

ORDINANCE NO. 09-03 AC CMS

AN ORDINANCE AMENDING ORDINANCE NO. 507 AC CMS, AS AMENDED, TO PROVIDE FOR THE CONTINUATION OF A ONE-FIFTH OF ONE PERCENT (1/5%) LEVY ON INCOME FOR A PERIOD OF FIVE (5) YEARS, FOR THE PURPOSE OF PROVIDING FUNDS FOR OPERATING AND CAPITAL IMPROVEMENT EXPENSES FOR THE CITY OF OBERLIN, PROVIDING FOR AN EFFECTIVE DATE THEREOF, AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE ONLY IF APPROVED BY THE ELECTORS AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. Subject to approval of the electors of the City of Oberlin, Ohio as provided in Section 718.01 of the Revised Code of Ohio and the Charter of the City of Oberlin, Ordinance No. 507 AC CMS, passed April 17, 1967, with subsequent amendments, be and the same is hereby amended effective January 1, 2010, to provide for the continuation of a one-fifth of one percent (1/5%) tax on income, such tax to be in effect and collected for five (5) years, from January 1, 2010, through December 31, 2014, and to be used for the purpose of providing funds for operating and capital improvement expenses for the City of Oberlin.

SECTION 2. That Sections 2, 3 and 13 of Ordinance No. 507 AC CMS, as amended, are hereby amended to conform with the provisions of this Ordinance so as to provide for the collection of said tax if this Ordinance is approved by the electors of the City of Oberlin at the May 5, 2009, election.

SECTION 3. No provision of this Ordinance shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity with respect to the one percent (1%) municipal income tax authorized by Ordinance No. 507 AC CMS, as amended, the additional one-half percent (1/2%) municipal income tax authorized by Ordinance No. 02-66 AC CMS, and the additional one-fifth percent (1/5%) municipal income tax authorized by Ordinance No. 08-36 AC CMS.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

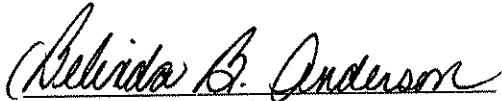
SECTION 5. That this ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“to submit this Ordinance to the Lorain County Board of Elections within the time limitations provided by law”

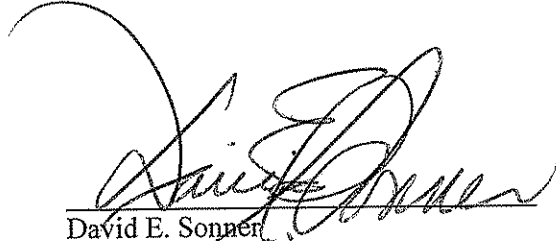
and shall take effect immediately upon passage, subject to the approval of the electors of the City of Oberlin, Ohio, at the May 5, 2009, election and the certification of the results of said election.

PASSED: 1st Reading – January 05, 2009
2nd Reading – January 20, 2009(A)(E)
3rd Reading –

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Sonner
PRESIDENT OF COUNCIL

POSTED: 01/21/2009

EFFECTIVE DATE: 1/20/2009