

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2018-0012

Sponsored by: <b>Councilmembers Brady, Jones, Simon and Miller</b>	<b>An Ordinance</b> amending Section 704.01 of the Cuyahoga County Code to reauthorize the designation of the Additional DTAC Fee through 12/31/2019, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, pursuant to paragraph (B) of Section 321.261 of the Ohio Revised Code, County Council may designate an additional five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (the "Additional DTAC Fee") to be deposited in the delinquent tax and assessment collection fund (the "DTAC Fund") and appropriated for the use of a county land reutilization corporation, including the Cuyahoga County Land Reutilization Corporation (the "Corporation"); and

WHEREAS, Council designated the Additional DTAC Fee commencing January 1, 2014 and continuing through December 31, 2018, subject to the limitations provided for in Ordinance No. O2013-0019 as codified in Chapter 704 of the Cuyahoga County Code; and

WHEREAS, pursuant to paragraph (B) of Section 321.261 of the Ohio Revised Code, the Corporation has requested that County Council consider extending the designation of the Additional DTAC Fee through December 31, 2019, subject to the same limitations provided for in Chapter 704 of the Cuyahoga County Code; and

WHEREAS, this Council finds that extending the designation of the Additional DTAC Fee through December 31, 2019, subject to the limitation provided for in Chapter 704 of the Cuyahoga County Code, to provide a portion of the Corporation's Annual Base Funding, is in the best interests of the County and is necessary for the Corporation to continue to achieve its mission and public purposes of, among others, alleviating the slum and blight of vacant, abandoned and foreclosed properties within the County; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** Section 704.01 of the Cuyahoga County Code is hereby amended to read as follows (additions are underlined, deletions are stricken):

**Section 704.01 Additional DTAC Fee**

Pursuant to and in accordance with Section 321.261(B) of the Ohio Revised Code and subject to the other provisions of this Chapter, this Council hereby designates the Additional DTAC Fee in the annual amount of five percent (5%) to be applied on all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments solely for the use of the Corporation as part of its annual base funding, commencing on January 1, 2014 and continuing through December 31, 2019~~2018~~.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Miller, seconded by Ms. Conwell, the foregoing Ordinance was duly enacted.

Yeas: Gallagher, Schron, Conwell, Jones, Brown, Simon, Baker, Miller, Tuma and Brady

Nays: None

Recusals: Stephens

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County Council President

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Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: October 23, 2018  
Committee(s) Assigned: Finance & Budgeting

Committee Report/Second Reading: November 13, 2018

Journal CC032  
November 27, 2018