



ORDINANCE 2023-09

OF THE VILLAGE OF ASHVILLE



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

WHEREAS, the Village of Ashville, Ohio, in its capacity as a “developer” within the meaning of Revised Code Section 349.01(E) (the “Village”) 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 Village, 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 [September 25], 2023, the Village, in its capacity as a developer, submitted to the Council of the Village (“Council”), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Ashville New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the Village; and

WHEREAS, the District, as described in the Petition, is located entirely within the municipal corporate boundaries of the Village, a municipal corporation, and this Council, as the legislative authority of the Village, 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; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety, and general welfare of the municipality that this ordinance take effect at the earliest date provided by law.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Ashville, Ohio, 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 Ashville 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 [November 20], 2023 at the offices of the Village, 200 East Station Street, Ashville, Ohio 43103, at approximately [6:00 p.m.], and this Council hereby authorizes the Village Administrator to cause notice of the hearing to be published once a week for three (3) 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).

Prepared: 08/22/2023
Revised Date:
Review Date:

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Village of Ashville Council held on 16th day of October, 2023, and that I am duly authorized to execute this certificate.



(Original signature of April D. Grube) Clerk-Fiscal Officer
(TITLE)

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.

SECTION V – EFFECTIVE DATE:

This Ordinance is declared to be necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of the municipality and shall take effect at the earliest date provided by law.

Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Offered by: Colton Henson

Seconded to the Motion Offered by: Steve Welsh

Upon roll call on the adoption of the ordinance, the vote was as follow:

Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Colton Henson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Matt Scholl	<input type="checkbox"/>	<input type="checkbox"/>	Steve Welsh	<input checked="" type="checkbox"/>	<input type="checkbox"/>
													Excused Absence				

ADOPTED THIS THE 16TH DAY OF OCTOBER, 2023
EFFECTIVE THIS THE 16TH DAY OF OCTOBER, 2023

**ADOPTED
ATTEST:**

 DATE: 10/17/2023
April D. Grube, Clerk-Fiscal Officer

APPROVED:

 DATE: 10/18/2023
Nelson R. Embrey II

Approved as to form:


Village Solicitor