

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

ORDINANCE CM-13-15

Ordinance No. _____

Passed July 23, 2013

AN ORDINANCE DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY AT THE MAXIMUM RATE AUTHORIZED BY LAW WITHOUT A VOTE OF THE ELECTORS TO BE INSUFFICIENT, AND DECLARING THE NECESSITY THAT A REPLACEMENT LEVY BE APPROVED IN EXCESS OF SUCH RATE, FOR IMPROVEMENT OF THE STREETS OF THE MUNICIPALITY, INCLUDING THE STORM SEWERS INCIDENT THERETO

NOW THEREFORE, the Municipality of West Milton, Ohio, by two-thirds (2/3) of all members elected to Council concurring hereby ordains as follows:

SECTION I: That the amount of taxes that may be raised by the levy of taxes at the maximum rate authorized by Section 5705.02 of the Ohio Revised Code on the taxable property in the said Municipality will be insufficient to provide for the necessary requirements of said Municipality, and pursuant to Section 5705.19(G) of the Ohio Revised Code, that it is necessary to levy an additional tax, in excess of the ten (10) mill limitation, for the benefit of West Milton, Ohio, for the purpose of permanent improvements by improving streets in said Municipality, general construction, reconstruction, resurfacing, repair and operation, including storm sewers incident thereto, and that additional taxes be levied on the taxable property in said Municipality at a rate not exceeding three (3) mills on each One Dollar (\$1.00) evaluation, which amounts to thirty cents (30¢) for each One Hundred Dollars (\$100.00) of valuation for a period of five (5) years, namely 2014, 2015, 2016, 2017 and 2018.

SECTION II: That it is the intention of Council that the levy considered herein is a new and additional tax and not a renewal of the levy set forth by Ordinance CM-709, introduced May 7, 1984 and originally passed June 12, 1984 by the Council.

SECTION III: That said replacement tax levy be placed upon the tax duplicate of the proper tax year in compliance with the provisions of Sections 5704.34 of the Ohio Revised Code, if the majority of the electors voting thereon vote in favor thereof.

SECTION IV: That the Council has contemporaneously, with the introduction of this Ordinance, passed Resolution CM-13-14 requesting that the County Auditor certify the funds which will be generated by the Ordinance pursuant to Section 5705.03 of the Ohio Revised Code.

SECTION V: That the Clerk of this Council be and is hereby directed to certify a copy of this Ordinance to the Board of Elections, Miami County, Ohio, together with a copy of the County Auditor's certificate prior to the seventh day of August, 2013, and notify said Board of Elections to cause notice of election on the question of levying said replacement tax to be given as required by law.

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Passed this *23rd* day of *July* 2013

Michael Coate II

Michael Coate, II, Mayor

ATTEST:

Linda L. Cantrell

Linda L. Cantrell, CAP/OM
Clerk of Council

APPROVED AS TO FORM:

Charles H. Sell II

Charles H. Sell, II
Law Director

I hereby certify the above to
be a true and exact copy
of *Ord. CM-13-15*, passed by
the *West Milton Council*
on *July 23, 2013*.

Linda L. Cantrell
Clerk of Council

passed by unanimous vote.