RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting
REGULAR COUNCIL
October 23, 2023

Call to order:
7:00 p.m. – The council meeting was called to order by Mayor David Leshinski and opened with the Lord's Prayer followed by the Pledge of Allegiance.

The roll was called:		**Ex officio members:**	
Councilmember Michele Jeffers	P	Fiscal Officer Michelle Henke	P
Councilmember Scott Jones	P	Records Clerk Laurie Beran	P
Councilmember Becky Siesky	P	Law Director Matthew Mishak	P
Councilmember Jeri Leigh Siss	P		
Councilmember David Troike	P	*(EA – excused absences)*	
President Pro Tempore Jeanne Maschari	P		

APPROVAL OF AGENDA October 23, 2023 Councilmember Maschari asked that the order of the meeting changed to Miscellaneous being after Executive Session.
Councilmember Siss moved to approve the agenda with the change of order. Councilmember Jones seconded the motion.
Jeffers x Jones x Maschari x Siesky x Siss x Troike x Motion passed.

APPROVAL OF MINUTES October 10, 2023
Councilmember Siesky moved to approve the minutes. Councilmember Jones seconded the motion.
Jeffers x Jones x Maschari x Siesky x Siss x Troike **abstain** Motion passed.

VISITORS
SABPA Mark Leshinski
SAFD Interim Fire Chief John Crawford

MAYOR
OML Conference/Mayor's Court Refresher
- Workforce Housing is the new term instead of Affordable Housing.
- For every dollar spent locally $0.14 from chain stores and $0.46 from a locally owned business stays in the community.
- Discussion was held about possible municipal taxes.

Councilmember Maschari stated that the mayor should inform the council when leaving the village for overnight in case of emergencies.

New World
911 software upgrade, cost will be shared with municipalities.

Holding Tank
EPA was sent the signed form for Permit to Install.

Bicentennial
Lorain County will be having a Bicentennial Celebration on May 24, 2024 at which time there will be an entombing of a time capsule to be opened 50 years. Each municipality has been asked to contribute an

- 1780-23 – the Village was notified by RITA of revisions to Ohio law regarding the Income Tax Codified Ordinances, so this is a mandatory change. There will be an additional revision to another section of the Income Tax Ordinance at the November 13 meeting.

- 1781-23 – Councilmember Maschari explained that this ordinance was not necessary in order to reclaim past due amounts on inactive water accounts because there are already penalties in place that cover the issue.

Fire

Approve Firefighter I

Councilmember Jones motion to approve Jill Russel as a Firefighter I. Councilmember Troike seconded the motion.

Discussion: Councilmember Maschari stated that there had been a previous discussion that new members of the Safety Forces were to be presented to council. Councilmember Siss recommended that the interim chief needs to confirm a date with Ms. Russel and contact the safety chair to have the Swearing-in Ceremony on the next council agenda in order for it to be recorded in the minutes.

Jeffers x Jones x Maschari x Siesky x Siss x Troike x Motion passed.

BOARDS

Cemetery

Mayor Leshinski stated there was an interment earlier today. The new clerk is doing well.

Statement read from Councilmember Jones:

The first issue pertains to the attendance record of our former board chair. It's a matter that has long been brushed under the rug. The absenteeism persisted without proper scrutiny, and what's even more concerning is that the member continued to be compensated during his extended absences. Let us not forget that he was not just any member but the board chair – a position of great responsibility. I find it deeply troubling that village funds were expended on someone who was not fulfilling the role. It is my belief that this should have been addressed much sooner to prevent such misuse of our resources.

My second point centers on the current status of appointing a replacement for the cemetery board member position. As you all know, Mayor, you've been chairing these meetings temporarily due to the lack of a suitable candidate. While I fully understand and respect the other members' reluctance to assume the chair position, we cannot continue with this situation indefinitely.

Mayor, I implore you to shed light on your plans for resolving these matters. Our community expects and deserves nothing less than effective and responsible governance of its resources. It is our collective responsibility to ensure that these issues are addressed promptly and in accordance with our community's values. Thank you for your attention to these concerns.

Mayor Leshinski stated that he discussed with the fiscal officer and cannot remember the date of relieving him of his duties, so he hasn't been compensated for a few months. It has been posted on the website and have been talking with people trying to find a replacement. The mayor has also been trying to recruit a person for the Zoning Board of Appeals. Councilmember Jones offered to list the positions on Indeeed.com and urged the mayor to communicate throughout the week using email, so that everyone is on the same page when discussions are held at the meetings. Councilmember Siss suggested that council can talk to residents that they know to see if they are interested in the positions in order to widen the search. The mayor was asked to send job descriptions for the Cemetery Board of Trustees and the Zoning Board of Appeals to Councilmember Siss and the records clerk by the end of the week.

Councilmember Troike was unaware that the ZBA was short of one member and felt that being on the board as the council representative, he should have been made aware of the issue. Mayor Leshinski stated that a member was removed due to their behavior and legal issues.

