

ORDINANCE NO. 12-21

AN ORDINANCE REQUESTING FUNDS AVAILABLE (\$35,000.00) UNDER R.C. 4504.05(B)(1) TO REPAVE, MAINTAIN, OR REPAIR ANY OF THE STREETS WITHIN THE MUNICIPALITY, INSTRUCTING THE FUNDS BE DEPOSITED INTO THE VILLAGE'S PERMISSIVE TAX FUND, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Thornville does not levy a municipal motor vehicle license tax under R.C. 4504.06; and

WHEREAS, Perry County levies a county motor vehicle license tax under R.C. 4504.02; and

WHEREAS, the Village of Thornville is entitled to receive its proportionate share of revenue collected by Perry County from the Motor Vehicle License Tax under R.C. 4504.04 and R.C. 4504.05 for street planning, construction, reconstruction, improvement, maintenance and/or repair; and

WHEREAS, Council for the Village of Thornville now wants to make written application to the Perry County Board of Commissioners and/or the Perry County Engineer for the disbursement of County motor vehicle license tax funds for the repaving of: North Main Street, from State Route 204 to Craig Drive; West South Street from State Route 204 to State Route 188; and Foster Drive and;

WHEREAS, the money disbursed by the Perry County Engineer must be deposited into the Village's Permissive Tax Fund.

NOW, **THEREFORE, BE IT ORDAINED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: The Fiscal Officer or her designee shall make written application to the Perry County Board of Commissioners and/or the Perry County Engineer, pursuant to R.C. 4504.04, for Thirty-Five Thousand Dollars and No Cents (the funds available under division (B)(1) of section 4504.05 of the Revised Code) to plan, construct, reconstruct, improve, maintain, or repair any of the streets within the Village; and

SECTION 2: Once received from Perry County pursuant to R.C. 4504.05, the County motor vehicle license tax funds shall be deposited into the Village's Permissive Tax Fund. It is anticipated this money will be appropriated in 2013 to repave, maintain, and/or repair Foster, South West, North Main and Craig Streets.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.


SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thornville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the Village needs to receive and deposit these funds as soon as possible. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

Passed this 26th day of Nov, 2012.


Gavin Renner, Mayor

ATTEST:


Dawn Morrow, Clerk of Council

APPROVED:

Approved as to form this 20th day of November 2012.



Brian M. Zets, Esq.
Village Solicitor