

**VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2016-09**

**A RESOLUTION DECLARING SUPPORT FOR THE 131ST OHIO GENERAL
ASSEMBLY'S HOUSE BILL 302**

WHEREAS, Ohio Revised Code § 709.023 permits municipalities to annex unincorporated territories pursuant to an expedited Type II annexation process; and

WHEREAS, Type II annexations permit the annexed territory to remain part of the township from which it was annexed, thus subjecting the annexed territory to potential taxation by both the municipal corporation and the township; and

WHEREAS, on August 17, 2015, Representatives Michael Henne and Jim Butler introduced House Bill 302 to the 131st Ohio General Assembly; and

WHEREAS, House Bill 302 would prohibit municipal corporations or townships from levying taxes for fire, police, and EMS services on Type II annexed territories if the municipal corporation or township does not provide these services to the annexed territory; and

WHEREAS, House Bill 302 provides a five year grace period for fire, police, and EMS levies in place after a Type II annexation petition is approved;

WHEREAS, over 205 acres, including over 270 separate parcels, are subject to taxation for fire, police, and EMS levies by both the Village of South Lebanon and Hamilton Township;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, Ohio, at least a majority of all members elected thereto concurring:

Section 1. That the Council believes it to be in the best interest of the citizens of South Lebanon for House Bill 302 to be passed in the 131st Ohio General Assembly;

Section 2. That the Council hereby presents its support for the passage of House Bill 302 as introduced on August 17, 2015 in the 131st Ohio General Assembly; and,

Section 2. That the Council directs the Administrator to circulate this Resolution to local representatives in the Ohio General Assembly.

Section 3. That the Council is acting in its administrative capacity in adopting this Resolution.

Section 4. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 14 day of March, 2016.

Attest:



Sharon Louallen, Fiscal Officer/Clerk



James D. Smith, Mayor

Rules Suspended: 3/14/2016 (if applicable)

Effective Date – / /2016

Vote - 5 Yeas

___ Nays

First Reading – / /2016

Second Reading – / /2016

Third Reading – / /2016

Effective Date – / /2016

Vote - ___ Yeas

___ Nays

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By:  _____

Date: 3 /14 /2016