

**ORDINANCE O-2016-12**

**AN ORDINANCE REPEALING ORDINANCE 2015-10 AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Windham passed Ordinance 2015-10 on November 24, 2015 to establish a new Chapter 943 of the Village Codified Ordinances; and

WHEREAS, the new Chapter 943 as authorized by Ordinance 2015-10 requires that all the garbage and rubbish collected in the Village would be picked up by a single trash hauler; and

WHEREAS, citizens in the village have complied with Ohio law to have the passage of Ordinance 2015-10 placed before the voters of the Village of Windham as a referendum in the general election to be held on November 8, 2016; and

WHEREAS, as a result of the referendum Ordinance 2015-10 has not taken effect; and

WHEREAS, the Council of the Village of Windham has determined that it should repeal Ordinance 2015-10 so as to avoid the expense and uncertainty associated with a referendum.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, Portage County, Ohio, two thirds or more of all members elected thereto concurring that:

Section One: Ordinance 2015-10 is hereby repealed.

Section Two: The Fiscal Officer is directed to send a certified copy of this Ordinance to the Portage County Board of Elections before August 8, 2016 accompanied by a request that the referendum on Ordinance 2015-10 be removed from the November 8, 2016 ballot.

Section Three: This Ordinance is hereby declared to be an emergency measure, becoming effective immediately on passage by Council and approval by the Mayor to preserve the health, safety and general welfare of the citizens of the Village of Windham, and to allow the Village to avoid the expense and uncertainty associated with a referendum.

Section Four: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code

Passed in Council as an emergency this 28<sup>th</sup> day of June, 2016

Votes of Council:     Ayes: 5  
                              Nays: 1

ATTEST:

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Cheree Taylor, Fiscal Officer

APPROVED:

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Deborah Blewitt, Mayor

APPROVED AS TO FORM:

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Thomas Reitz, Solicitor