Thank you to Scott Jones for making the video to enter the contest for a radar speed sign. Encouraged everyone to vote.

Newsletter

Template will be sent out. Information is due by November 13th, tentative publish date is December 18th.

Tree Lighting

Scheduled for December 7th (Thursday), Councilmember Siss will not be available that evening. There will be a collection of Toys for Tots that evening. Planning session Friday, November 3 at 5:30 p.m.

2024 Eclipse

Start planning in November, mayor has a list of communities that are planning activities that he will share.

Holiday party

Will be immediately following the December 11th Council meeting. Promote to the community.

Administrative

A review of codified ordinances that pertain to the Board of Trustees of Public Affairs will be done on November 9 at 11 a.m.

ORDINANCE

Ordinance No. 1776-23 *(Emergency)* An ordinance repealing existing South Amherst Codified Ordinance Chapter 1305 Section .02 and enacting new South Amherst Codified Chapter 1305 Section .02 Building Fees Schedule and declaring an emergency.

Councilmember Maschari moved to suspend the rules for Ordinance No. 1776-23. Councilmember Jones seconded the motion.

Jeffers x Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Councilmember Maschari moved to pass Ordinance No. 1776-23. Councilmember Jones seconded the motion.

Jeffers x Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Ordinance No. 1777-23 *(Second Reading)* An ordinance abolishing the Board of Trustees of Public Affairs for the Village of South Amherst and declaring an emergency.

Ordinance No. 1778-23 *(Second Reading)* An ordinance creating the position of Village Administrator and fixing the rate of compensation and declaring an emergency.

Ordinance No. 1779-23 *(Second Reading)* An ordinance enacting Section 505.16 of the Codified Ordinances of the Village of South Amherst, Ohio to permit residents to harbor, maintain, keep or control Backyard Chickens under certain circumstances.

Ordinance No. 1780-23 *(Emergency)* An ordinance enacting Section 182.27 of the Codified Ordinances of the Village of South Amherst, pertaining to Election to Be Subject To ORC 718.80 to 718.95 and declaring an emergency.

Councilmember Jones moved to suspend the rules for Ordinance No. 1780-23. Councilmember Siesky seconded the motion.

Jeffers x Jones x Maschari x Siesky x Siss x Troike x Motion passed.

MISCELLANEOUS

Home Sewage Treatment Systems Update

Councilmember Siss has requested that we have links on social media from the LCPH department regarding the new procedures for permits and asked if we could have a representative speak to council so that we could provide answers to the residents. Mayor Leshinski will contact Ann Mazuga from LCPH to see if she will be able to attend a meeting before the end of the year.

FD Barnyard Night

Is November 11th at 7 p.m. Council volunteers would be appreciated and should report between 6:15 and 6:30 p.m.

ADJOURNMENT Time 9:16 p.m.

