

ORDINANCE NO. 53-2016

TITLE: CREATION OF WOLF CREEK WATERSHED CONSERVANCY DISTRICT

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A PETITION REQUESTING THE CREATION OF THE WOLF CREEK WATERSHED CONSERVANCY DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Barberton (“Barberton”), Copley Township (“Copley”) and the City of Norton (“Norton”) all located within the Wolf Creek watershed (the “Watershed”) and have experienced frequent flooding due to Stormwater runoff within the Watershed; and

WHEREAS, Barberton, Copley and Norton have determined that it is in the best interests of the residents of each community to pursue a regional solution to the control of stormwater within the Watershed by petitioning for the creation of a watershed conservancy district to be known as the Wolf Creek Watershed Conservancy District (the “District”) in accordance with Ohio Revised Code Chapter 6101; and

WHEREAS, in order to facilitate the creation of the Wolf Creek Watershed Conservancy District, it is necessary to file a petition in the Summit County Court of Common Pleas requesting the creation of the District; and

WHEREAS, this Council has determined to authorize the Mayor to execute and deliver a petition for the creation of the District, which petition shall be in the form attached hereto as Exhibit A (the “Petition”).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. The Mayor is hereby authorized and directed to execute and deliver the Petition for the creation of the District in the form attached hereto as Exhibit A.

SECTION 2. The Mayor, the Law Director and the Director of Finance are hereby authorized to take such further actions on behalf of the City as shall be necessary to cause the filing of the Petition or the creation of the District.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that it may be adopted as soon as possible, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2016

Clerk of Council

President of Council

Approved _____ 2016

Mayor