

**ORDINANCE NUMBER 22-2567**

**TO PROVIDE FOR CERTAIN IMPROVEMENTS TO CERTAIN DRAINAGE AREAS ON PROPERTY IN THE AREA TO THE SOUTH OF LORNA ROAD AT THE INTERSECTION OF HIGHWAY 31 IN THE CITY OF HOOVER, ALABAMA.**

WHEREAS, the City Council of the City of Hoover adopted Ordinance No. 22-2558 in a regular meeting of the City Council on March 21, 2022 approving the Improvements as defined therein for certain drainage areas on property in the area to the south of Lorna Road at the intersection of Highway 31 and ordering the preparation of plans for such Improvements; and

WHEREAS, the City and the City Engineer need additional time for the preparation of plans for such Improvements and desire to move the hearing date set in Ordinance No. 22-2558.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Hoover, Alabama, in regular meeting duly assembled, a quorum being present, and by authority thereof as follows:

**Section 1.**     **IMPROVEMENTS.** That, pursuant to Chapter 48 of Title 11 of the *Code of Alabama* (1975) (the “Enabling Law”), an area of drainage on private properties on the southern side of Lorna Road at the intersection of Highway 31 in the City of Hoover, Alabama, be replaced and/or improved (including all necessary work related thereto) in the nature and extent, with materials of the general character, and between the respective terminal points (the “Improvements”) to allow proper drainage of stormwater to remedy the impact of such stormwater on Highway 31 in order to alleviate a public safety hazard created from improper and inadequate private stormwater facilities and to allow safe passage for vehicles traveling on Highway 31 in the city. The territory or area to be drained, served or benefitted by such storm water sewer improvements is shown on Exhibit A attached hereto.

**Section 2.**     **PREPARATION OF PLANS ORDERED.** That the Mayor and City Engineer of the City are authorized and directed to cause full details, drawings, plans, specifications, and surveys of the work described in Section 1 to be prepared by Sain & Associates, an outside engineering company licensed in the State of Alabama, under the supervision of the City Engineer and, upon completion thereof, be placed on file in the office of the City Engineer where property owners who may be affected by the Improvements and work may see and examine the same.

**Section 3.**     **ORDER.** That the Improvements be made in accordance with the full details, drawings, plans, specifications, and surveys of the work and estimates prepared in accordance with Section 2.

**Section 4.**     **COST OF IMPROVEMENTS TO BE ASSESSED.** That the cost of constructing the Improvements be assessed in accordance with the Enabling Law against the property abutting the portions of the streets so improved, provided the amount of the assessment of each individual lot or portion of property assessed shall not exceed the increased value of such lot or portion of property by reason of the special benefits derived from the Improvements.

**Section 5. HEARING.** That the City Council of the City shall meet on **July 18, 2022 at 6:00 p.m. at City Hall** in the City to hear any objections, remonstrances or protests that may be made against the Improvements, the manner of making the same, or the character of the materials to be used.

**Section 6. PUBLICATION OF ORDINANCE.** That the City Clerk is authorized and directed to cause this Ordinance to be published in the City by posting for two weeks in three public places with the date of the first such publication to be not less than two weeks before the date set forth in Section 5.

**Section 7. NOTICE TO BE PROVIDED TO PROPERTY OWNERS.** That the City Clerk is authorized and directed to cause a copy of this Ordinance to be sent by registered or certified mail, postage prepaid, to the persons last assessed for City taxation, the property of whom may be assessed for the Improvements, at their last known addresses, which notices shall be mailed not less than ten days before the date set forth in Section 5.

**Section 8. ORDINANCES REPEALED.** That all resolutions, ordinances, or orders, or parts of any thereof, of the City Council in conflict or inconsistent with this Ordinance hereby are, to the extent of such conflict or inconsistency, repealed.

**Section 9. EFFECTIVE DATE OF ORDINANCE.** That this Ordinance take effect immediately as provided by law.

**THEREFORE, BE IT ORDAINED,** that the City Council of the City of Hoover does hereby ordain, resolve, and enact the foregoing ordinance for the City of Hoover on this the 20<sup>th</sup> day of June, 2022.

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John B. Lyda, City Council President

**APPROVED:**

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Frank V. Brocato, Mayor

**ATTESTED:**

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Wendy Dickerson, City Clerk