

Ordinance Number 15-1958 (Continued)

Montgomery County, Ohio, the total cost of such construction to be assessed against the petitioning owner of such lots and lands which are to be especially benefited thereby; and

WHEREAS, Centerville has enacted and passed on the 16th day of May, 1958, an Ordinance entitled "Village of Centerville, Ohio, Ordinance Number 11-1958", approving plans and specifications and awarding a construction contract for the construction of said sewage disposal works; and

WHEREAS, the Village of Centerville, Ohio, did execute on May 16, 1958, a contract with Son Development Co. for the construction of said sewage disposal works and received from Son Development Co. its performance bond in the penal sum of \$48,000.00 with the Buckeye Union Casualty Company as surety;

WHEREAS, Centerville has enacted and passed its Resolution Number 10-1958 requesting that the Board of County Commissioners of Montgomery County, Ohio, assume responsibility, control and maintenance of the installation and operation of said sewage disposal works; and

WHEREAS, the said Board of County Commissioners has enacted and adopted its Resolution entitled "Restoration Number 799, July 10, 1958," accepting responsibility, control and maintenance relating to the installation and operation of said disposal works, and have in fact upon the authority of this Council, since that date, assumed such responsibility; and

WHEREAS, it is now deemed in the public interest to do all things necessary and proper to absolve the Village of Centerville from any responsibility for said sewage disposal works and to transfer all of its present interest or title to the Board of County Commissioners of Montgomery County, Ohio;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Centerville, Ohio, at least three-fourths of all members thereof concurring:

Section I. That the Village of Centerville, Ohio does hereby transfer, set over and assign to the Board of County Commissioners of Montgomery County, Ohio all of its rights, title and interest in and to the sewage disposal works constructed to provide for the treatment of and disposal of sewage from lots 3349 through 3565, inclusive, of Herbert C. Huber Plat 25.

Section II. That Omer Jackson and Kenneth Poff, as Mayor and Clerk-Treasurer respectively be and they hereby are authorized and instructed to execute and deliver on behalf of Centerville in favor of and to the Board of County Commissioners of Montgomery County, Ohio, such instruments as are necessary and proper to consummate the assignment of interest and title as provided in Section I hereof including appropriate deeds transferring title to and interest in certain real estate as acquired by the Village of Centerville, Ohio by deeds recorded in Deed Book 1876, page 282, and Book 1884, page 442, both of the Deed Records of Montgomery County, Ohio, all of which shall be prepared or approved by the Village solicitor.

Section III. That to the extent that it shall be and is necessary in order to effectuate the foregoing purposes, Ordinance Number 8-1958, passed February 26, 1958, and Ordinance Number 16-1958, passed on the 12th day of May, 1958, are hereby repealed.

Section IV. That the construction contract entered into on May 16, 1958 with Son Development Co. is hereby terminated and the Performance Bond posted in connection therewith in the penal sum of \$48,000.00 is hereby released, subject only to a mutual release of claims first executed by and between Son Development Co. and Centerville.

Section V. The foregoing Ordinance is declared to be an emergency measure and shall take effect immediately upon its passage, the said emergency existing by reason of the immediate necessity for clarifying the status of said sewage disposal works regarding supervision and inspection so that there shall be uninterrupted service for the proper treatment and disposal of sewage in the interest of the public health, welfare and safety.

PASSED this 3rd day of November, 1958.

(signed) Omer Jackson
Mayor

(signed) Kenneth E. Poff
Clerk-Treasurer

ORDINANCE NUMBER 16-1958
VILLAGE OF CENTERVILLE, OHIO

BEING AN ORDINANCE OF THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, TO PROVIDE FOR INITIAL FEE FOR BUILDING PERMIT APPLICATIONS:

WHEREAS, it is necessary and in the public interest that an initial fee be charged to persons making application for building permits for proposed construction within the Village of Centerville in order to provide for adequate inspection and engineering data necessary to make subsequent determination relative to the issuance of such permit,

NOW, THEREFORE, BE IT ORDAINED:

Section I. Upon making written application for a building permit relating to proposed construction within the said Village, each applicant shall pay an initial fee, in advance, of \$5.00 for each such separate application, payable to the Clerk-Treasurer of the Village of Centerville, Ohio.

