

VILLAGE OF ELMORE

ORDINANCE NO. 37-21

**AN ORDINANCE INDICATING WHAT SERVICES THE VILLAGE WILL PROVIDE
TO THE TERRITORY PROPOSED FOR ANNEXATION
AND DECLARING AN EMERGENCY
(Schedel's, Marley, et.el)**

WHEREAS, a petition is being filed for annexation (attached legal description) to the Village of Elmore, and

WHEREAS, pursuant to Sections 709.03 or 709.023 of the Ohio Revised Code the Village is required to adopt a statement indicating what services it will be provided 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:

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 sewer service at rates paid by Village residents after infrastructure installed by developer or lot owners.
- (c.) Weekly garbage and bi-weekly recycling pickup to 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 not be hazardous. Curbside limb pick-up and fall leaf pick-up, as well as use of the Village compost pile for lawn waste.
- (e.) A comprehensive parks and recreation program.
- (f.) Any street or highway in the area proposed for annexation will be maintained by the Village.
- (g.) Street maintenance will include repair, replacement, and snow plowing.

Section 2. The approximate date these services will be provided to the area proposed for annexation, upon annexation, is January 1, 2022 or as soon thereafter as the annexation becomes effective.

Section 3. The present use of the property to be annexed and to become subject to zoning

by the Village is compatible with the Village zoning ordinances and 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 the adjacent land remaining within the township. For the 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. 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 legislation to allow annexation within the time limits set in the Ohio Revised Code.

Section 6. 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 that all deliberations of the 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 of the Village of Elmore and the State of Ohio.

Passed:

Vote to suspend the rules	<u>6</u>	Yeas	<u>0</u>	Nays
Vote on emergency measure	<u>6</u>	Yeas	<u>0</u>	Nays
To pass	<u>6</u>	Yeas	<u>0</u>	Nays

Date December _____ [Signature]
PRESIDENT OF COUNCIL

Approved: [Signature] _____ [Signature]
MAYOR FISCAL OFFICER

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication of the forgoing Ordinance was duly made as provided in Ordinance No. 14-09 adopted June 8, 2009 by the following method:

By posting certified copies thereof in five (5) public places specified in the Codified Ordinance No. 14-09 said posting having been accomplished on the following date:


12/13/21



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. 37-2021, together with a true and accurate record of the adoption by the Village of Elmore, Ohio.



FISCAL OFFICER