

CITY OF OBERLIN, OHIO

ORDINANCE No. 13-15 AC CMS

AN ORDINANCE AMENDING SECTION 129.04 and 129.05 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN WHICH PROVIDE FOR THE COLLECTION OF DELINQUENT MUNICIPAL INCOME TAXES AND ADDITIONAL COMPENSATION OF THE LAW DIRECTOR AND PENALTIES AND DECLARING AN EMERGENCY

NOW THEREFORE, 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. That Sections 129.04 and 129.05 of the Codified Ordinances of the City of Oberlin are hereby amended to read as set forth in **Exhibit A**.

SECTION 2. 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 3. That this Ordinance is hereby declared to be 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:

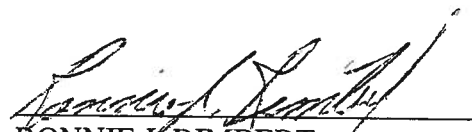
“to amend sections of the City’s codified ordinances related to the Law Director to amend the process for the collection of income taxes as soon as possible”, and shall take effect immediately upon passage.

PASSED: 1st Reading – March 18, 2013 (E)
2nd Reading –
3rd Reading –

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL



RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 03/19/2013

EFFECTIVE DATE: 03/18/2013

EXHIBIT A

129.04 COLLECTION OF DELINQUENT CITY INCOME TAXES.

The Law Director is hereby authorized and directed to provide legal representation for the City, including the office of the Finance Director, to file court action and otherwise proceed to collect delinquent City income taxes, to be charged as extraordinary legal services, **unless the services are available through the Regional Income Tax Agency.**

129.05 ADDITIONAL COMPENSATION.

The Law Director shall receive additional compensation at such rate as has been set by City Council for the following matters:

- (a) Equal Employment Opportunity Commission and/or Ohio Civil Rights Commission Complaints/Charges;
- (b) Any foreclosure actions naming the City as a party;
- (c) Any other litigation wherein the City is named as a party;
- (d) Income Tax collections. **Subject to Section 129.04;**
- (e) Utility collections;
- (f) Appeals to the Zoning Board of Appeals, Planning Commission, Housing Renewal Commission, Civil Service Commission, State Board of Building Standards (OBBS), State of Ohio Board of Building Appeals (OBBA);
- (g) Administrative Appeals of any sort, whether to Oberlin City Council or the Courts;
- (h) U.S. or Ohio EPA charges or violations naming the City of Oberlin;
- (i) Community Housing Improvements Program (CHIP) matters;
- (j) Any other matters wherein additional compensation is authorized by City Council motion.