

ORDINANCE NO. 26-04

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Doug Cline ON THE 16th DAY
OF October, 2006

AN EMERGENCY ORDINANCE AMENDING THE CENTERVILLE
MUNICIPAL CODE TO INCLUDE THE CODE'S APPLICABILITY
TO THOSE AREAS OF SUGARCREEK TOWNSHIP, GREENE
COUNTY, OHIO THAT HAVE BEEN ANNEXED TO THE CITY.

WHEREAS, the City has annexed certain portions of Sugarcreek Township, Greene
County, Ohio; and

WHEREAS, certain sections of the Municipal Code presently apply only to those parts of
the City located in Washington Township, Montgomery County, Ohio; and

WHEREAS, in order to achieve uniform application of the Municipal Code throughout
the entire City it is necessary to amend certain sections thereof.

NOW, THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That §202.02 (g) is hereby amended to read:

(g) "County" means the County of Montgomery, Ohio *for that section of the
City located in Montgomery County, Ohio and means the County of Greene for that
section of the City located in Greene County, Ohio.*

Section 2. That §240.01 of the Municipal Code is hereby amended to read:

**240.01 APPOINTMENT OF FIRE CHIEF OF WASHINGTON TOWNSHIP AS
FIRE CHIEF AND FIRE PREVENTION OFFICER IN THAT SECTION
OF THE CITY LOCATED IN WASHINGTON TOWNSHIP AND
APPOINTMENT OF FIRE CHIEF OF SUGARCREEK TOWNSHIP AS
FIRE CHIEF AND FIRE PREVENTION OFFICER IN THAT SECTION OF
THE CITY LOCATED IN SUGARCREEK TOWNSHIP; DUTIES.**

(a) The Fire Chief of Washington Township shall serve as the Fire Chief and Fire
Prevention Officer *in that section of the City located in Washington Township and the Fire Chief*

of Sugarcreek Township shall serve as the Fire Chief and Fire Prevention Officer in that section of the City located in Sugarcreek Township.

Section 3. That §1080.06(c)(4) of the Municipal Code is hereby amended to read:

(4) Whether the applicant is delinquent on any taxes or other obligations owed to the City or ~~Montgomery County~~ *or Greene Counties* or State of Ohio.

Section 4. That §1462.22(f) of the Municipal Code is hereby amended to read:

(f) Appeal to the court. Those aggrieved by the decision of the Appeals Board may appeal such decision to the Montgomery County Court of Common Pleas, *if the subject land is located in Montgomery County or to the Greene County Court of Common Pleas if the subject land is located in Greene County*, as provided in Ohio R.C. Chapter 2506.

Section 5. That Chapter 1630 of the Municipal Code is hereby amended to read:

1630.01 ESTABLISHMENT; SUPERVISION.

A Bureau of Fire Safety is hereby established in and for the City. The Bureau shall operate under the supervision of the Chief of the Fire Division or the officer in charge of the Washington Township Bureau of Fire Safety and shall be the same Bureau as that which has been established within the Washington Township Fire Department *for that section of the City located in Washington Township and the Bureau shall operate under the supervision of the Chief of the Fire Department or the officer in charge of the Sugarcreek Township Fire Prevention Bureau and shall be the same Bureau as that which has been established within the Sugarcreek Township Fire Department for that section of the City located in Sugarcreek Township.*

1630.02 APPOINTMENT OF OFFICER IN CHARGE.

The Chief of the Fire Division *of Washington Township* shall designate the officer in charge of the Washington Township Bureau of Fire Safety as the officer in charge of Fire Safety *for that section of the City located in Washington Township and the Chief of the Fire Department of Sugarcreek Township shall designate the officer in charge of the Sugarcreek Township Fire Prevention Bureau as the officer in charge of Fire Safety for that section of the City located in Sugarcreek Township.*

Section 6. This ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public health, safety and welfare is hereby declared to exist because the provisions of this ordinance need to be effective when services the annexed area of Sugarcreek Township must be provided which is in less than thirty (30) days from the date of passage of this ordinance.

PASSED THIS 16th day of October, 2006.

C. Mark Kengsd

Mayor of the City of
Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 26-06, passed by the Council of the City of Centerville, Ohio on the 16th day of October, 2006.

Debra A. James
Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney