

RECORD OF ORDINANCES

Ordinance No. 3701

Passed: June 22, 2021

AN ORDINANCE REPEALING ORDINANCE 3668, WHICH DECLARED A STATE OF EMERGENCY IN RESPONSE TO THE COVID-19 VIRUS, AND DECLARING AN EMERGENCY.

WHEREAS, the Governor of the State of Ohio declared a State of Emergency on March 9, 2020 in response to the COVID-19 pandemic by executive order; and

WHEREAS, the City Council subsequently approved and passed Ordinance 3668 declaring a State of Emergency; and

WHEREAS, the Governor of the State of Ohio lifted the executive order thereby terminating the State of Emergency effective June 18, 2021; and

WHEREAS, the Ohio Department of Health has rescinded the majority of the health mandates related to COVID-19; and

WHEREAS, Ordinance 3668 is no longer necessary to protect public health, safety, and welfare.

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, STATE OF OHIO, HEREBY ORDAINS:

SECTION 1: That Ordinance 3668 is repealed effective immediately.

SECTION 2: That it is hereby found and determined that all formal actions of City Council concerning and relating to the adoption of this ordinance were in an open meeting of this Council, and all deliberations of this Council were in meetings open to the public, in compliance with all legal requirements including Section 121 of the Ohio Revised Code.

SECTION 3: That this Ordinance be declared an emergency measure necessary to rescind orders that are no longer in the best interest of the citizens of the City of West Carrollton and to provide for the public health safety and welfare of the Citizens, and therefore, shall take effect immediately upon passage.

Passed: June 22, 2021

Attest: Tom Rulif
Clerk of Council

[Signature]
Mayor

RECORD OF ORDINANCES

Ordinance No. 3701

Passed: June 22, 2021

Effective Date: June 22, 2021

CERTIFICATE

The undersigned, Clerk of Council of the City of West Carrollton, Ohio hereby certifies the Ordinance to be true and a correct copy of Ordinance _____, adopted on the _____ day of _____, 20__.

Clerk of Council

Dated: _____



MEMORANDUM

This memo is in reference to Ordinance Number 3701, passed June 22, 2021.

Ordinance 3701 referenced repealing Ordinance 3688, but that was a clerical error and the correct number is 3668.

Ordinance 3701 has been corrected and a new copy was signed by the Mayor and Clerk of Council.

All original documents will be kept on file by the Clerk of Council.

Sincerely,

A handwritten signature in black ink that reads "Tracy L. Rankin".

Tracy L. Rankin
Assistant Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 3701

Passed: June 22, 2021

AN ORDINANCE REPEALING ORDINANCE 3688, WHICH DECLARED A STATE OF EMERGENCY IN RESPONSE TO THE COVID-19 VIRUS, AND DECLARING AN EMERGENCY.

WHEREAS, the Governor of the State of Ohio declared a State of Emergency on March 9, 2020 in response to the COVID-19 pandemic by executive order; and

WHEREAS, the City Council subsequently approved and passed Ordinance 3688 declaring a State of Emergency; and

WHEREAS, the Governor of the State of Ohio lifted the executive order thereby terminating the State of Emergency effective June 18, 2021; and

WHEREAS, the Ohio Department of Health has rescinded the majority of the health mandates related to COVID-19; and

WHEREAS, Ordinance 3688 is no longer necessary to protect public health, safety, and welfare.

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, STATE OF OHIO, HEREBY ORDAINS:

SECTION 1: That Ordinance 3688 is repealed effective immediately.

SECTION 2: That it is hereby found and determined that all formal actions of City Council concerning and relating to the adoption of this ordinance were in an open meeting of this Council, and all deliberations of this Council were in meetings open to the public, in compliance with all legal requirements including Section 121 of the Ohio Revised Code.

SECTION 3: That this Ordinance be declared an emergency measure necessary to rescind orders that are no longer in the best interest of the citizens of the City of West Carrollton and to provide for the public health safety and welfare of the Citizens, and therefore, shall take effect immediately upon passage.

Passed: June 22, 2021


Mayor

Attest: 
Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 3701

Passed: June 22, 2021

Effective Date: June 22, 2021

CERTIFICATE

The undersigned, Clerk of Council of the City of West Carrollton, Ohio hereby certifies the Ordinance to be true and a correct copy of Ordinance _____, adopted on the _____ day of _____, 20____.

Clerk of Council

Dated: _____

RECORD OF ORDINANCES

Ordinance No. 3668

Passed: March 24, 2020

AN ORDINANCE TO DECLARE A STATE OF EMERGENCY IN RESPONSE TO THE COVID-19 VIRUS AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus, COVID-19 is a respiratory disease that can result in serious illness or death. The virus is highly contagious and can be spread between individuals in close contact with each other or by touching a surface that has the virus on it; and

WHEREAS, the President of the United States has declared a National State of Emergency due to the COVID-19 pandemic; and

WHEREAS, the Governor of the State of Ohio declared a State of Emergency on March 9, 2020 by executive order 2020-01D; and

WHEREAS, the Coronavirus, COVID-19 pandemic will ultimately impact the City of West Carrollton, endangering the lives of the citizens and thereby creating an emergency to life and public safety; and

WHEREAS, as a result of the above described pandemic, there is an imminent threat of widespread or severe illness, injury or loss of life; and

WHEREAS, the Ohio Attorney General asserted, in a letter dated March 13, 2020, in pertinent part:

"In this limited circumstance, where the Governor has declared a State of Emergency and the Director of the Ohio Department of Health is limiting gatherings so as to prevent the spread of COVID-19, but the business of government must continue, it is reasonable to read the OMA's "in person" requirement as permitting a member of a public body to appear at a public meeting via teleconference. This interpretation gives effect to both R.C. 121.22 and R.C. 3701.13. It is also consistent with the United States Centers for Disease Control's recent guidance, issued in response to the national COVID-19 epidemic, to use videoconferencing for meeting when possible;"

WHEREAS, holding council meetings and obtaining City Council approvals are needed for the furtherance of governmental services and functions; and

WHEREAS, due to the widespread of the Coronavirus, COVID-19, a declaration of emergency is necessary to preserve resources needed to maintain order and protect public health, safety, and welfare.

RECORD OF ORDINANCES

Ordinance No. 3668

Passed: March 24, 2020

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, STATE OF OHIO, HEREBY ORDAINS:

SECTION 1: That the City Manager, City Council, and City Staff are hereby authorized to take all emergency action steps necessary for the protection of lives and property of the people of West Carrollton and the continuation of government provided by applicable laws, statutes, ordinances, and the Emergency Management provisions contained in Section 5502 of the Ohio Revised Code.

SECTION 2: That all public offices and employees of the City of West Carrollton are hereby directed to continue to discharge their duties as directed by the City Manager during the duration of this emergency to allow for minimal disruption in serving the public.

SECTION 3: That all city officials and employees will adhere to the directives provided by the Governor of the State of Ohio, Ohio Department of Health, and the Montgomery County Public Health Department.

SECTION 4: That until such time the State of Emergency within the State of Ohio no longer exists, City Council may conduct its public meetings electronically by appearing via remote access such as videoconferencing, so long as all members can be seen and heard, and the meeting will be broadcast live to the public.

SECTION 5: That it is hereby found and determined that all formal actions of City Council concerning and relating to the adoption of this ordinance were in an open meeting of this Council, and all deliberations of this Council were in meetings open to the public, in compliance with all legal requirements including Section 121 of the Ohio Revised Code.

SECTION 6: That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the citizens of the City of West Carrollton in reducing the spread of COVID-19, and therefore shall take effect immediately upon passage.

Passed:

3/24/2020

Attest:

Clerk of Council

Mayor

Effective Date:

3/24/2020