

ORDINANCE NO. O-2013-6

AN ORDINANCE TO REPEAL ORDINANCE 2012-50 AND REESTABLISH SECTION 181.18 RECIPROCITY OF THE VILLAGE OF WINDHAM CODIFIED ORDINANCES

WHEREAS, the Council of the Village of Windham, after careful consideration decided to repeal Section 181.18 of the Village of Windham Codified Ordinances by passing Ordinance 2012-50; and

WHEREAS, electors of the Village of Windham circulated a petition for a referendum to place the issue of whether Ordinance 2012-50 should be passed among the electors of the Village of Windham; and

WHEREAS, the Fiscal Officer of the Village of Windham received the signed petition for referendum and in compliance with law forwarded it to Portage County Board of Elections; and

WHEREAS, by virtue of a letter dated January 28, 2013, the Fiscal Officer of the Village of Windham received confirmation from the Portage County Board of Elections that the petition contained in excess of the required minimum amount of signatures and that the matter will be placed on the ballot for the Village in the General Election to be held in November 2013; and

WHEREAS, the Council of the Village of Windham has determined to acknowledge and respond to the position taken by the electors who have signed the referendum petition and have determined to repeal the legislation preemptively.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, two thirds or more of its members elected thereto concurring as follows:

Section One: Ordinance 2012-50 is hereby repealed.

Section Two: As a result of the repeal set forth in Section One of this Ordinance, the Windham Codified Ordinances Section 181.18, as had previously been in effect prior to the passage of Ordinance 2012-50, all as is set forth in the attached Exhibit A, is hereby restored and reenacted.

Section Three: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

Passed in Council on First Reading as an emergency February 26, 2013.

Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Mrs. Prem, Mrs. Barrett, Mrs. Miranda
 Nays: None.

ATTEST:

APPROVED:

Fiscal Officer, Lloyd Billman

Robert Donham, Mayor

APPROVED AS TO FORM:

Village Solicitor, Thomas Reitz

ORDINANCE O-2013-6 EXHIBIT "A"

181.18 RECIPROCITY.

Every individual taxpayer who resides in the Village of Windham but who receives net profits, salaries, wages, commissions and other personal service compensation, for work done, or services performed or rendered outside of said Village, if it be made to appear that he has paid a municipal income tax on such net profits, salaries, wages, commissions or other compensation to another municipality, shall be allowed a credit against the tax imposed by this chapter of one hundred percent (100%) of the amount so paid by him or in his behalf to such other municipality, not to exceed tax paid outside of the Village of a maximum of one-half of one percent (1/2%). In no event shall the credit exceed the tax assessed by this chapter on such net profit, salary, wages, commissions or compensation earned in such other municipality or municipalities where such tax is paid.