

ORDINANCE NO. O-2009-4

AN ORDINANCE DECLARING IT NECESSARY IN ORDER TO CONTINUE TO PROVIDE FIRE AND AMBULANCE SERVICES TO THE RESIDENTS OF THE VILLAGE OF WINDHAM TO LEVY AN ADDITIONAL 2.0 MILL FIVE YEAR TAX LEVY COMMENCING IN THE YEAR 2009 FOR THE VILLAGE OF WINDHAM FOR FIRE AND EMERGENCY MEDICAL RESCUE AND AMBULANCE SERVICE AND REQUESTING THE PORTAGE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE OF WINDHAM AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE ADDITIONAL LEVY AND DECLARING AN EMERGENCY

WHEREAS, the Village of Windham is desirous of continuing to provide excellent fire and emergency rescue and ambulance service to its residents; and

WHEREAS, the Council has determined that (i) the amount of taxes which may be raised by the Village within the ten-mill limitation by levies on the tax list and duplicate will be insufficient to provide an adequate amount beginning in January 2009 for the purpose of providing fire and emergency medical rescue and ambulance services due to it no longer paying 2 mills to the Windham Township Fire District, and (ii) it is necessary to levy a tax in excess of that limitation for fire and emergency medical rescue and ambulance services; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Section 5705.19 (U) of the revised Code, this Board must request that the Portage County Auditor certify (i) the total current tax valuation of the Village and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a ordinance of this Board declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a renewal or a replacement of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is to certify the total tax valuation of the Village and the dollar amount of revenue that would be generated by the proposed levy; and

WHEREAS, this matter is an emergency affecting the health, safety and welfare of the residence of the Village of Windham;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WINDHAM, THREE-FOURTHS OR MORE OF ITS ELECTED MEMBERS CONCUR THAT:

Section One: This Council declares that it is necessary in order to continue to provide

fire and ambulance services to levy an additional 2.0 mill five year tax levy for fire and emergency medical rescue and ambulance services, and that it intends to submit the question of additional levy to the electors at an election on May 15, 2009 as authorized by Section 5705.19 (I) of the Ohio Revised Code. Said funds to be collected commencing for the year 2009.

Section Two: This Council requests the Portage County Auditor to certify to it both (i) the total current tax valuation of the Village and (ii) the dollar amount of revenue that would be generated by the 2.0 mill additional levy specified in Section One.

Section Three: That the Village Fiscal Officer shall deliver a certified copy of this ordinance to the County Auditor promptly following adoption thereof.

Section Four: 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.

Section Five: This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, morals and general welfare of the inhabitants of the Village of Windham, Ohio and for the further reason that this matter may be enacted and conveyed to the Portage County Board of Elections on or before February 19, 2009 to permit the Village's voters to vote on the enactment of this tax at the May 15, 2009 Primary Election. Wherefore, this Ordinance shall go into full force and effect immediately upon its passage.

Passed in Council as an emergency this 10th day of February, 2009.

Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Barrett, Mr. Slusher, Mrs.
Rininger, Mrs. Meszaros Nays: None.

ATTEST:

APPROVED:

Village Fiscal Officer

Mayor, Village of Windham

I do hereby certify that this Ordinance was duly published by public posting at predesignated posting places.

Village Fiscal Officer

Date: _____

Date: _____

Date: _____

Date: _____

Date: _____