

**RESOLUTION NO. 28 , 2008**

**A RESOLUTION AUTHORIZING REAL ESTATE TAX ASSESSMENTS FOR  
HAMILTON COUNTY STORM WATER DISTRICT ADMINISTRATIVE FEES AND  
RESCINDING RESOLUTION NO. 40, 2004**

**WHEREAS**, the state and federal governments have adopted regulations impacting all local communities relative to the management of storm water discharge; and

**WHEREAS**, the City previously elected to join the Hamilton County Storm Water District ("HCSWD") to meet its state and federal requirements in collaboration with other local communities; and

**WHEREAS**, the HCSWD has now assessed the ongoing cost of administering these programs to each participating community based upon a formula allocating such costs among individual property owners; and

**WHEREAS**, the City must elect to either absorb these costs within the City's operating budget or allow the county to allocate these costs among property owners as a fee to be assessed and collected through the property tax duplicate; and

**WHEREAS**, after weighing the budgetary alternatives and the costs/benefits to property owners within the City, Council believes it is best to elect the basic mandatory services from the HCSWD and to allow the county to assess such allocated costs through the property tax duplicate; and

**WHEREAS**, Resolution No. 40, 2004 described the fee associated with the initial cost of administering the HCSWD mandated programs, this new legislation authorizes collection of fees for the cost of completing ongoing mandates.

**NOW THEREFORE**, Be It Resolved by the Council of the City of

Montgomery, Ohio, that:

**SECTION 1.** The City Manager is authorized to execute all documents necessary to elect the required basic services of the Hamilton County Storm Water District and to allow such fees to be allocated and assessed upon the property tax duplicate for the City. This authority shall allow such fees to be assessed and collected with the real property tax collections for the City beginning with fiscal year 2009. This authorization shall continue until rescinded by Council for any future tax year.

**SECTION 2.** Resolution No. 40, 2004 is hereby rescinded.

**SECTION 3.** This Resolution shall be in full force and effect from and after its passage.

PASSED: October 1, 2008

ATTEST: Susan J. Hamm  
Susan J. Hamm, Clerk of Council

Gerri Harbison  
Gerri Harbison, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon  
Terrence M. Donnellon, Law Director