Respectfully submitted,

____

Fiscal Officer Michelle Henke

____

Mayor David Leshinski

Payment Listing

10/20/2023 to 11/9/2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
812-2023	10/27/2023	10/24/2023	EP	Laurie J Beran	$701.72	O
813-2023	10/27/2023	10/24/2023	EP	Dennis M Hevener	$952.74	O
814-2023	10/27/2023	10/24/2023	EP	Cindy Knudsen	$623.82	O
815-2023	10/27/2023	10/24/2023	EP	Alexandra Tuggle	$192.45	O
816-2023	10/27/2023	10/24/2023	EP	David A Valentine Jr	$1,201.44	O
818-2023	11/01/2023	10/24/2023	EP	Laurie J Beran	$224.86	O
819-2023	11/01/2023	10/24/2023	EP	Michael M Frazier	$132.46	O
820-2023	11/01/2023	10/24/2023	EP	Michelle M Henke	$1,752.35	O
821-2023	11/01/2023	10/24/2023	EP	Michele Jeffers	$225.32	O
822-2023	11/01/2023	10/24/2023	EP	Scott Jones	$225.32	O
823-2023	11/01/2023	10/24/2023	EP	David J Leshinski	$1,096.60	O
824-2023	11/01/2023	10/24/2023	EP	Mark Leshinski	$139.46	O
825-2023	11/01/2023	10/24/2023	EP	Rosemary Leshinski	$75.93	O
826-2023	11/01/2023	10/24/2023	EP	Jeanne Maschari	$236.20	O
827-2023	11/01/2023	10/24/2023	EP	Matthew A Mishak	$1,292.40	O
828-2023	11/01/2023	10/24/2023	EP	Thomas Pellittieri	$119.59	O
829-2023	11/01/2023	10/24/2023	EP	Becky A Siesky	$185.90	O
830-2023	11/01/2023	10/24/2023	EP	Jeri L Siss	$215.90	O
831-2023	11/01/2023	10/24/2023	EP	Corey Timko	$435.37	O
832-2023	11/01/2023	10/24/2023	EP	David T Troike	$215.90	O
833-2023	11/01/2023	10/24/2023	EP	Zoltan Zoltai	$139.19	O
835-2023	11/01/2023	10/27/2023	EP	Robert Abfall	$131.73	O
836-2023	11/01/2023	10/27/2023	EP	James Becker	$108.09	O
837-2023	11/01/2023	10/27/2023	EP	Robert G Becker Jr	$179.51	O
838-2023	11/01/2023	10/27/2023	EP	Jessica Beran	$10.05	O
839-2023	11/01/2023	10/27/2023	EP	John Bloom	$19.99	O
840-2023	11/01/2023	10/27/2023	EP	John R Crawford	$429.55	O
841-2023	11/01/2023	10/27/2023	EP	John R Crawford II	$205.40	O
842-2023	11/01/2023	10/27/2023	EP	Alexander J Gerakis Jr	$119.93	O
843-2023	11/01/2023	10/27/2023	EP	Timothy J Moore	$50.24	O
844-2023	11/01/2023	10/27/2023	EP	Blaze R Olejko	$39.97	O
845-2023	11/01/2023	10/27/2023	EP	Kyle Urig	$88.10	O
846-2023	11/01/2023	10/27/2023	EP	Ronald Zaleha	$182.76	O
849-2023	11/01/2023	10/27/2023	EP	Kenneth Collins	$414.80	O
850-2023	11/01/2023	10/27/2023	EP	Dillon Crosier	$199.41	O
851-2023	11/01/2023	10/27/2023	EP	Aaron Darnell	$342.84	O
852-2023	11/01/2023	10/27/2023	EP	Michael M Frazier	$2,127.18	O
853-2023	11/01/2023	10/27/2023	EP	Michael Harvan	$1,478.02	O
854-2023	11/01/2023	10/27/2023	EP	Brandon Lawrence	$513.37	O
855-2023	11/01/2023	10/27/2023	EP	Michael Randa	$371.34	O
856-2023	11/01/2023	10/27/2023	EP	Jeffrey Saltis	$1,131.81	O
859-2023	10/23/2023	10/28/2023	CH	First National Bank Of Omaha	$55.68	O
860-2023	10/23/2023	10/28/2023	CH	First National Bank Of Omaha	$578.52	O
861-2023	10/23/2023	10/28/2023	CH	First National Bank Of Omaha	$37.51	O
862-2023	10/23/2023	10/28/2023	CH	Nextiva, Inc	$82.49	O
863-2023	10/24/2023	10/28/2023	CH	RLCWA	$14,161.95	O

Payment Listing

10/20/2023 to 11/9/2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
864-2023	10/24/2023	10/28/2023	CH	RLCWA	$372.10	O
865-2023	10/26/2023	10/28/2023	CH	Columbia Gas	$190.73	O
866-2023	10/26/2023	10/28/2023	CH	Columbia Gas	$54.06	O
867-2023	10/26/2023	10/28/2023	CH	Columbia Gas	$47.15	O
868-2023	10/29/2023	10/28/2023	CH	Verizon Wireless	$664.29	O
869-2023	10/29/2023	10/28/2023	CH	Ohio Edison	$212.46	O
870-2023	10/31/2023	10/28/2023	CH	Ohio Edison	$452.10	O
871-2023	10/31/2023	10/28/2023	CH	Ohio Edison	$101.81	O
872-2023	10/30/2023	10/30/2023	CH	First National Bank Of Omaha	$769.48	O
873-2023	10/30/2023	10/31/2023	CH	Nextiva, Inc	$365.32	O
874-2023	10/31/2023	11/02/2023	CH	Buckeye Community Bank	$244.60	O
875-2023	11/06/2023	11/06/2023	CH	Lowe's	$803.14	O
876-2023	11/07/2023	11/06/2023	CH	Connect Holding II LLC dba Brightspeed	$26.65	O
877-2023	11/08/2023	11/06/2023	CH	Ohio Edison	$1,911.65	O
878-2023	11/08/2023	11/06/2023	CH	Ohio Edison	$20.21	O
9291	08/29/2023	08/29/2023	AW	Anthem	$515.00 *	V
9291	10/31/2023	10/31/2023	AW	Anthem	-$515.00	V
9377	10/23/2023	10/23/2023	AW	Vincent Trusso	$250.00	O
9378	11/01/2023	10/27/2023	PR	Steven J Crawford	$211.67	O
9379	11/01/2023	10/27/2023	PR	Aaron Grimm	$50.24	O
9380	11/01/2023	10/27/2023	PR	Kyle L Kudela	$49.96	O
9381	11/01/2023	10/27/2023	PR	Andrew Streator	$9.77	O
9382	10/27/2023	10/27/2023	PR	Natalie Iafolla	$270.60	O
9383	10/28/2023	10/28/2023	AW	HeyGov, Inc.	$600.00	O
9384	10/28/2023	10/28/2023	AW	Holland Computers Inc	$308.10	O
9385	10/28/2023	10/28/2023	AW	SABPA	$100.00	O
9386	10/28/2023	10/28/2023	AW	U S Postal Service	$132.00	O
9387	10/28/2023	10/28/2023	AW	Law Enforcement Systems	$464.00	O
9388	10/28/2023	10/28/2023	AW	Piggy's	$100.00	O
9389	10/28/2023	10/28/2023	AW	Gertsburg Licata Co., LPA	$310.00	O
9390	10/28/2023	10/28/2023	AW	Dennis Hevener	$464.84	O
9391	10/28/2023	10/28/2023	AW	Worcester Sales & Service, Inc.	$377.88	O
9392	10/28/2023	10/28/2023	AW	Diggers of Ohio LLC	$5,000.00	O
9393	10/28/2023	10/28/2023	AW	OBM	$109.40	O
9394	10/31/2023	10/31/2023	AW	OBM	$14.50	O
9395	10/31/2023	10/31/2023	AW	Republic Services	$175.17	V
9395	10/31/2023	10/31/2023	AW	Republic Services	-$175.17	V
9396	10/31/2023	10/31/2023	AW	David Valentine	$484.34	V
9396	10/31/2023	10/31/2023	AW	David Valentine	-$484.34	V
9397	10/31/2023	10/31/2023	AW	David Spieker	$250.00	V
9397	10/31/2023	10/31/2023	AW	David Spieker	-$250.00	V
9398	10/31/2023	10/31/2023	AW	David Valentine	$484.34	V
9398	10/31/2023	10/31/2023	AW	David Valentine	-$484.34	V
9399	10/31/2023	10/31/2023	AW	David Spieker	$250.00	V
9399	10/31/2023	10/31/2023	AW	David Spieker	-$250.00	V
9400	10/31/2023	10/31/2023	AW	David Valentine	$484.34	O

