RECORD OF RESOLUTIONS

Resolution No. 4-25-2016-1 *Passed* APRIL 25 *20* 16

A RESOLUTION AMENDING RESOLUTION 4-11-2016-3 (A RESOLUTION INDICATING WHAT SERVICES THE VILLAGE WILL PROVIDE TO A TRACT TOTALING 2.006± ACRES UPON ANNEXATION AND THE DECLARATION OF AN EMERGENCY) AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Village adopted as an emergency measure Resolution 4-11-2016-3 (A Resolution Indicating What Services the Village Will Provide to a Tract Totaling 2.006+/- Acres Upon Annexation and the Declaration of an Emergency), on or about April 11, 2016;

WHEREAS, the Board of County Commissioners has requested an amendment to the Resolution, addressing the issue of zoning and incompatible uses; and,

WHEREAS, this resolution needs to be adopted on an emergency basis, as Section 709.023 of the Ohio Revised Code requires that the Village legislature shall by ordinance or resolution adopt a statement indicating what services, if any, the municipality will provide to the territory proposed for annexation upon annexation, and the approximate time frame for providing the same;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: That Paragraph C of Section 1 of Resolution 4-11-2016-3, which currently reads in relevant part as follows:

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"C. Miscellaneous other municipal services, including zoning and planning regulations, subdivision regulations, property maintenance code, residential code, municipal swimming pool, municipal park system, and other inherent municipal services authorized by the Ohio Revised Code;"

be and hereby is amended to read as follows:

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"C. Miscellaneous other municipal services, including zoning and planning regulations, subdivision regulations, property maintenance code, residential code, municipal swimming pool, municipal park system, and other inherent municipal services authorized by the Ohio Revised Code;

1. That if the 2.006+/- acre site is annexed and if the Village 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 in the township, the Village shall 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. The term "buffer," as used herein, includes open space, landscaping, fences, walls, and/or other structured elements; streets and street right-of-way; and bicycle and pedestrian paths and sidewalks."

SECTION 2: All other provisions of Resolution 4-11-2016-3, not specifically amended herein, shall remain in full force and effect.

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SECTION 3: The Municipal Fiscal Officer is directed to deliver a certified copy of this resolution to the Board of County Commissioners of Fairfield County, Ohio and to the Clerk of Liberty Township Trustees immediately upon the passage of this resolution.

SECTION 4: This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and general welfare of the citizens of Baltimore, Ohio, and in order to comply with the time periods mandated by ORC Section 709.023(C). Therefore, this resolution shall become effective immediately upon its passage by Council.

Brad Nicodemus, Mayor

DATE OF PASSAGE: 4-25-2016

EFFECTIVE DATE: 4-25-2016

ATTEST: _____
Kathryn E. Jenkins, Fiscal Officer

SPONSOR: House

APPROVED AS TO FORM: _____.
Jeffrey Feyko, Village Solicitor

CERTIFICATION

I hereby certify the foregoing to be a true and exact copy of Resolution 4-25-2016-1 as enacted by Baltimore Village Council on April 25, 2016.

_____
Kathryn E. Jenkins, Fiscal Officer