

(Published in The Journal Record this \_\_\_\_ day of \_\_\_\_\_, 2023)

Ordinance No. \_\_\_\_\_

**ORDINANCE ADOPTING AND SETTING THE ASSESSMENT ROLL, YEAR 2023-2024, FOR THE WESTERN AVENUE BUSINESS IMPROVEMENT DISTRICT, CITY OF OKLAHOMA CITY IMPROVEMENT AND SPECIAL SERVICES ASSESSMENT DISTRICT NO. TEN (10); ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT; SETTING FORTH TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST AND RECORD WITH THE OFFICE OF THE COUNTY CLERK OF OKLAHOMA COUNTY, WITHIN SIXTY (60) DAYS OF THE PUBLICATION OF THIS ORDINANCE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; AND PROVIDING FOR AN EFFECTIVE DATE AS OF THE DATE OF ADOPTION AND PASSAGE.**

**SPECIAL ASSESSMENT ORDINANCE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:**

**SECTION 1.** Pursuant to 11 Okla. Stat. § 39-111 *et seq.*, the Council of The City of Oklahoma City hereby adopts and sets the assessment roll, attached to this Ordinance as Exhibit “A” and incorporated into this Ordinance by reference as if fully set forth herein. The Council of the City of Oklahoma City hereby further levies the assessments set forth in the aforesaid assessment roll against the tracts or parcels as referenced therein.

**SECTION 2.** Pursuant to 11 Okla. Stat. § 39-112(A)(1), the Council of the City of Oklahoma City hereby further establishes the time and terms of paying the assessment as follows: The total amount of the assessment against any tract or parcel (see Exhibit “A”) may be paid in full by cash or check to the City Treasurer of The City of Oklahoma City, 1st Floor, 420 West Main

Street, Oklahoma City, Oklahoma (73102) (the “City Treasurer”), within thirty (30) days of the date of publication of this Ordinance.

**SECTION 3.** Pursuant to 11 Okla. Stat. § 39-112(A)(4), the Council of The City of Oklahoma City hereby further establishes and fixes the following penalties to be charged: For any assessment for which the total amount of the assessment is not paid in full within sixty (60) days of the date of publication of this Ordinance the amount of ten percent (10%) of the total amount of the unpaid assessment due shall be added to the total assessment due as a penalty, which penalty shall continue until fully paid.

**SECTION 4.** The assessments adopted, set, ratified, and levied, as described in Sections 1 and 2 of this Ordinance, are hereby adopted, set, ratified, and levied against those tracts and parcels of land and properties legally described in Exhibit “A,” attached hereto.

**SECTION 5.** Pursuant to 11 Okla. Stat. § 39-112(C), the City Clerk shall, within sixty (60) days after the publication of this Ordinance, prepare, sign, attest with the Municipal Seal, and record in the office of the County Clerk of the Oklahoma County, a claim of lien for any unpaid amount due and assessed against a trace or parcel of land pursuant to the assessment roll.

**SECTION 6.** WHEREAS, an ordinance adopting, setting, and levying the assessment roll for a business improvement district created under the provisions of 11 Okla. Stat. § 39-101 *et seq.*, is considered, under the laws of the State of Oklahoma, to be a special assessment ordinance, and whereas, Article II, Section 24 of the Oklahoma City Charter specifically provides that bond issues and special assessment ordinances are not subject to the emergency ordinance provisions of the City Charter and to be effective on the date of passage; by reason thereof this Ordinance shall take effect and be in full force from adoption and passage.

**SECTION 7.** To facilitate administration of this special assessment ordinance, the City Treasurer is hereby authorized to make corrections to assessments levied and/or penalties added in the event he/she determines an error has occurred or when deemed necessary or expedient due to changed circumstances; provided, however, cumulative corrections shall not exceed three percent (3%) of the assessment roll's total value.

**INTRODUCED AND READ** in open meeting of The Council of The City of Oklahoma City this 26TH day of SEPTEMBER, 2023.

**PASSED** by The Council of The City of Oklahoma City this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**SIGNED** by The Mayor of The City of Oklahoma City this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**THE CITY OF OKLAHOMA CITY**

**ATTEST:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**REVIEWED** for form and legality.

  
\_\_\_\_\_  
Assistant Municipal Counselor