Payment Listing

10/20/2023 to 11/9/2023

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
9401	10/31/2023	10/31/2023	AW	David Spieker	$250.00	O
9402	10/31/2023	10/31/2023	AW	Republic Services	$175.17	O
9403	11/06/2023	11/06/2023	AW	Holland Computers Inc	$276.49	O
9404	11/06/2023	11/06/2023	AW	Moos Printing & Advertising, Inc	$359.00	O
9405	11/06/2023	11/06/2023	AW	Lockes Go Green	$1,502.00	O
9406	11/06/2023	11/06/2023	AW	Ohio Municipal League	$530.00	O
9407	11/06/2023	11/06/2023	AW	Rita C. McMahon Aislinn Consulting LLC	$400.00	O
9408	11/06/2023	11/06/2023	AW	Diggers of Ohio LLC	$500.00	O
9409	11/06/2023	11/06/2023	AW	Buckeye Community Bank	$1,103.93	O
9410	11/06/2023	11/06/2023	AW	P & J Sanitation	$225.00	O
9411	11/06/2023	11/06/2023	AW	Treasurer State of Ohio	$3.00	O
9412	11/06/2023	11/06/2023	AW	SAFEbuilt	$286.75	O
9413	11/06/2023	11/06/2023	AW	Scruples Cleaning Service	$100.00	O
9414	11/06/2023	11/06/2023	AW	LEAF	$105.00	O
9415	11/06/2023	11/06/2023	AW	Whittguard Security	$595.00	O
				Total Payments:	$54,884.55	
				Total Conversion Vouchers:	$0.00	
				Total Less Conversion Vouchers:	$54,884.55	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.

