

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2004 - 66

By: *Mr. Kaminski, Mr. Daymut, Mr. Gallagher, and Mr. Haseley*

AN ORDINANCE AMENDING SECTION 880.32 OF CHAPTER 880 OF TITLE FOUR OF PART EIGHT OF THE CODIFIED ORDINANCES OF THE CITY, TO REDUCE THE PERCENTAGE OF TAX CREDIT ON THE AMOUNT OF INCOME TAX PAID ON TAXABLE INCOME BY A CITY OF STRONGSVILLE RESIDENT TO ANOTHER MUNICIPALITY FROM 100% TO 75%, AND DECLARING AN EMERGENCY, AS AMENDED.

WHEREAS, like other municipalities and public entities, the City of Strongsville is experiencing increased expenditures and a budget shortfall projected for fiscal 2004; and

WHEREAS, the City's Administration and this Council have undertaken every effort to drastically cut the budgets of every City Department; and

WHEREAS, only after intense deliberation has it been deemed necessary to provide for adjustment and reduction of the City's income tax credit afforded to City residents who work in other municipalities; and

WHEREAS, it is the intention of this Council to annually review the continued necessity of the reduction of the tax credit, as relates to future budget appropriations, revenues and expenses.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Section 880.32 of Chapter 880 of Title Four of Part Eight of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

880.32 TAX CREDIT.

(a) When the taxable income of a resident of the City of **Strongsville** is subject to a municipal income tax in another municipality on the same income taxable under this chapter, such resident shall be allowed a credit of the amount of income tax paid on such taxable income to such other municipality, equal to ~~100~~ 75 percent of the amount obtained by multiplying the lower of the tax rate of such other municipality or of the City

of **Strongsville** by the taxable income earned in or attributable to the municipality of employment or business activity. For the purpose of this section, taxable income shall include the distributive share of net profits of a resident partner or owner of an unincorporated business entity.

(b) A claim for credit or refund under this section shall be made in such manner as the Administrator may by regulation provide. In the event such City of **Strongsville** resident fails, neglects or refuses to file an annual return or declaration on the form prescribed by the Administrator, he shall not be entitled to such credit or refund and shall be considered in violation of this chapter for failure to file a return. (~~Ord. 1971-181. Passed 12-20-71.~~)

Section 2. That the provisions of **Section 1** of this Ordinance shall be operative from and after April 1, 2004 **and shall terminate at Midnight on December 31, 2006.**

Section 3. That Section 880.32 of Chapter 880 of Title Four of Part Eight of the Codified Ordinances of the City of Strongsville be and is hereby amended to read in its entirety as follows:

880.32 TAX CREDIT.

(a) When the taxable income of a resident of the City of Strongsville is subject to a municipal income tax in another municipality on the same income taxable under this chapter, such resident shall be allowed a credit of the amount of income tax paid on such taxable income to such other municipality, equal to **100 75** percent of the amount obtained by multiplying the lower of the tax rate of such other municipality or of the City of Strongsville by the taxable income earned in or attributable to the municipality of employment or business activity. For the purpose of this section, taxable income shall include the distributive share of net profits of a resident partner or owner of an unincorporated business entity.

(b) A claim for credit or refund under this section shall be made in such manner as the Administrator may by regulation provide. In the event such City of Strongsville resident fails, neglects or refuses to file an annual return or declaration on the form prescribed by the Administrator, he shall not be entitled to such credit or refund and shall be considered in violation of this chapter for failure to file a return. (Ord. 2004-66. Passed 3 - 1-04.)

Section 43. That the provisions of Section 3 of this Ordinance shall be operative from and after January 1, 2007, unless Council determines, in its sole discretion, that

CITY OF STRONGSVILLE, OHIO

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there are insufficient funds available to operate the City without a reduction of the City's income tax credit.

