

Ordinance No. 17-2016

Passed 12/15/2016

**ORDINANCE ESTABLISHING THE OFFICE OF TAX ADMINISTRATOR  
VILLAGE OF BRADNER, OHIO AND DECLARING AN EMERGENCY**

WHEREAS, on or about October 8, 1970, the Council of the Village of Bradner passed Ordinance No. 15-70, establishing and levying a Village Income Tax, and

WHEREAS, pursuant to said Ordinance 15-70, the Village Tax Administrator was charged with certain duties and responsibilities relative to the administration of said Village Income Tax, and

WHEREAS, pursuant to said Ordinance 15-70, the Village Clerk was charged with certain duties relative to the collection of said Village Income Tax; and

WHEREAS, on or about January 6, 2005, the Council of the Village of Bradner passed Ordinance No. 02-2005 providing, *inter alia*, that the duties of Tax Administrator and the collection duties of the Fiscal Officer be vested in the City of Cleveland's Central Collection Agency (CCA); and

WHEREAS, effective December 31, 2016, the CCA will no longer act on behalf of the Village as Administrator or collection officer; and

WHEREAS, on or about December 17, 2015, the Council of the Village of Bradner passed Ordinance No. 12-2015 amending the Village Income Tax Code; and

WHEREAS, on or about November 7, 2016, the Council of the Village of Bradner passed Ordinance No. 14-2016 amending the Village Income Tax Code; and

WHEREAS, pursuant to local and state law, the Village is required to appoint a Tax Administrator; and

WHEREAS, Council of the Village of Bradner has determined that it is necessary for the preservation of the public peace, health, and welfare that the Village enact such regulation; and

IT IS THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, STATE OF OHIO, AS FOLLOWS:

SECTION 1. The office of Village Tax Administrator is hereby created.

SECTION 2. The Village Tax Administrator shall fulfill all of the duties and obligations incumbent of that office as set-forth in Ordinance 14-2006, any amendments thereto, and as otherwise required by law or rule.

SECTION 3. The Village Tax Administrator shall be appointed by Council and shall serve at the pleasure of Council and upon such terms and conditions as determined by Council, pursuant to Resolution of Council.

SECTION 4. This ordinance constitutes an emergency measure necessary for the immediate preservation of the public peace, health, and safety of this Village, and shall go into immediate effect upon the passage thereof. The reason for the emergency is that the Tax Administrator must be appointed prior to January 1, 2017, and without declaring this legislation as an emergency, the Village would not be in compliance with law and would suffer financial harm.

SECTION 5. This Ordinance shall become effective from and after its passage at the earliest period allowed by Law.

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SECTION 7. All formal actions of Council relating to the adoption of this Ordinance and all deliberations of Council and any of its committees leading to such action were held in meetings open to the public, as required by Law.

Passed: 12/15/2016

Linda Wildman  
President of Council

Virgil Shell  
Mayor

Attest:

Cory Spauld  
Village Fiscal Officer

Approved as to form:

Cory Spauld  
Village Solicitor