

ORDINANCE NO.: 96 -2007  
INTRODUCED BY: Mayor and Council

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF RICHMOND HEIGHTS A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF RICHMOND HEIGHTS AUTHORIZING A 3.0 MILL PROPERTY TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE FIRE/PARAMEDIC SERVICE FUND; AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article XIII, Section 2 of the Charter of Richmond Heights, this Council wishes to submit to the electors of the City an amendment to the Charter of the City authorizing a 3.0 mill property tax levy for the purpose of providing funds for the Fire/Paramedic Service Fund;

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio, not less than five of the members thereto concurring, that:

Section 1: Pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article XIII, Section 2 of the Charter of the City of Richmond Heights, this Council hereby authorizes and directs the submission to the electors of the City of Richmond Heights at an election to be held at the usual places of voting in said City on Tuesday, November 6, 2007, the following proposal to amend the Charter of the City of Richmond Heights, Ohio:

That a new Section 4 of Article XII of the Charter be enacted to read as follows:

**"SECTION 4. ADDITIONAL LEVY FOR THE FIRE/PARAMEDIC SERVICE FUND.**

Commencing with the tax list in duplicate for the year 2007, the Council may levy in each year, without a vote of the people, a tax in an amount not to exceed in each such year 3.0 mills per dollar of assessed valuation upon all property in the Municipality assessed and listed for taxation according to value for the purpose of providing funds for the Fire/Paramedic Service Fund. The amount of taxes in each year so levied pursuant to this Section shall not be subject to the limitations on

the rate of taxation provided in this Charter and shall be in addition to any taxes levied by Council pursuant to any provision of this Charter or the general laws of the State of Ohio."

Section 2: If the foregoing amendment receives the affirmative vote of a majority of the electors voting thereon, it shall become effective upon from and after the time of its approval by the electors.

Section 3: It is the desire of this Council that ballots for said question shall be in substantially the following form:

### PROPOSED CHARTER AMENDMENT

#### 3.0 MILL FIRE/PARAMEDIC SERVICE FUND LEVY

#### CITY OF RICHMOND HEIGHTS

A majority affirmative vote is necessary for passage.

Shall Section 4 of Article XII of the Charter be enacted to authorize the levy of a tax to provide funds for the Fire/Paramedic Service Fund at a rate not to exceed 3.0 mills for each dollar of assessed valuation, which amounts to \$0.30 for each one hundred dollars of assessed valuation, commencing in 2007, first due in calendar year 2008?

	Yes
	No

Section 4: The Clerk is authorized and directed to hand-deliver a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and obtain a receipt thereof on or before September 4, 2007.

Section 5: The Board of Elections of Cuyahoga County is hereby requested to cause an appropriate notice to be given of the election to be held on November 6, 2007, of the foregoing amendment to the Charter of the City and otherwise provide for such election in the manner provided in the general laws of the State of Ohio.

Section 6: The Clerk is hereby authorized and directed to cause the full text of the proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Richmond Heights, with the first publication to be made at least fifteen days prior to the election to be held on November 6, 2007, as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio and Section 731.211 of the Ohio Revised Code.

Section 7: There is hereby appropriated from the General Fund a sufficient sum of money to pay for the costs of carrying out the authorizations and directions in this Ordinance.

Section 8: It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 9: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the proposed amendment to the Charter of the City of Richmond Heights authorizing a 3.0 mill property tax levy for the purpose of providing funds for the Fire/Paramedic Service Fund can be timely submitted to the electors at an election on November 6, 2007; wherefore, this Ordinance shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche  
President of Council