

## ORDINANCE 2014-03

**AN ORDINANCE TO PLACE THE ISSUE OF INCREASING THE MUNICIPAL INCOME TAX BY ONE HALF OF A PERCENT (0.50%) PER ANNUM FOR A CONTINUING PERIOD OF TIME ON THE BALLOT AT THE ELECTION TO BE HELD ON MAY 6, 2014, AND DIRECTING THE BOARD OF ELECTIONS OF TRUMBULL COUNTY, OHIO TO CONDUCT SUCH ELECTION AND DELCARING AN EMERGENCY.**

WHEREAS, Ordinance 2004-23 authorizes the levy and collection of a municipal income tax for the benefit of the City; and

WHEREAS, State reductions in Local Government funding, the imminent elimination of the Estate Tax, the end of tangible personal property tax and additional significant reductions in revenue sources have had a dramatic impact on long-standing revenue streams used by the City of Newton Falls to provide for the health, safety and welfare of the City of Newton Falls; and

WHEREAS, This council pursuant to Section 718.01 of the Ohio Revised Code wish to increase the City income tax by (0.50%) per annum for a continuing period of time commencing January 1, 2015, and as required by law placing the issue of such tax increase on the ballot at the election to be held May 6, 2014;

**COUNCIL FOR THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY ORDAINS:**

**Section 1.** That it is necessary to levy an additional one half of a percent income tax commencing January 1, 2015 to provide funds for the purpose of general municipal operations, maintenance of equipment, new equipment, the extension, enlargement and improvement of municipal services and facilities, and capital improvements of the City, and/or other legal municipal purposes, which shall be levied, collected and paid with respect to all income and profits subject to the City income tax.

**Section 2.** That Ordinance 2004-23, Exhibit A, Section 3 hereby is amended to provide for a total municipal income tax of one and one half of a percent (1.50%) per annum in lieu of the one percent (1%) per annum income tax presently levied.

**Section 3.** That pursuant to Section 718.01 of the Ohio Revised Code, this ordinance shall be placed on the ballot at the election to be held on May 6, 2014, and shall be subject to the approval of a majority vote of the electors of the City voting at such election.

**Section 4.** That in the event that less than a majority of the electors of the City, who vote on the issue, vote to approve the income tax authorized hereby, the present one percent (1%) income tax imposed by the Code shall remain in full force and effect as if this ordinance had not been passed and such election had not occurred.

**Section 5.** That the Clerk of Council is hereby directed to file a certified copy of this ordinance with the Trumbull County Board of Elections at least ninety (90) days prior to the date of such election pursuant to Section 718.01 of the Ohio Revised Code.

**Section 6.** That the Board of Elections of Trumbull County, Ohio is hereby directed to conduct an election pursuant to Section 718.01 of the Ohio Revised Code at the election to be held on May 6, 2014 on the issue of increasing the City income tax by an additional (0.50%) per annum as described in the prior Ordinance.

**Section 7.** That the form of the ballot to be used at said election shall be substantially as follows:

Shall the Ordinance 2014-03 providing for an increase in the levy on income by and additional (0.50%) annually for a continuing period of time, effective January 1, 2015, for the purpose of providing funds for the purpose of general municipal operations, maintenance of equipment, new equipment, the extension enlargement and improvement of municipal services and facilities, and capital improvements of the City and/or other legal municipal purposes, which shall levied, collected and paid with respect to all income and profits subject to the City income tax, be passed

\_\_\_\_\_ FOR THE INCOME TAX

\_\_\_\_\_ AGAINST THE INCOME TAX

Changes may be made in the form of such ballot to satisfy any requirements of the Trumbull County Board of Elections.

**Section 8.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare of the citizens of the City of Newton Falls the reason for the emergency is the need to have this in effect and forwarded to the Trumbull County Board of Elections prior to the February 2014 filing deadline.

PASSED IN COUNCIL THIS 3<sup>rd</sup> DAY OF FEBRUARY 2014.

\_\_\_\_\_  
Mayor, Lyle Waddell

ATTEST: \_\_\_\_\_  
City Clerk/Clerk of Council