

VILLAGE OF WINDHAM  
OHIO  
ORDINANCE O-2012-38

**AN ORDINANCE AMENDING SECTION 181.091 OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF WINDHAM TO ESTABLISH AN  
ADMINISTRATIVE FEE FOR CERTAIN VIOLATIONS OF THE INCOME TAX  
CODE EFFECTIVE JANUARY 1, 2013 AND REPEALING ALL PRIOR  
INCONSISTENT ORDINANCES.**

WHEREAS, the Tax Administrator of the Village of Windham and the Village Solicitor have recommended to the Finance Committee of the Village Council that an administrative fee be established for failing to report information about tenants of rental or lease property to the Tax Administrator; and

WHEREAS, the Council of the Village of Windham has determined that it is appropriate to establish the recommended administrative fee.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Windham, County of Portage, State of Ohio, a majority or more of the members elected thereto concurring that:

Section 1: Section 181.091(f) of of the Village of Windham Codified Ordinances is hereby enacted as follows:

(f). If after the commencement of enforcement proceedings brought pursuant to this section for failing to file with the Income Tax Administrator the report required by this section, a property owner or other responsible party who then files the required report may be assessed an administrative fee in the amount of One Hundred Fifty Dollars (\$150.00). After payment of the administrative fee the Tax Administrator shall then dismiss the pending enforcement proceedings at the property owners cost. The payment of the administrative fee and dismissal of the pending prosecution shall only be available to property owners who are charged with a first offense under this section. This fee is to cover the expenses incurred by the Village in the administration and bringing of the charges and is not a penalty. It is intended that this fee will reimburse the Village for the administrative expenses in bringing the enforcement action only.

Section 2: It is hereby found and determined that all actions of this Council concerning and relating to the passage 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, including Section 121.22 of the Ohio Revised Code.

First Reading: October 23, 2012  
Second Reading: November 27, 2012  
Third Reading: December 24, 2012  
Passed in Council on the 24<sup>th</sup> day of December, 2012.

Vote of Council: Ayes: Mr. Garrett, Mr. Snyder, Ms. Blewitt, Mrs. Barrett, Mrs. Prem  
Nays: Mrs. Miranda

ATTEST:

APPROVED:

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Fiscal Officer, Lloyd Billman

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Robert Donham, Mayor

APPROVED AS TO FORM:

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Village Solicitor, Thomas Reitz