

79-4. ALL SPECIAL ASSESSMENT CHARGES SHALL BE LEVIED BY THE MAYOR AND COUNCIL BY ORDINANCE. BEFORE LEVYING ANY SPECIAL ASSESSMENT CHARGES, THE MAYOR AND COUNCIL SHALL HOLD A PUBLIC HEARING. THE TOWN ADMINISTRATOR SHALL CAUSE NOTICE TO BE GIVEN STATING THE NATURE AND EXTENT OF THE PROPOSED PROJECT, THE KIND OF MATERIALS TO BE USED, THE ESTIMATED COST OF THE PROJECT, THE PORTION OF THE COST TO BE ASSESSED, THE NUMBER OF INSTALLMENTS IN WHICH THE ASSESSMENT MAY BE PAID, THE METHOD TO BE USED IN APPORTIONING THE COST, AND THE LIMITS OF THE PROPOSED AREA OF ASSESSMENT. THE NOTICE SHALL ALSO STATE THE TIME AND PLACE AT WHICH ALL PERSONS INTERESTED, OR THEIR AGENT OR ATTORNEYS, MAY APPEAR BEFORE THE MAYOR AND COUNCIL AND BE HEARD CONCERNING THE PROPOSED PROJECT AND SPECIAL ASSESSMENT. SUCH NOTICE SHALL BE GIVEN BY SENDING A COPY THEREOF BY MAIL TO THE OWNER OF RECORD OF EACH PARCEL OF PROPERTY PROPOSED TO BE ASSESSED AND TO THE PERSON IN WHOSE NAME THE PROPERTY IS ASSESSED FOR TAXATION AND BY PUBLICATION OF A COPY OF THE NOTICE AT LEAST ONCE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE TOWN. THE TOWN ADMINISTRATOR SHALL PRESENT AT THE HEARING A CERTIFICATE OF PUBLICATION AND MAILING OF COPIES OF THE NOTICE, WHICH CERTIFICATE SHALL BE DEEMED PROOF OF NOTICE, BUT FAILURE OF ANY OWNER TO RECEIVE THE MAILED COPY SHALL NOT INVALIDATE THE PROCEEDINGS. THE DATE OF HEARING SHALL BE SET AT LEAST TEN AND NOT MORE THAN 30 DAYS AFTER THE TOWN ADMINISTRATOR SHALL HAVE COMPLETED PUBLICATION AND SERVICE OF NOTICE AS PROVIDED IN THIS SECTION. FOLLOWING THE HEARING THE MAYOR AND COUNCIL IN ITS DISCRETION, MAY VOTE TO PROCEED WITH THE PROJECT AND MAY LEVY THE SPECIAL ASSESSMENT.

79-5. ANY INTERESTED PERSON FEELING AGGRIEVED BY THE LEVYING OF ANY SPECIAL ASSESSMENT UNDER THE PROVISIONS OF THIS SECTION SHALL HAVE THE RIGHT TO APPEAL TO THE CIRCUIT COURT OF THE COUNTY WITHIN TEN DAYS AFTER THE LEVYING OF ANY ASSESSMENT BY THE MAYOR AND COUNCIL.

79-6. SPECIAL ASSESSMENTS MAY BE MADE PAYABLE IN ANNUAL OR MORE FREQUENT INSTALLMENTS OVER SUCH A PERIOD OF TIME, NOT TO EXCEED 40 YEARS AND IN SUCH MANNER AS THE MAYOR AND COUNCIL MAY DETERMINE. THE MAYOR AND COUNCIL SHALL DETERMINE ON WHAT DATE INSTALLMENTS SHALL BE DUE AND PAYABLE. INTEREST MAY BE CHARGED ON INSTALLMENTS AT THE RATE TO BE DETERMINED BY THE MAYOR AND COUNCIL.

79-7. ALL SPECIAL ASSESSMENT INSTALLMENTS SHALL BE OVERDUE SIX MONTHS AFTER THE DATE ON WHICH THEY BECOME DUE AND PAYABLE. ALL SPECIAL ASSESSMENTS SHALL BE LIENS ON THE PROPERTY AND ALL OVERDUE SPECIAL ASSESSMENTS SHALL BE COLLECTED IN THE SAME MANNER AS TOWN TAXES OR BY SUIT AT LAW.

79-8. ALL SPECIAL ASSESSMENTS SHALL BE BILLED AND COLLECTED BY THE TOWN ADMINISTRATOR.