

ORDINANCE NO. 2016 -03

**AN ORDINANCE AMENDING CHAPTER 181 SECTION 2(C)(16)(e) OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF PERRY PERTAINING TO THE
VILLAGE MUNICIPAL INCOME TAX
AND DECLARING AN EMERGENCY**

WHEREAS, Council has been advised of the need to continue to provide for the fair and reasonable administration of its municipal income tax; and

WHEREAS, Section 2(C)(16)(e) of Chapter 181 of the Codified Ordinances of Perry, Ohio, presently reads as follows:

CHAPTER 181-- Income Tax

* * *

SECTION 2 DEFINITIONS.

* * *

(C) As used in this chapter/ordinance:

* * *

(16) "Income" means the following:

* * *

(e) In accordance with a ballot issue, regarding S corporation language, approved by the voters in the election on November 2, 2004, a shareholder's share of net profits of an S corporation are taxable to the Village to the extent such shares would be so allocated or apportioned to this state.

WHEREAS, Council has been further advised that the aforesaid 2(C)(16)(e) of Chapter 181 establishes a potentially inaccurate definition of "income" as it relates to the regulation and administration of the Village's municipal income tax; and

WHEREAS, Council finds it to be in the best interest of the Village to amend said Section.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PERRY, COUNTY OF LAKE, AND STATE OF OHIO, AS FOLLOWS:

Section 1. That Section 2(C)(16)(e) of Chapter 181 of the Codified Ordinances of Perry, Ohio, is hereby amended to read as follows:

CHAPTER 181-- Income Tax

* * *

SECTION 2 DEFINITIONS.

* * *

(C) As used in this chapter/ordinance:

* * *

(16) "**Income**" means the following:


* * *

(e) In accordance with a ballot issue, regarding S corporation language, approved by the voters in the election on November 4, 2003, a shareholder's share of net profits of an S corporation are taxable to the Village.

Section 2. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its Committees, which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need for the fair and efficient administration of Village affairs. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Perry.

Wherefore, this Ordinance shall be in full force and effect immediately upon its passage.



VICKI STEVENS, MAYOR

ADOPTED: 2/11/16

ATTEST: 

JOANNE CLAPP, CHIEF FISCAL OFFICER