

TEMPORARY RESOLUTION NO. 69-21

PERMANENT RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 183.012, 183.013 AND 183.02 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, OHIO, IN ORDER TO INCREASE THE CITY INCOME TAX RATE FOR PARKS AND RECREATION TO TWENTY-FIVE HUNDREDTHS OF ONE PERCENT (0.25%) CONTINUING, BEGINNING JANUARY 1, 2023, ON EARNINGS AND INCOME FOR PARKS AND RECREATION, AS MORE FULLY SET FORTH HEREIN, AND DECLARING AN EMERGENCY

WHEREAS, the Lancaster Parks Board has determined, and informed City Council, that the current temporary Parks levy of fifteen hundredths of one percent (0.15%) for the period January 1, 2018 through December 31, 2022 is not sufficient for the operation, maintenance, and repair of capital facilities for Lancaster municipal parks and recreational activities; and

WHEREAS, the Lancaster Parks Board and City Council wish to increase the Parks income tax levy to twenty-five hundredths of one percent (0.25%) continuing income tax levy on earnings and income beginning January 1, 2023, for the purposes of operating, maintaining, repairing, and providing capital facilities for municipal parks and recreational activities and facilities and paying principal and interest on bonds and notes issued for such purposes;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lancaster, Fairfield County, Ohio, that:

SECTION 1. This Council hereby authorizes and directs the submission to the electors of the City of Lancaster, Ohio at the general election to be held at the usual places of voting in said City on Tuesday, November 2, 2021, between the hours of 6:30 a.m. to 7:30 p.m. of said day, the question of approving the passage of an ordinance to amend Sections 183.012, 183.013 and 183.02 of the Codified Ordinances of the City of Lancaster, Ohio to provide for the increase of the Parks levy to a twenty-five hundredths of one percent (0.25%) continuing levy beginning January 1, 2023 on earnings and income subject to the municipal income tax for the purposes of operating, maintaining, repairing, and providing capital facilities for municipal parks and recreational activities and facilities and paying principal and interest on bonds and notes issued for such purposes.

SECTION 2. The proposed ordinance to be submitted to the electors of the City for their approval hereunder shall be as follows:

TEMPORARY ORDINANCE NO. 17-21

PERMANENT ORDINANCE NO. -21

AN ORDINANCE TO AMEND SECTIONS 183.012, 183.013 AND 183.02 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, OHIO, IN ORDER TO INCREASE THE CITY INCOME TAX RATE FOR PARKS AND RECREATION TO TWENTY-FIVE HUNDREDTHS OF ONE PERCENT (0.25%) CONTINUING, BEGINNING JANUARY 1, 2023, ON EARNINGS AND INCOME FOR PARKS AND RECREATION, AS MORE FULLY SET FORTH HEREIN, AND DECLARING AN EMERGENCY

WHEREAS, due to increased revenue needs of the Lancaster Parks Department, City Council wishes to seek a continuing levy of twenty-five hundredths of one percent (0.25%) on earnings and income beginning January 1, 2023, for the purpose of operating, maintaining, repairing and providing capital facilities for municipal parks and recreational activities and facilities and paying principal and interest on bonds and notes issued for such purposes;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, Ohio, that:

SECTION 1. Section 183.012 of the Codified Ordinances of the City of Lancaster, Ohio, is hereby amended to read as follows:

183.012 PURPOSES OF TAX; RATE.

(A) To provide funds for the purpose of general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City of Lancaster, Ohio, there shall be, and is hereby, levied a tax on salaries, wages, commissions and other compensation, and on net profits as hereinafter provided.

(B) Rate of tax is two and thirty hundredths percent (2.30%) for taxable years that begin on or after January 1, 2023, the rate of tax is two and twenty hundredths percent (2.20%) for taxable years that begin on or after January 1, 2021 and before January 1, 2023, and the rate of tax is one and seventy-five hundredths percent (1.75%) for taxable years that begin before January 1, 2021.

SECTION 2. Section 183.013 of the Codified Ordinances of the City of Lancaster, Ohio is hereby amended to read as follows:

183.013 ALLOCATION OF FUNDS.

(A) To provide funds for the purposes of operating, maintaining, repairing, and providing capital facilities for municipal park and recreational activities and facilities, there shall be and is hereby levied an annual tax, in addition to the tax levied by Section 183.012, and any other section imposing a tax on earnings and income, for the period January 1, 2018 through December 31, 2022 upon those classes of earnings and income set forth in Section 183.012 at the rate of fifteen hundredths of one percent (0.15%). To provide funds for the purposes of operating, maintaining, repairing, and providing capital facilities for municipal park and recreational activities and facilities and paying principal and interest on bonds and notes issued for such purposes on and after January 1, 2023, there shall be and is hereby levied an annual tax, in addition to the tax levied by Section 183.012, and any other section imposing a tax on earnings and income, a continuing tax upon those classes of earnings and income set forth in Section 183.012 at the rate of twenty-five hundredths of one percent (0.25%).

