

2782.

DISAPPROVAL, BONDS OF VILLAGE OF EAST YOUNGSTOWN IN
AMOUNT OF \$3,100 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, January 12, 1922.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of the village of East Youngstown in the amount of \$3,-100.00, in anticipation of the collection of special assessments for the improvement of Fitch street from Main street to the village limits by grading and guttering.

GENTLEMEN:—The transcript submitted for examination in connection with the above bond issue discloses that the notice of the passage of the resolution of necessity for said improvement was served upon the owners of all property to be assessed between the dates of June 21st and July 17, 1921. The ordinance to proceed with the improvement was passed on July 18, 1921.

Under section 3823 G. C. owners of property to be assessed for street improvements are given a period of two weeks after the service of such notice or the completion of publication thereof to file claims for damages. Under the provisions of section 3824 G. C. council of a municipality is without authority to pass the ordinance to proceed with such improvement until the expiration of the time limited by law for filing claims for damages. The council of the village of East Youngstown was therefore without authority to pass the ordinance to proceed on July 18, 1921, and since council is without authority to provide for the issuance of bonds until after the passage of a proper ordinance determining to proceed with the improvement, it follows that the bonds under consideration were unauthorized and are not valid and binding obligations of the village of East Youngstown. I therefore advise that the Commission decline to purchase said bonds.

Respectfully,

JOHN G. PRICE,

Attorney-General.

2783.

DISAPPROVAL, BONDS OF VILLAGE OF EAST YOUNGSTOWN, OHIO,
IN AMOUNT OF \$1,475 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, January 12, 1922.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of the village of East Youngstown in the amount of \$1,475 in anticipation of the collection of special assessments for grading Main street from First street to Second street, one bond payable in five installments of \$295.00.

GENTLEMEN:—The transcript submitted for examination in connection with the above bond issue discloses that the notice of the passage of the resolution of necessity for said improvement was served upon the owners of all property to be as-

essed between the dates of June 21st and July 17, 1921. The ordinance to proceed with the improvement was passed on July 18, 1921.

Under section 3823 G. C. owners of property to be assessed for street improvements are given a period of two weeks after the service of such notice or the completion of publication thereof to file claims for damages. Under the provisions of section 3824 G. C. council of a municipality is without authority to pass the ordinance to proceed with such improvement until the expiration of the time limited by law for filing claims for damages. The council of the village of East Youngstown was therefore without authority to pass the ordinance to proceed on July 18, 1921, and since council is without authority to provide for the issuance of bonds until after the passage of a proper ordinance determining to proceed with the improvement, it follows that the bonds under consideration were unauthorized and are not valid and binding obligations of the village of East Youngstown. I therefore advise that the Commission decline to purchase said bonds.

Respectfully,

JOHN G. PRICE,

Attorney-General.

2784.

DISAPPROVAL, BONDS OF VILLAGE OF EAST YOUNGSTOWN, OHIO,
IN AMOUNT OF \$650 FOR STREET IMPROVEMENTS.

COLUMBUS, OHIO, January 12, 1922.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

Re: Bonds of the village of East Youngstown in the amount of \$650.00 in anticipation of the collection of special assessments for the improvement of Main street from First street to Second street by constructing a storm and sanitary sewer therein.

GENTLEMEN:—The transcript submitted for examination in connection with the above bond issue discloses that the notice of the passage of the resolution of necessity for said improvement was served upon the owners of all property to be assessed between the dates of June 21st and July 17, 1921. The ordinance to proceed with the improvement was passed on July 18, 1921.

Under section 3823 G. C. owners of property to be assessed for street improvements are given a period of two weeks after the service of such notice or the completion of publication thereof to file claims for damages. Under the provisions of section 3824 G. C. council of a municipality is without authority to pass the ordinance to proceed with such improvement until the expiration of the time limited by law for filing claims for damages. The council of the village of East Youngstown was therefore without authority to pass the ordinance to proceed on July 18, 1921, and since council is without authority to provide for the issuance of bonds until after the passage of a proper ordinance determining to proceed with the improvement, it follows that the bonds under consideration were unauthorized and are not valid and binding obligations of the village of East Youngstown. I therefore advise that the Commission decline to purchase said bonds.

Respectfully,

JOHN G. PRICE,

Attorney-General.