

RECORD OF ORDINANCES

Ordinance No. 01-08-2023 Passed 1-17-, 2023

DETERMINING THAT A PETITION TO ESTABLISH THE CIRCLEVILLE NEW COMMUNITY AUTHORITY DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE; SETTING THE TIME AND PLACE FOR A HEARING ON THE PETITION AUTHORIZING THE NOTICE BY PUBLICATION OF SUCH HEARING AND DECLARING AN EMERGENCY.

WHEREAS, the City of Circleville, Ohio, in its capacity as a “developer” within the meaning of Revised Code Section 349.01(E) (the “City”) plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Revised Code Chapter 349; and

WHEREAS, on January 13, 2023, the City, in its capacity as a developer, submitted to the Council of the City (“Council”), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Circleville New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the City; and

WHEREAS, the District, as described in the Petition, is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of this Petition; and

WHEREAS, this Council has reviewed the Petition, and by this Ordinance desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to Revised Code Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to Revised Code Section 349.03, authorize the notice by publication of the hearing on the Petition.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Circleville that:

SECTION I. Organizational Board of Commissioners. This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is the “organizational board of commissioners” of the Circleville New Community Authority for all purposes of Revised Code Chapter 349.

SECTION II. Petition’s Sufficiency and Compliance with Revised Code Section 349.03. This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance.

SECTION III. Time and Place of Hearing. Pursuant to Revised Code Section 349.03, this Council hereby determines to hold a hearing on the Petition on February 21, 2023 in Council Chambers, 133 S. Court Street, Circleville, Ohio 43113, at 6:45 p.m., and this Council hereby authorizes the Council Clerk to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in Revised Code Section 7.16, in a newspaper of general circulation within Pickaway County, Ohio, pursuant to Revised Code Section 349.03(A).

SECTION IV. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Revised Code Section 121.22.

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SECTION V. Effective Date. This ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Circleville. The basis of the emergency is the need to timely find that the petition to establish the Circleville New Community Authority is sufficient and complies with the requirements of O.R.C. Section 349.03 in form and substance so that this process can proceed without unnecessary delay. Therefore, this ordinance shall take effect and be enforced immediately from and after its passage and approval by the Mayor.

PASSED: 1-17-2023
DATE

Barry D. Kello
PRESIDENT OF COUNCIL

ATTEST: Lisa M. Chey
CLERK OF COUNCIL

APPROVED: 1-17-2023
DATE

William R. McLean
MAYOR

APPROVED AS FORM:

Gary D. Kenworthy
GARY D. KENWORTHY - LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM

CERTIFICATE

The undersigned, Clerk of the Council of the City of Circleville, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance Number 01-08-2023, passed by the Council of the City of Circleville, Ohio on the 17th day of January, 2023.

Lisa M. Chey
Clerk of Council