

## PROCEDURES FOR STREET IMPROVEMENTS THROUGH AN ASSESSMENT DISTRICT

This description of the procedures for creating an assessment district is meant to be a brief outline and is not an inclusive description of all of the procedural requirements. For the complete process and all requirements, refer to Oklahoma State Statutes Title 11, Cities and Towns Improvement District Act, Article 39.

1. Fifty percent of the property owners need to sign a petition in favor of creating an assessment district. The petition(s) and a check in the amount of \$10,000 shall be delivered to the City Clerk.
2. City Council may consider a resolution directing the City Engineer to prepare a description of the property to be included in the assessment district, an assessment plat, preliminary plans for the proposed improvements and a total cost estimate.
3. Once the City Clerk has received the City Engineer's report, a resolution proposing the creation of the district may be docketed for Council consideration. If approved the City Clerk will provide notice of a public hearing on the creation of the district. Notices will be mailed to owners of record of properties to be assessed. Notice of the hearing will also be published at least twice.
4. At the hearing, the City Council will receive written protests and hear objections regarding the propriety of constructing the improvements, the estimated cost, the manner of paying for the improvements and the amount to be assessed against each tract.
5. After the hearing, the City Council may consider a resolution creating the district. If Council approves the creation of the district, *property owners who filed a written protest* have thirty (30) day to file a lawsuit challenging the creation of the district.
6. Improvements may be constructed either by a contractor pursuant to the standard City bidding procedures or by the City with City employees and equipment with the cost established by force accounting.
7. Upon completion of the construction, the City Engineer shall prepare an assessment roll containing the total amount of the assessment against each tract and file the assessment roll with the City Clerk
8. The City Council will then adopt a resolution setting a hearing at which the owners may protest the amount of the assessment. The City Clerk will provide notice of the hearing. Notices will be mailed to owners of record

of properties to be assessed. Notice of the hearing will also be published at least twice.

9. Property owners objecting to the assessment roll must file specific written objections to the assessment roll at least three (3) day before the hearing date as to the regularity, validity and correctness of the proceedings, the assessment roll, the amount of each assessment contained on the assessment roll or the assessment levied against each tract.
10. At the hearing, the City Council will hear all objections that have been filed as described. After the hearing the City Council shall determine the assessment roll and levy the assessments by adopting a resolution and an ordinance. City Council may also establish the terms for payment of the assessment at this time also The Council's decision shall be a final determination of the regularity, validity and correctness of the proceedings, the assessment roll, each assessment and the amount of the assessment. The decision is conclusive upon the owners of the tracts assessed.
11. After adoption of the ordinance, the City Clerk shall publish the ordinance and post the resolution and ordinance for at least (15) days. Any property owner shall have fifteen (15) days from adoption of the ordinance to bring an action in district court to correct or set aside the determination of the City Council.
12. Within sixty (60) days of the adoption of the ordinance confirming the assessment, the City Clerk must file of record, with the Registrar of Deeds for the County Clerk, liens reflecting the assessment due from each tract.

Further procedures for the use of revenues, sale of bonds and collection of assessments shall be coordinated with the Municipal Counselor's office, bond counsel and bond holders and tailored for each particular district.

13. Payments shall be made annually or semi-annually to the Oklahoma City Treasurer's Office