Section II. If the building permit so applied for shall be later granted and issued, then the \$5.00 initial application fee shall be thereupon credited as a partial payment of \$5.00 of the ultimate fee for the issuance of the building permit, as provided by ordinance and regulation heretofore or hereafter adopted and effective relating generally to the application for and issuance of building permits. If for any reason the building permit shall not be issued by the constituted authority of the said Village, then said

initial fee of \$5.00 shall not be refunded but shall be and remain the property of the Village the same as if said permit had been issued, as an administrative and inspection charge.

Section III. This Ordinance shall supersede all ordinances and parts of ordinances, or regulations, inconsistent herewith. This ordinance is declared to be an emergency measure, such emergency existing by reason of the immediate necessity for providing for initial inspection and engineering date prior to issuance of building permits, so that the constituted authority charged with responsibility for issuance of permits may be fully informed and advised of data necessary for determining whether or not the permit shall issue.

Passed this 3rd day of November, 1958.

(signed) Omer Jackson
Mayor

(signed) Kenneth E. Poff
Clerk-Treasurer

ORDINANCE NUMBER 17-1958
VILLAGE OF CENTERVILLE, OHIO

BEING AN ORDINANCE OF THE VILLAGE COUNCIL OF CENTERVILLE, OHIO, TO ADOPT THE UNIFORM BUILDING CODE WHICH HAS HERETOFORE BEEN ADOPTED BY THE CITIES OF DAYTON, KETTERING AND OAKWOOD, OHIO AND MONTGOMERY COUNTY, OHIO.

BE IT ORDAINED, by the Village Council of the Village of Centerville, State of Ohio:

This Ordinance shall take effect immediately by reason of the emergency nature of the same. An emergency is declared to exist because of the immediate necessity of preventing dangerous and improperly constructed buildings and other structures from being built in this Village to the prejudice of the public health, safety and convenience.

PASSED this 1st day of December, 1958.

(signed) Omer Jackson
Mayor

(signed) Kenneth E. Poff
Clerk-Treasurer

ORDINANCE NUMBER 18-1958
VILLAGE OF CENTERVILLE, OHIO

BEING AN ORDINANCE TO FIX THE COMPENSATION OF CERTAIN OFFICERS AND MEMBERS OF THE VILLAGE COUNCIL FOR THE NEXT ENSUING TERM OF OFFICE IN THE MANNER PROVIDED BY OHIO REVISED CODE, SECTION 731.13.

WHEREAS, it is deemed in the public interest to increase the compensation of the Mayor, Clerk-Treasurer and the members of the Village Council of Centerville, Ohio for the next ensuing term of office, beginning January 1, 1960, in order to more adequately and fairly compensate such officers and members of Council in accordance with increased duties and responsibilities,

NOW THEREFORE BE IT ORDAINED by the Village Council of the Village of Centerville, Ohio:

SECTION I. Beginning January 1, 1960, the annual salary of the Mayor of the Village of Centerville, Ohio, shall be the sum of ONE THOUSAND TWO HUNDRED FIFTY (\$1,250.00) DOLLARS.

SECTION II. Beginning January 1, 1960, the annual salary of the Clerk-Treasurer of the Village of Centerville, Ohio, shall be the sum of ONE THOUSAND TWO HUNDRED FIFTY (\$1,250.00) DOLLARS.

SECTION III. Beginning January 1, 1960, in accordance with Ohio Revised Code Section 731.13 applying to villages having an operating budget of more than \$25,000.00 annually, each member of the Village Council of Centerville, Ohio, shall be paid the sum of FIVE (\$5.00) DOLLARS each meeting of said Council attended by said member, provided however, that the number of meeting for which each member shall be paid such compensation shall not exceed TWENTY-FOUR (24) in any calendar year.

SECTION IV. All Ordinances and parts of Ordinances inconsistent herewith shall be repealed and this Ordinance shall take effect as provided herein on January 1, 1960.

Passed this 2nd day of March, 1959.

(Signed) Omer Jackson
Mayor

(Signed) Kenneth E. Poff
Clerk-Treasurer