

ORDINANCE NO. 2018 – 18

AN ORDINANCE
AMENDING SECTIONS 181.02, 181.03, AND 181.09 OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF NEW LONDON, RENEWING THE ADDITIONAL .50% INCREASE
IN THE INCOME TAX BY AND FOR A PERIOD OF AN ADDITIONAL FOUR YEARS ONLY AND PROVIDING THAT
THE REVENUES GENERATED BY SUCH ADDITIONAL TAX WOULD BE USED FOR POLICE AND FIRE
OPERATIONS, AND DECLARING AN EMERGENCY

Whereas, the Council proposed a temporary (four-year) .50% increase in the Village Income Tax rate to support police and fire operations back in 2010, with the express understanding that it would require approval of the voters and that any renewal would require further approval of the voters; and

Whereas, at the general elections in 2010 and 2014, a majority of the voters did approve this temporary increase in the income tax rate to support police and fire operations for four-year periods; and

Whereas, now that the period of that the current temporary tax increase is about to expire, the Council desires to renew that same tax increase for another temporary (four-year) period, subject to approval of the voters at the general election in November, 2018; Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW LONDON, HURON COUNTY, OHIO, AS
FOLLOWS:

Section 1. That the first paragraph of Section 181.02 of the Codified Ordinances of the Village of New London, Ohio, which currently reads as follows:

181.02 IMPOSITION OF TAX.

To provide funds for the purpose of general Municipal operations, maintenance of equipment, new equipment, extension, enlargement and improvement of Municipal services and facilities and capital improvements of the Village of New London, there be, and hereby is levied a tax upon the earnings at the rate of one percent (1%) upon the categories of income set forth below; and that, in addition, from and after January 1, 2011, and through the period ending December 31, 2018 only, there is hereby levied an additional tax upon income of an additional fifty hundredths of one percent (.50%) per annum, upon the categories of income set forth below:

* * *

is hereby amended to read as follows:

181.02 IMPOSITION OF TAX.

To provide funds for the purpose of general Municipal operations, maintenance of equipment, new equipment, extension, enlargement and improvement of Municipal services and facilities and capital improvements of the Village of New London, there be, and hereby is levied a tax upon the earnings at the rate of one percent (1%) upon the categories of income set forth below; and that, in addition, from and after January 1, 2011, and through the period ending December 31, ~~2018~~ 2022 only, there is hereby levied an additional tax upon income of an additional fifty hundredths of one percent (.50%) per annum, upon the categories of income set forth below:

* * *

Section 2. That Section 181.03 of the Codified Ordinances of the Village of New London, Ohio, which currently reads as follows:

181.03 EFFECTIVE DATES.

(a) The initial one percent (1%) tax provided for in Section 181.02 of the Codified Ordinances shall be levied, collected and paid with respect to salaries, wages, commissions and other compensation earned on and after January 1, 1974, and with respect to the net profit of businesses, professions and other activities earned on and after January 1, 1974. Provided, however, that where the fiscal year of the business, profession or other activity differs from the calendar year, the tax shall be applied to that part of the net profit for the fiscal year as shall be earned on and after January 1, 1974, to the close of the taxpayer's fiscal year; thereafter, the taxpayer shall report on its fiscal year basis.

(b) The additional fifty hundredths of one percent (.50%) tax provided for in Section 181.02 of the Codified Ordinances shall be levied, collected and paid with respect to salaries, wages, commissions and other compensation earned on and after January 1, 2011 and through the period ending December 31, 2018 only, and with respect to the net profit of businesses, professions and other activities earned on and after January 1, 2011 and through the period ending December 31, 2018 only; provided, however, that where the fiscal year of the business, profession or other activity differs from the calendar year, the tax shall be applied to that part of the net profit for the fiscal year as shall be earned on and after January 1, 2011, to the close of the taxpayer's fiscal year; thereafter, the taxpayer shall report on its fiscal year basis through the period ending December 31, 2018. Recognizing that this additional income tax requires approval from the electorate, it is the intention of Council that this additional income tax shall remain in effect only through December 31, 2018, and that any extension of its effective date beyond December 31, 2018 shall require an additional, future approval by the electorate.

is hereby amended to read as follows:

181.03 EFFECTIVE DATES.

(a) The initial one percent (1%) tax provided for in Section 181.02 of the Codified Ordinances shall be levied, collected and paid with respect to salaries, wages, commissions and other compensation earned on and after January 1, 1974, and with respect to the net profit of businesses, professions and other activities earned on and after January 1, 1974. Provided, however, that where the fiscal year of the business, profession or other activity differs from the calendar year, the tax shall be applied to that part of the net profit for the fiscal year as shall be earned on and after January 1, 1974, to the close of the taxpayer's fiscal year; thereafter, the taxpayer shall report on its fiscal year basis.

(b) The additional fifty hundredths of one percent (.50%) tax provided for in Section 181.02 of the Codified Ordinances shall be levied, collected and paid with respect to salaries, wages, commissions and other compensation earned on and after January 1, 2011 and through the period ending December 31, ~~2018~~ **2022** only, and with respect to the net profit of businesses, professions and other activities earned on and after January 1, 2011 and through the period ending December 31, ~~2018~~ **2022** only; provided, however, that where the fiscal year of the business, profession or other activity differs from the calendar year, the tax shall be applied to that part of the net profit for the fiscal year as shall be earned on and after January 1, 2011, to the close of the taxpayer's fiscal year; thereafter, the taxpayer shall report on its fiscal year basis through the period ending December 31, ~~2018~~ **2022**. Recognizing that this additional income tax requires approval from the electorate, it is the intention of Council that this additional income tax shall remain in effect only through December 31, ~~2018~~ **2022**, and that any extension of its effective date beyond December 31, ~~2018~~ **2022** shall require an additional, future approval by the electorate.

Section 3. That Section 181.09 of the Codified Ordinances of the Village of New London, Ohio, which currently reads as follows:

181.09 ALLOCATION OF FUNDS.

(a) The funds collected pursuant to the initial one percent (1%) tax provided for in Section 181.02 of the Codified Ordinances shall be deposited in the General Fund and said funds collected for the tax period of January 1, 1974 and thereafter, shall be disbursed in the following order, to wit:

- (1) Such part thereof as shall be necessary to defray all costs of collecting the taxes and the cost of administering and enforcing the provisions thereof.
- (2) The balance of the funds remaining in the General Fund shall be available for appropriation, as deemed necessary by the Council of the Village of New London, for any lawful Municipal purposes.

(b) The funds collected pursuant to the additional fifty hundredths of one percent (.50%) provided for in Section 181.02 of the Codified Ordinances shall be deposited in the General Fund and said funds collected for the tax period of January 1, 2011, and thereafter, or any renewal thereof, shall be used to defray Police and Fire Department operating expenses only.

is hereby amended to read as follows:

181.09 ALLOCATION OF FUNDS.

(a) The funds collected pursuant to the initial one percent (1%) tax provided for in Section 181.02 of the Codified Ordinances shall be deposited in the General Fund and said funds collected for the tax period of January 1, 1974 and thereafter, shall be disbursed in the following order, to wit:

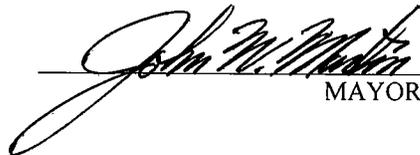
- (1) Such part thereof as shall be necessary to defray all costs of collecting the taxes and the cost of administering and enforcing the provisions thereof.
- (2) The balance of the funds remaining in the General Fund shall be available for appropriation, as deemed necessary by the Council of the Village of New London, for any lawful Municipal purposes.

(b) The funds collected pursuant to the additional fifty hundredths of one percent (.50%) provided for in Section 181.02 of the Codified Ordinances shall be deposited in the General Fund and said funds collected for the tax period of January 1, 2011, **THROUGH DECEMBER 31, 2022, and thereafter**, or any renewal thereof, shall be used to defray Police and Fire Department operating expenses only.

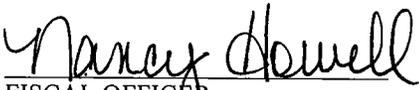
Section 4. That it is found that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the Village of New London and its inhabitants, the reason for such necessity being that prompt action is required to allow this measure to be placed on the ballot at this year's general election in a timely manner; and that, provided it receives the majority vote of two-thirds or more of those elected to Council, this Ordinance shall therefore take effect and be in force immediately from and after its passage and approval by the Mayor, and otherwise it shall take effect at the earliest period allowed by law.

PASSED: July 23, 2018


MAYOR

ATTEST:


FISCAL OFFICER