of the amounts, against the lots or tax parcels chargeable on the tax roll, subject to the following in accordance with Section 1:292 of the Ann Arbor City Code:

1. The City Treasurer shall confirm that the unpaid charges on Schedule A remain outstanding as of the date of adoption of this resolution, and if necessary revise Schedule A to reflect any payments made between the notice deadline and the date of adoption of this resolution.
2. The City Clerk shall publish in a newspaper of general circulation or send notice by first class mail stating the basis of the assessment, the amount to be assessed against each lot or tax parcel on Schedule A, and a time, not less than 30 days within which payment shall be made to the City Treasurer;
3. The City Treasurer shall, after the lapse of the time specified in item 2 above, the charge for each lot or tax parcel, the delinquent amount, and the penalty on the 2008 City tax roll to be collected in the same manner as general City taxes; and

RESOLVED, That the City Administrator is authorized to take the necessary actions to implement this resolution.