SOUTH AMHERST VILLAGE, LORAIN COUNTY

Fund Summary

November 2023

Fund #	Fund Name	Starting Fund Balance	Month To Date Revenue	Year To Date Revenue	Month To Date Expenditures	Year To Date Expenditures	Ending Fund Balance	Current Reserve for Encumbrance	Unencumbered Fund Balance
1000	General	$1,121,441.78	$12,461.02	$718,702.97	$20,248.94	$609,322.60	$1,113,653.86	$83,199.57	$1,030,454.29
2011	Street Construction, Maint. and Repair	$212,906.79	$0.00	$92,009.41	$2,847.98	$105,472.29	$210,058.81	$5,029.43	$205,029.38
2021	State Highway	$41,299.62	$0.00	$7,472.03	$0.00	$2,200.00	$41,299.62	$0.00	$41,299.62
2031	Cemetery-Operating Funds	$134,687.46	$128.00	$52,416.65	$2,370.36	$56,449.59	$132,445.10	$7,861.81	$124,583.29
2032	Cemetery-Perpetual Funds	$60,666.53	$32.00	$9,837.76	$0.00	$2,630.00	$60,698.53	$239.92	$60,458.61
2041	Recreation	$3,089.36	$0.00	$0.00	$0.00	$0.00	$3,089.36	$0.00	$3,089.36
2061	2022 Building Demo & Revitalization	$0.00	$0.00	$34,055.00	$0.00	$34,055.00	$0.00	$0.00	$0.00
2091	Law Enforcement Trust	$7,548.60	$0.00	$35.00	$0.00	$0.00	$7,548.60	$0.00	$7,548.60
2092	Indigent Alcohol Fund	$175.00	$0.00	$0.00	$0.00	$0.00	$175.00	$0.00	$175.00
2151	Coronavirus Relief Fund	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
2152	American Rescue Plan	$43,699.39	$0.00	$0.00	$0.00	$65,200.00	$43,699.39	$5,630.00	$38,069.39
2291	Underground Storage Tank	$13,337.65	$0.00	$0.00	$0.00	$0.00	$13,337.65	$0.00	$13,337.65
2901	Fire Levy	$76,558.23	$0.00	$46,297.34	$0.00	$36,648.49	$76,558.23	$0.00	$76,558.23
2902	Law Enforcement Technology	$7,262.32	$0.00	$0.00	$0.00	$0.00	$7,262.32	$0.00	$7,262.32
2903	Computer Fund Mayor's Court	$3,615.00	$0.00	$2,109.00	$0.00	$0.00	$3,615.00	$0.00	$3,615.00
2904	Computer Fund CLERK Mayor's Court	$10,024.14	$0.00	$7,030.00	$17.50	$1,463.36	$10,006.64	$56.23	$9,950.41
4901	Capital Projects	$34,068.66	$0.00	$50,000.00	$0.00	$46,589.72	$34,068.66	$0.00	$34,068.66
4902	Russia Rd Capital Projects	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4903	Park Capital Projects	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4904	Leonard St Capital Projects	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4905	Annis Road North Capital Project	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4906	Annis Road North Phase II	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4907	FEMA Other Capital Projects	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4951	Cemetery Endowment Permanent	$5,476.97	$0.00	$90.00	$0.00	$0.00	$5,476.97	$0.00	$5,476.97
5101	Water Operating	$122,956.65	$10,805.12	$332,957.37	$2,713.05	$292,469.85	$131,048.72	$14,235.28	$116,813.44
5102	Water Improvement	$191,599.90	$3,917.98	$118,548.50	$0.00	$129,326.40	$195,517.88	$15,369.14	$180,148.74
5103	Water Security Deposits	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
5781	Water Security Deposits.	$10,000.00	$200.00	$5,000.00	$0.00	$4,500.00	$10,200.00	$361.00	$9,839.00
5901	Storm Water Management	$57,842.24	$0.00	$22,414.92	$143.12	$22,593.47	$57,699.12	$4,704.84	$52,994.28
9101	Unclaimed Monies	$4,916.34	$0.00	$9,076.82	$0.00	$8,962.42	$4,916.34	$0.00	$4,916.34
9901	Prepaid Opening & Closing, Cemetery	$29,731.50	$0.00	$410.00	$0.00	$2,050.00	$29,731.50	$0.00	$29,731.50
9902	Mayor's Court	$0.00	$0.00	$104,355.00	$0.00	$110,690.00	$0.00	$0.00	$0.00
9976	Prepaid Opening & Closing	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Report Total:	$2,192,904.13	$27,544.12	$1,512,817.77	$28,340.95	$1,532,623.19	$2,192,107.30	$136,687.22	$2,055,420.08

Report reflects selected information.

Last reconciled to bank: 09/30/2023 – Total other adjusting factors: $0.00

Revenue Summary

November 2023

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
1000 General					
Property and Other Local Taxes	$449,984.00	$11,373.96	$445,108.88	($4,875.12)	98.917%
State Shared Taxes and Permits	$79,567.68	$0.00	$91,754.82	$12,187.14	115.317%
Special Assessments	$0.00	$0.00	$1,650.00	$1,650.00	0.000%
Intergovernmental	$3,511.84	$666.31	$6,966.31	$3,454.47	198.366%
Charges for Services	$72,744.73	$0.00	$54,323.46	($18,421.27)	74.677%
Fines, Licenses and Permits	$65,300.00	$370.75	$106,016.44	$40,716.44	162.353%
Earnings on Investments	$3,000.00	$0.00	$2,137.02	($862.98)	71.234%
Miscellaneous	$7,150.00	$50.00	$5,446.04	($1,703.96)	76.168%
Other Financing Sources					
Advances - In	$0.00	$0.00	$0.00	$0.00	0.000%
Sale of Fixed Assets	$0.00	$0.00	$5,300.00	$5,300.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$5,300.00	$5,300.00	
Total 1000 General	$681,258.25	$12,461.02	$718,702.97	$37,444.72	
2011 Street Construction, Maint. and Repair					
Property and Other Local Taxes	$6,000.00	$0.00	$6,200.93	$200.93	103.349%
State Shared Taxes and Permits	$69,000.00	$0.00	$85,753.66	$16,753.66	124.281%
Intergovernmental	$0.00	$0.00	$0.00	$0.00	0.000%
Earnings on Investments	$0.00	$0.00	$54.82	$54.82	0.000%
Miscellaneous	$800.00	$0.00	$0.00	($800.00)	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 2011 Street Construction, Maint. and Repair	$75,800.00	$0.00	$92,009.41	$16,209.41	
2021 State Highway					
Property and Other Local Taxes	$500.00	$0.00	$502.78	$2.78	100.556%
State Shared Taxes and Permits	$5,500.00	$0.00	$6,953.00	$1,453.00	126.418%
Earnings on Investments	$80.00	$0.00	$16.25	($63.75)	20.313%
Total 2021 State Highway	$6,080.00	$0.00	$7,472.03	$1,392.03	

Report reflects selected information.

