

1 ORDINANCE NO. 2017-430

2
3 SPONSOR Ms. Shapiro

4
5 DATE _____ COMMITTEE Public Works

6
7 **An Ordinance, pursuant to Section 4504.24(A)(1) of the Ohio Revised Code,**
8 **enacting Section 705.03 of the Codified Ordinances of the County of Summit,**
9 **entitled “Third Additional Tax; Rate and Purpose” to levy an additional annual**
10 **license tax of five dollars upon the operation of motor vehicles on the public roads**
11 **and highways in Summit County for the purposes authorized in Section**
12 **4504.24(A)(2), for the Engineer and declaring an emergency.**

13
14 WHEREAS, Section 4504.24(A)(1) of the Ohio Revised Code authorizes
15 counties to levy an additional annual license tax of five dollars upon the operation of
16 motor vehicles on the public roads and highways in that county. The additional tax
17 shall be levied upon all motor vehicles the district of registration of which is located in
18 Summit County, as defined in Section 4503.10 of the Ohio Revised Code. The tax
19 levied under Section 4504.24(A)(1) is in addition to the tax levied by Sections 4503.02
20 and 4503.07 of the Ohio Revised Code and any other taxes levied under Chapter 4504
21 of the Ohio Revised Code. The rate of the tax is in addition to the tax rates prescribed
22 in Sections 4503.04 and 4503.042 of the Ohio Revised Code, and is subject to
23 reductions in the manner provided in Section 4503.11 of the Ohio Revised Code and
24 the exemptions provided in Sections 4503.16, 4503.17, 4503.172, 4503.173, 4503.18,
25 4503.41, 4503.43, 4503.46 and 4503.571 of the Ohio Revised Code; and

26
27 WHEREAS, the proceeds of the additional license tax levied pursuant to Section
28 4504.24(A)(1) of the Ohio Revised Code shall be used for the purposes set forth in
29 Section 4504.24(A)(2) of the Ohio Revised Code.

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31 WHEREAS, the cost to maintain and operate the roads and bridges of the County
32 far exceeds the current revenue dedicated to maintain and operate those roads and
33 bridges; and

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35 WHEREAS, this Council has conducted the public hearings on this Ordinance
36 required by Section 4504.24(B) of the Ohio revised Code prior to the adoption of this
37 Ordinance; and

38
39 WHEREAS, Chapter 705 of the Codified Ordinances of the County set forth the
40 other motor vehicle license taxes already levied by the County; and

41
42 WHEREAS, this Council finds and determines, after reviewing all pertinent
43 information, that it is necessary and in the best interest of this Council to enact Section
44 705.03 of the Codified Ordinances of the County of Summit, entitled “Third Additional
45 Tax; Rate and Purpose” to levy an additional annual license tax of five dollars upon the
46 operation of motor vehicles on the public roads and highways in Summit County for the
47 purposes authorized in Section 4504.24.

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49 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of
50 Summit, State of Ohio, that:

1 ORDINANCE NO. 2017-430

2 PAGE TWO

3
4 SECTION 1

5
6 Pursuant to Section 4504.24(A)(1) of the Ohio Revised Code, this Council hereby
7 enacts Section 705.03 of the Codified Ordinances of the County of Summit, entitled
8 “Third Additional Tax; Rate and Purpose” as follows:

9
10 **“705.03 Third Additional Tax; Rate and Purpose.**

11
12 The County hereby levies an additional annual license tax in the amount of five dollars
13 upon the operation of motor vehicles on the public roads and highways in Summit
14 County for any purpose authorized by Section 4504.24(A)(2) of the Ohio Revised Code.

15
16 The additional tax shall be levied upon all motor vehicles the district of
17 registration of which is located in Summit County, as defined in Section 4503.10 of the
18 Ohio Revised Code. The tax levied under Section 4504.24(A)(1) is in addition to the tax
19 levied by Sections 4503.02 and 4503.07 of the Ohio Revised Code and any other taxes
20 levied under Chapter 4504 of the Ohio Revised Code.

21
22 The rate of the additional tax is in addition to the tax rates prescribed in Sections
23 4503.04 and 4503.042 of the Ohio Revised Code, and is subject to reductions in the
24 manner provided in Section 4503.11 of the Ohio Revised Code and the exemptions
25 provided in Sections 4503.16, 4503.17, 4503.172, 4503.173, 4503.18, 4503.41, 4503.43,
26 4503.46 and 4503.571 of the Ohio Revised Code.

27
28 Commencing in calendar year 2019, an amount not less than \$250,000.00 of the
29 proceeds of the additional annual license tax collected pursuant to this Section shall be
30 used by the County each year to fund road and/or bridge construction or improvement
31 projects that meet the authorized purposes under Section 4504.24(A)(2) of the Ohio
32 Revised Code, create additional jobs or retain existing jobs in Summit County, and are
33 nominated by a city, village or township within Summit County. The County Executive
34 and County Engineer are hereby authorized and directed to mutually develop a
35 competitive program whereby cities, villages and townships within Summit County may
36 nominate projects for these funds to be used for authorized purposes and the funds can be
37 subsequently awarded and used for said purposes. Priority to funding should be given to
38 projects that are receiving other forms of state or federal funding, including, but not
39 limited to Transportation Improvement District funding, Local Transportation
40 Improvement Program funding, State Capital Improvement Program funding, or other
41 Ohio Public Works or Ohio Department of Transportation funding. The County
42 Executive and County Engineer are further authorized to develop guidelines, processes
43 and/or policies setting forth the details of such program. The County Executive and
44 County Engineer shall incorporate the program and any guidelines, processes and/or
45 policies into a Memorandum of Understanding between the two offices. If, in any given
46 calendar year, the amount awarded under this program is less than \$250,000.00, the
47 balance may be used by the County Engineer for any other authorized purposes under
48 Section 4504.24(A)(2).”

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1 ORDINANCE NO.: 2017-430

2 PAGE THREE

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4 SECTION 2

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6 The Clerk of Council is hereby directed to deliver a copy of this Ordinance to the
7 legislative authority of each municipal corporation within Summit County and the board
8 of township trustees of each township within Summit County.

9

10 SECTION 3

11

12 To the extent it is necessary to construe this Ordinance as a resolution, this
13 Ordinance shall be deemed as such.

14

15 SECTION 4

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17 Provided this Ordinance receives the affirmative of a majority of the members of
18 this Council, it shall take effect thirty days following its adoption and approval by the
19 Executive.

20

21 SECTION 5

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23 It is found and determined that all formal actions of this Council concerning and
24 relating to the adoption of this Ordinance were adopted in an open meeting of this
25 Council, and that all deliberations of this Council and of any of its committees that
26 resulted in such formal action, were in meetings open to the public, in compliance with
27 all legal requirements, including Section 121.22 of the Ohio Revised Code.

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29

30 INTRODUCED October 16, 2017

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32 ADOPTED _____

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35 _____

36 CLERK OF COUNCIL

37

PRESIDENT OF COUNCIL

38 APPROVED _____

39

40 _____

41 EXECUTIVE

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43 ENACTED EFFECTIVE _____