

VILLAGE OF ELMORE

ORDINANCE NO. 3-23

**AN ORDINANCE TO CONCLUDE THE ANNEXATION OF
2.97 ACRES TO THE VILLAGE OF ELMORE
AND DECLARING AN EMERGENCY.**

WHEREAS, a petition was filed for annexation of 2.97 acres to the Village of Elmore; and,

WHEREAS, the annexation occurred under the special procedure set out in section 709.16(B) when the territory annexed is entirely owned by the Village; and,

WHEREAS, the Village hereby adopts a statement indicating what services it will provide to the territory proposed for annexation, upon its annexation;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ELMORE, OTTAWA COUNTY, OHIO THAT:

Section 1. That the Village of Elmore hereby states that the following services will be provided to the territory described in the aforementioned petition upon its annexation to the Village of Elmore, **TO WIT:**

- (a.) Access to a well-trained, fully equipped, and efficient police force.
 - (b.) Provision for Village electric service, water service, and sanitary service at rates paid by Village residents after infrastructure installed by developer or lot owners.
 - (c.) Weekly garbage and bi-weekly recycling pick-up at residences.
 - (d.) Unlimited garbage, monthly in the winter and twice monthly in the summer. This service is subject to reasonable limits on quantity and that the materials are non-hazardous.
 - (e.) Curbside limb pick-up and fall leaf pick-up, as well as the use of the Village compost pile for lawn waste.
 - (f.) A comprehensive parks and recreation program.
 - (g.) Streets or highways in the area proposed for annexation will be maintained by the Village.
 - (h.) Street maintenance will include repair, replacement, and snow plowing.
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Section 2. The appropriate date these services will be provided to the area proposed for annexation, upon annexation, is February 1, 2023.

Section 3. The present use of the property to be annexed to become subject to zoning by the Village is compatible with township zoning regulations in the adjacent land remaining in the township from which the territory was annexed. Zoning in the territory to be annexed shall be governed by Section 519.18 of the Ohio Revised Code.

Section 4. If the territory is annexed and becomes subject to zoning by the Village and that Village zoning permits uses in the annexed territory that the Village determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Council of the Village will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a *buffer* separating the use of the annexed territory and adjacent land remaining within the township. For purposes of this section, *buffer* includes open space, landscaping, fences, walls, and other structured elements; streets and rights-of-way; and bicycle and pedestrian paths and sidewalks.

Section 5. The annexation of 2.97 acres of land owned by the Village of Elmore is hereby accepted.



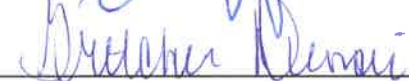
Section 6. The Village's auditor/clerk/fiscal officer shall comply with section 709.06 O.R.C. by making copies of the annexation documents, certifying said documents, and filing them with the County Auditor, County Recorder, and the Ohio Secretary of State.

Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety to immediately provide for necessary real estate for favorable development and to allow the Village to act with the rapidity customary in such transactions. Said necessity includes the protection of property interests by the Elmore Police Department.

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

PASSED:

Vote to suspend the rules Yeas _____ Nays _____
Vote on emergency measure Yeas _____ Nays _____
To pass Yeas _____ Nays _____

Date: 04/09/2023 _____

PRESIDENT OF COUNCIL
Approved:  _____ MAYOR
 _____ FISCAL OFFICER


FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION.

This is to certify that publication of the foregoing Ordinance was duly made as provided in the Ohio Revised Code by publication in a newspaper of general circulation in Elmore, Ohio on the following date(s): 04 _____.


FISCAL OFFICER

FISCAL OFFICER'S CERTIFICATE AS TO AUTHENTICITY

I hereby certify that the foregoing Ordinance is a true copy of the aforesaid Ordinance No. 3-23 together with a true and accurate record of adoption by the Village of Elmore, Ohio.


FISCAL OFFICER