Revenue Summary

November 2023

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
2031 Cemetery-Operating Funds					
Property and Other Local Taxes	$9,069.00	$0.00	$8,020.85	($1,048.15)	88.442%
State Shared Taxes and Permits	$0.00	$0.00	$1,296.07	$1,296.07	0.000%
Intergovernmental	$0.00	$0.00	$0.00	$0.00	0.000%
Charges for Services	$44,432.00	$128.00	$43,099.73	($1,332.27)	97.002%
Miscellaneous	$500.00	$0.00	$0.00	($500.00)	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Advances - In	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 2031 Cemetery-Operating Funds	$54,001.00	$128.00	$52,416.65	($1,584.35)	
2032 Cemetery-Perpetual Funds					
Charges for Services	$11,108.00	$32.00	$9,837.76	($1,270.24)	88.565%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 2032 Cemetery-Perpetual Funds	$11,108.00	$32.00	$9,837.76	($1,270.24)	
2041 Recreation					
Charges for Services	$0.00	$0.00	$0.00	$0.00	0.000%
Miscellaneous	$0.00	$0.00	$0.00	$0.00	0.000%
Total 2041 Recreation	$0.00	$0.00	$0.00	$0.00	
2061 2022 Building Demo & Revitalization					
Intergovernmental	$34,055.00	$0.00	$34,055.00	$0.00	100.000%
Total 2061 2022 Building Demo & Revitalization	$34,055.00	$0.00	$34,055.00	$0.00	
2091 Law Enforcement Trust					
Intergovernmental	$0.00	$0.00	$35.00	$35.00	0.000%
Total 2091 Law Enforcement Trust	$0.00	$0.00	$35.00	$35.00	

Report reflects selected information.

Revenue Summary
November 2023

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
2092 Indigent Alcohol Fund					
Intergovernmental	$0.00	$0.00	$0.00	$0.00	0.000%
Total 2092 Indigent Alcohol Fund	$0.00	$0.00	$0.00	$0.00	
2152 American Rescue Plan					
Intergovernmental	$0.00	$0.00	$0.00	$0.00	0.000%
Earnings on Investments	$0.00	$0.00	$0.00	$0.00	0.000%
Total 2152 American Rescue Plan	$0.00	$0.00	$0.00	$0.00	
2291 Underground Storage Tank					
Earnings on Investments	$0.00	$0.00	$0.00	$0.00	0.000%
Total 2291 Underground Storage Tank	$0.00	$0.00	$0.00	$0.00	
2901 Fire Levy					
Property and Other Local Taxes	$44,594.00	$0.00	$46,297.34	$1,703.34	103.820%
Total 2901 Fire Levy	$44,594.00	$0.00	$46,297.34	$1,703.34	
2903 Computer Fund Mayor's Court					
Fines, Licenses and Permits	$900.00	$0.00	$2,109.00	$1,209.00	234.333%
Total 2903 Computer Fund Mayor's Court	$900.00	$0.00	$2,109.00	$1,209.00	
2904 Computer Fund CLERK Mayor's Court					
Fines, Licenses and Permits	$3,000.00	$0.00	$7,030.00	$4,030.00	234.333%
Total 2904 Computer Fund CLERK Mayor's Court	$3,000.00	$0.00	$7,030.00	$4,030.00	
4901 Capital Projects					
Miscellaneous	$0.00	$0.00	$0.00	$0.00	0.000%
Other Financing Sources					
Transfers - In	$50,000.00	$0.00	$50,000.00	$0.00	100.000%
Total Other Financing Sources	$50,000.00	$0.00	$50,000.00	$0.00	
Total 4901 Capital Projects	$50,000.00	$0.00	$50,000.00	$0.00	
4903 Park Capital Projects					