Section 54. 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 that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is necessary to provide for the reduction of the percentage of the tax credit allowed on the amount of income tax paid on taxable income by a City resident who is subject to a municipal income tax in another municipality, in order to provide sufficient funds for general municipal functions. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Raymond L. Haseley
President of Council

Approved Thomas P. Surian
Mayor

Date Passed: March 1, 2004

Date Approved: March 1, 2004

Attest: Patricia J. Stewart
Acting Clerk of Council

ORD. No. 2004-66 (Sub) Removed: _____
1st Rdg. 2-17-04 Ref: CAW
2nd Rdg. 2-24-04 Ref: CAW
3rd Rdg. _____ Ref: _____
Pub Hrg. _____ Ref: _____
Adopted: 3/1/04 Defeated: _____

Ordinance No. _____
Resolution No. _____

CERTIFICATE OF POSTING

Clerk of Council of the City of Strongsville, Ohio, do hereby
certify that Ordinance/Resolution No. 200466
was posted on 3-5-04, and remained posted
for a period of fifteen days thereafter, in not less than five of the
most public places in the city as determined by the Council of
the City.

Patricia J. Stewart
Acting Clerk of Council

3-5-04

* * * COMMUNICATION RESULT REPORT (FEB. 26. 2004 2:40PM) * * *

FAX HEADER: CITY OF STRONGSVILLE 4402383001

TRANSMITTED/STORED : FEB. 26. 2004 2:38PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

MEMORY TX

912169867551

OK

4/4

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

CITY OF STRONGSVILLE OFFICE OF THE COUNCIL FAX

City of Strongsville/Council Office
16099 Foltz Industrial Parkway
Strongsville, OH 44149

Date 2-26-04

Number of pages including cover sheet 4

To:

Rick Heileman
Sun Star

From: Patrick J. Coyne
Councilman-At-Large

Phone

Fax Phone 216-986-7557

CC: _____

FAX 440.572.1648

PHONE 440.238.5720 EXT. 2104

REMARKS:

- Urgent For your review Reply ASAP Please comment

Attached is a copy of a proposed amendment to Ordinance No. 2004-66, which I distributed to Council at the special meeting on 2/24/04. This amended version of the Ordinance proposes to place a sunset clause on the income tax credit reduction with an expiration date of December 31, 2005.

Council will consider this amendment at the regular Council meeting on March 1, 2004.

Patrick J. Coyne
Councilman-At-Large
City of Strongsville

* * * COMMUNICATION RESULT REPORT (FEB. 26. 2004 2:39PM) * * *

FAX HEADER: CITY OF STRONGSVILLE 4402383001

TRANSMITTED/STORED : FEB. 26. 2004 2:37PM
FILE MODE OPTION

ADDRESS

RESULT

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3 MEMORY TX

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OK

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REASON FOR ERROR
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E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

CITY OF STRONGSVILLE OFFICE OF THE COUNCIL FAX

City of Strongsville/Council Office
16099 Foltz Industrial Parkway
Strongsville, OH 44149

Date 2-26-04

Number of pages including cover sheet 4

To: Linda Kramer
Sun Newspapers

From: Patrick J. Coyne
Councilman-At-Large

Phone

Fax Phone

CC:

216.986.7551

FAX 440.572.1648

PHONE 440.238.5720 EXT. 2104

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- Please comment

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City of Strongsville

* * * COMMUNICATION RESULT REPORT (FEB. 26. 2004 2:44PM) * * *

FAX HEADER: CITY OF STRONGSVILLE 4402383001

TRANSMITTED/STORED : FEB. 26. 2004 2:36PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

7 MEMORY TX

912169996366

OK

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REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

CITY OF STRONGSVILLE OFFICE OF THE COUNCIL FAX

City of Strongsville/Council Office
16099 Foltz Industrial Parkway
Strongsville, OH 44149

Date 2-26-04

Number of pages including cover sheet 4

To:

Mike O'Malley
The Plain Dealer

From: Patrick J. Coyne
Councilman-At-Large

Phone

Fax Phone

CC:

216-999-6366

FAX 440.572.1648

PHONE 440.238.5720 EXT. 2104

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