

ORDINANCE NO.: 2022-74

FIRST READING September 12, 2022

INTRODUCED BY: DENNIS GALKKI

SECOND READING WAIVED

THIRD READING WAIVED

**AN ORDINANCE AMENDING SECTION 1440.04(e) OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF SOUTH RUSSELL
AND DECLARING AN EMERGENCY.**

WHEREAS, Council desires to amend Section 1440.04(e) of the Codified Ordinances of the Village of South Russell to include the Fiscal Officer as receiving forms showing proof of filing of wage statement and withholding of income tax earned by all contractors and the Fiscal Officer as authorizing the release of any deposit in addition to these roles by the Fiscal Auditor, if one is appointed.

NOW, THEREFORE, be it ordained by the Council of the Village of South Russell that:

SECTION 1. Section 1440.04(e) of the Codified Ordinances of the Village of South Russell currently reads as follows:

“1440.04 BUILDING PERMITS GENERALLY.

- “(e) Refund of Cash Deposits. Cash deposits shall be refunded only after the Building Inspector and the Street Commissioner have deducted all charges for all damages or inspections and after a determination is made that no further damages or inspections will be necessary or are reasonably foreseeable.

“Upon receipt and approval of as-built grade plans by the Village Engineer and upon the Fiscal Auditor’s receipt of forms established by the Tax Administrator showing proof of filing of wage statement and withholding of income tax for income earned within the Village by all contractors, the Fiscal Auditor shall authorize release of any remaining deposit.”

SECTION 2. Section 1440.04(e) of the Codified Ordinances of the Village of South Russell is hereby deleted and amended to read in its entirety as follows:

“1440.04 BUILDING PERMITS GENERALLY.

- “(e) Refund of Cash Deposits. Cash deposits shall be refunded only after the Building Inspector and the Street Commissioner have deducted all charges for all damages or inspections and after a determination is made that no further damages or inspections will be necessary or are reasonably foreseeable.

“Upon receipt and approval of as-built grade plans by the Village Engineer and upon the receipt by the Fiscal Officer or Fiscal Auditor, if one is appointed, of forms established by the Tax Administrator showing proof of filing of wage statement and

withholding of income tax for income earned within the Village by all contractors, the Fiscal Officer or Fiscal Auditor, if one is appointed, shall authorize release of any remaining deposit.”

SECTION 3. 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 this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and for the further reason that this Ordinance must be immediately effective to be consistent with the discretionary position of Fiscal Auditor; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.




Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. 2022 - 74 was duly enacted on the 12TH day of SEPTEMBER, 2022, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.



Fiscal Officer