Revenue Summary

November 2023

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
Intergovernmental	$0.00	$0.00	$0.00	$0.00	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Advances - In	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 4903 Park Capital Projects	$0.00	$0.00	$0.00	$0.00	
4906 Annis Road North Phase II					
Intergovernmental	$0.00	$0.00	$0.00	$0.00	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Other Debt Proceeds	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 4906 Annis Road North Phase II	$0.00	$0.00	$0.00	$0.00	
4907 FEMA Other Capital Projects					
Intergovernmental	$264,774.76	$0.00	$0.00	($264,774.76)	0.000%
Total 4907 FEMA Other Capital Projects	$264,774.76	$0.00	$0.00	($264,774.76)	
4951 Cemetery Endowment Permanent					
Earnings on Investments	$30.00	$0.00	$90.00	$60.00	300.000%
Total 4951 Cemetery Endowment Permanent	$30.00	$0.00	$90.00	$60.00	
5101 Water Operating					
Special Assessments	$0.00	$0.00	$196.47	$196.47	0.000%
Charges for Services	$336,250.00	$10,805.12	$331,980.90	($4,269.10)	98.730%
Miscellaneous	$0.00	$0.00	$0.00	$0.00	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Sale of Fixed Assets	$0.00	$0.00	$780.00	$780.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$780.00	$780.00	

Revenue Summary

November 2023

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
Total 5101 Water Operating	$336,250.00	$10,805.12	$332,957.37	($3,292.63)	
5102 Water Improvement					
Charges for Services	$110,000.00	$3,917.98	$118,548.50	$8,548.50	107.771%
Miscellaneous	$0.00	$0.00	$0.00	$0.00	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Other Debt Proceeds	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 5102 Water Improvement	$110,000.00	$3,917.98	$118,548.50	$8,548.50	
5781 Water Security Deposits					
Charges for Services	$1,500.00	$200.00	$5,000.00	$3,500.00	333.333%
Total 5781 Water Security Deposits	$1,500.00	$200.00	$5,000.00	$3,500.00	
5901 Storm Water Management					
Special Assessments	$36,000.00	$0.00	$20,704.92	($15,295.08)	57.514%
Charges for Services	$1,500.00	$0.00	$1,450.00	($50.00)	96.667%
Miscellaneous	$0.00	$0.00	$260.00	$260.00	0.000%
Other Financing Sources					
Transfers - In	$0.00	$0.00	$0.00	$0.00	0.000%
Advances - In	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Sources	$0.00	$0.00	$0.00	$0.00	
Total 5901 Storm Water Management	$37,500.00	$0.00	$22,414.92	($15,085.08)	
9101 Unclaimed Monies					
Miscellaneous	$0.00	$0.00	$9,076.82	$0.00	0.000%
Total 9101 Unclaimed Monies	$0.00	$0.00	$9,076.82	$0.00	
9901 Prepaid Opening & Closing, Cemetery					
Charges for Services	$0.00	$0.00	$410.00	$0.00	0.000%
Total 9901 Prepaid Opening & Closing, Cemetery	$0.00	$0.00	$410.00	$0.00	

Report reflects selected information.

Revenue Summary

November 2023

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
9902 Mayor's Court					
Miscellaneous	$0.00	$0.00	$104,355.00	$0.00	0.000%
Total 9902 Mayor's Court	$0.00	$0.00	$104,355.00	$0.00	
Report Total:	$1,710,851.01	$27,544.12	$1,612,817.77	($211,875.06)	

SOUTH AMHERST VILLAGE, LORAIN COUNTY

Appropriation Summary

November 2023

1000 - General	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Security of Persons and Property								
Police Enforcement								
Personal Services	$2,228.45	$126,211.20	$128,439.65	$6,571.34	$86,037.11	$2,033.35	$40,369.19	66.986%
Employee Fringe Benefits	$0.00	$23,101.00	$23,101.00	$0.00	$13,516.04	$600.00	$8,984.96	58.508%
Contractual Services	$259.24	$20,060.00	$20,319.24	$630.79	$15,565.62	$1,623.42	$3,130.20	76.605%
Supplies and Materials	$232.72	$8,700.00	$8,932.72	$0.00	$4,002.98	$311.88	$4,617.86	44.813%
Capital Outlay	$0.00	$800.00	$800.00	$0.00	$0.00	$0.00	$800.00	0.000%
Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Police Enforcement	$2,730.41	$178,862.20	$181,592.61	$7,202.13	$119,121.75	$4,568.65	$57,902.21	
Fire Fighting, Prevention and Inspection								
Personal Services	$617.79	$48,410.00	$49,027.79	$1,886.95	$33,009.63	$252.88	$15,765.28	67.328%
Employee Fringe Benefits	$0.00	$13,200.00	$13,200.00	$0.00	$5,056.84	$0.00	$8,143.16	38.309%
Contractual Services	$374.72	$52,750.00	$53,124.72	$135.31	$35,930.28	$4,366.58	$12,827.86	67.634%
Supplies and Materials	$4,200.04	$30,800.00	$35,000.04	$359.00	$26,130.20	$1,583.00	$7,286.84	74.658%
Capital Outlay	$0.00	$27,800.00	$27,800.00	$0.00	$6,054.62	$13,800.00	$7,945.38	21.779%
Other	$0.00	$12,265.24	$12,265.24	$0.00	$158.04	$0.00	$12,107.20	1.289%
Total Fire Fighting, Prevention and Inspection	$5,192.55	$185,225.24	$190,417.79	$2,381.27	$106,339.61	$20,002.46	$64,075.72	
Street Lighting								
Contractual Services	$1,432.14	$19,500.00	$20,932.14	$1,931.86	$18,475.44	$2,268.14	$188.56	88.264%
Total Street Lighting	$1,432.14	$19,500.00	$20,932.14	$1,931.86	$18,475.44	$2,268.14	$188.56	
Total Security of Persons and Property	$9,355.10	$383,587.44	$392,942.54	$11,515.26	$243,936.80	$26,839.25	$122,166.49	
Leisure Time Activities								
Provide and Maintain Parks								
Personal Services	$0.00	$4,823.00	$4,823.00	$105.12	$3,688.97	$96.03	$1,038.00	76.487%
Employee Fringe Benefits	$0.00	$896.00	$896.00	$0.00	$507.64	$0.00	$388.36	56.656%
Contractual Services	$0.00	$9,300.00	$9,300.00	$140.00	$1,947.16	$140.00	$7,212.84	20.937%
Supplies and Materials	$0.00	$5,993.00	$5,993.00	$0.00	$1,157.55	$0.00	$4,835.45	19.315%
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Other	$0.00	$407.00	$407.00	$0.00	$406.40	$0.00	$0.60	99.853%
Total Provide and Maintain Parks	$0.00	$21,419.00	$21,419.00	$245.12	$7,707.72	$236.03	$13,475.25	
Total Leisure Time Activities	$0.00	$21,419.00	$21,419.00	$245.12	$7,707.72	$236.03	$13,475.25	
Community Environment								
Community Planning and Zoning								