(B) Of the remaining total imposed tax at the rate of two and five hundredths percent (2.05%), nine tenths of one percent (0.9%) is to provide funds for the purpose of operating, maintaining, repairing and providing capital facilities for the Fire and Police Departments of the City.

(C) Of the remaining total imposed tax at the rate of one and fifteen hundredths percent (1.15%), fifteen hundredths of one percent (0.15%) is, effective July 1, 2005, to provide funds for the purpose of providing fire services within the City and acquiring equipment for such services and paying principal and interest on securities issued and public obligations incurred to finance such equipment.

(D) Of the remaining total imposed tax at the rate of one percent (1.0%) for the period beginning January 1, 2021, and continuing thereafter, such tax shall be used for the following purposes and in the respective percentages:

General Fund .96%
Parks Improvement Fund 0.01%
Cemetery Fund 0.01%
City Capital Improvement Fund 0.02%

SECTION 3. Section 183.02 of the Codified Ordinances of the City of Lancaster, Ohio is hereby amended to read as follows:

183.02 EFFECTIVE DATE.

(A) Temporary Ordinance No. 3-18, effective January 1, 2018, and corresponding changes to ORC 718, apply to municipal taxable years beginning on or after January 1, 2018. All provisions of this Chapter 183 apply to taxable years beginning 2018 and succeeding taxable years.

(B) Temporary Ordinance No. 3-18 does not repeal the existing sections of Chapter 181 for any taxable year prior to 2016, and Chapter 182 for taxable years 2016 and 2017 but rather amends Chapter 181 and 182 effective January 1, 2018. For municipal taxable years beginning before January 1, 2018, the Municipality shall continue to administer, audit, and enforce the income tax of the Municipality under ORC 718 and ordinances and resolutions of the Municipality as those chapters and those ordinances and resolutions existed before January 1, 2018.

(C) Permanent Ordinance No. 27-20, effective January 1, 2021, applies to municipal tax years beginning on or after January 1, 2021. Temporary Ordinance No. 15-21 effective January 1, 2023, applies to municipal tax years beginning on or after January 1, 2023.

SECTION 4. Effective January 1, 2023 Sections 183.012, 183.013 and 183.02 of the Codified Ordinances of the City of Lancaster, Ohio, as they have heretofore existed, are hereby repealed and Sections 183.012, 183.013 and 183.02 as set forth herein shall become effective. Provided, however, that no provision of this Ordinance, including the repeal of 183.012, 183.013 and 183.02 of the Codified Ordinances of the City of Lancaster, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the one and seventy-five hundredths percent municipal income tax authorized by predecessor Sections 183.012, 183.013 and 183.02.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with the law.

SECTION 6. 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 the immediate effectiveness of this Ordinance is necessary to provide funds in order to adequately carry out necessary City of Lancaster Parks and Recreation functions and to meet increasing costs and other financial obligations of the Lancaster Parks and Recreation Department; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Finance Committee

The foregoing is a true and correct copy of Permanent Ordinance ____-21 as adopted by the Council of the City of Lancaster, Ohio at its meeting on _____, 2021.

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2021 and _____, 2021 in the Lancaster Eagle Gazette published the summary of this Ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

SECTION 3. It is the desire of this Council that the ballots presented to the electors of the City of Lancaster shall be substantially in the following form:

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

Shall Temporary Ordinance No. 17-21 providing for a continuing Lancaster City Parks' levy of twenty-five hundredths of one percent (.25%) tax on the earnings and income subject to the municipal income tax for the purposes of operating, maintaining, repairing, and providing capital facilities for municipal park and recreational activities and facilities and paying principal and interest on bonds and notes issued for such purposes be passed?

	FOR THE INCOME TAX
	AGAINST THE INCOME TAX

SECTION 4. The Clerk of this Council shall file a copy of this Resolution with the Board of Elections in Fairfield County, Ohio no later than 4:00 p.m. on August 4, 2021.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this Council, and that all deliberations of this Council and of any its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 6. This Resolution is 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 Resolution is required to be immediately effective in order to place this issue on the ballot at the November 2, 2021 general election; wherefore, this Resolution shall be in full force and effect from and immediately after its adoption and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Attest: _____

Mayor

Offered by: _____

Second by: _____

Requested by Finance Committee

The foregoing is a true and correct copy of Permanent Resolution ____-21 as adopted by the Council of the City of Lancaster, Ohio at its meeting on _____, 2021.

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2021 and _____, 2021 the Lancaster Eagle Gazette published the summary of this Resolution in accordance with Ohio Revised Code 731.24.

Clerk of Council