**ORDINANCE 2006-42**

AN ORDINANCE EXEMPTING ADDITIONAL PROPERTIES FROM THE LEVYING OF A PRELIMINARY ASSESSMENT FOR A VILLAGE-WIDE WATER SUPPLY AND DISTRIBUTION SYSTEM UPON PROPERTIES DETERMINED BY COUNCIL TO BE BENEFITED, PURSUANT TO R.C. 729.11 AND VILLAGE ORDINANCE NO. 2005-26, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to R.C. 729.11, Council previously enacted Ordinance No. 2005-26, "declaring the necessity to install a Village-wide water supply and distribution system, directing the preparation of a tentative assessment as to all properties in the Village and declaring an emergency"; and

WHEREAS, pursuant to R.C. 729.11, a tentative assessment was prepared and filed with the Village Clerk and remained open to public inspection according to law; and

WHEREAS, notice that that tentative assessment WAS taken up and considered by Council on or about Tuesday, August 30, 2005 and that Council subsequent to the hearing passed Ordinance No. 2005-26 levying upon benefited properties a preliminary assessment; and

WHEREAS, Exhibit "B" of Ordinance No.2005-26 listed certain properties to be declared exempt from the preliminary assessment; and

WHEREAS, additional properties outline in exhibit "A" attached hereto need to also be declared exempt from the preliminary assessment; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Buckeye Lake, County of Licking, State of Ohio, 7 members concurring that:

Section 1. Those properties/parcels listed in Exhibit A, are determined to an addition/ amendment to Exhibit "B" of Ordinance No.2005-26

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, the reason for such necessity in addition to being set forth within the "Whereas" clauses herein, are that the availability of a clean reliable water supply within the Village is crucial to the health, safety and welfare of its residents. Further, the ability to promptly utilize a preliminary assessment method is critical to insure the necessary level of funding to enable the Village to promptly proceed with the necessary planning for the construction of a water supply system.

PASSED: NOVEMBER 13, 2006

ATTEST:

CHARLENE HAYDEN
Council President

FRANK FOSTER
Mayor