Report reflects selected information.

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Personal Services	$0.00	$1,929.20	$1,929.20	$0.00	$1,337.63	$10.67	$580.70	69.346%
Employee Fringe Benefits	$0.00	$309.00	$309.00	$0.00	$199.77	$0.00	$109.23	64.650%
Contractual Services	$0.00	$800.00	$800.00	$0.00	$259.12	$0.00	$540.88	32.390%
Total Community Planning and Zoning	$0.00	$3,038.20	$3,038.20	$0.00	$1,796.72	$10.67	$1,230.81	
Other Community Environment								
Personal Services	$33.67	$4,160.00	$4,193.67	$39.74	$1,126.37	$47.30	$3,020.00	26.859%
Employee Fringe Benefits	$0.00	$694.00	$694.00	$0.00	$0.00	$0.00	$694.00	0.000%
Contractual Services	$3.75	$13,000.00	$13,003.75	$289.75	$7,640.10	$3,332.90	$2,030.75	58.753%
Total Other Community Environment	$37.42	$17,854.00	$17,891.42	$329.49	$8,766.47	$3,380.20	$5,744.75	
Total Community Environment	$37.42	$20,892.20	$20,929.62	$329.49	$10,563.19	$3,390.87	$6,975.56	
General Government								
Mayor and Administrative Offices								
Personal Services	$712.08	$43,200.00	$43,912.08	$2,319.91	$28,951.31	$446.65	$14,514.12	65.930%
Employee Fringe Benefits	$0.00	$8,625.00	$8,625.00	$0.00	$4,709.01	$200.00	$3,715.99	54.597%
Contractual Services	$445.08	$64,950.00	$65,395.08	$1,093.30	$34,608.38	$5,058.41	$25,728.29	52.922%
Supplies and Materials	$0.00	$4,700.00	$4,700.00	$0.00	$2,862.42	$25.39	$1,812.19	60.903%
Other	$0.00	$1,300.00	$1,300.00	$0.00	$1,063.85	$0.00	$236.15	81.835%
Total Mayor and Administrative Offices	$1,157.16	$122,775.00	$123,932.16	$3,413.21	$72,194.97	$5,730.45	$46,006.74	
Mayor's Court								
Personal Services	$218.54	$11,580.00	$11,798.54	$608.31	$5,666.19	$219.85	$5,912.50	48.025%
Employee Fringe Benefits	$0.00	$1,792.00	$1,792.00	$0.00	$779.75	$0.00	$1,012.25	43.513%
Contractual Services	$30.91	$710.00	$740.91	$0.00	$630.91	$0.00	$110.00	85.153%
Supplies and Materials	$0.00	$1,000.00	$1,000.00	$0.00	$844.00	$0.00	$156.00	84.400%
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Mayor's Court	$249.45	$15,082.00	$15,331.45	$608.31	$7,920.85	$219.85	$7,190.75	
Clerk - Treasurer								
Personal Services	$1,486.26	$55,350.00	$56,836.26	$2,279.07	$44,240.66	$1,529.10	$11,066.50	77.838%
Employee Fringe Benefits	$515.00	$16,080.00	$16,595.00	$0.00	$12,530.09	$1,545.00	$2,519.91	75.505%
Contractual Services	$0.00	$6,475.00	$6,475.00	$0.00	$4,203.00	$0.00	$2,272.00	64.911%
Supplies and Materials	$0.00	$300.00	$300.00	$0.00	$270.26	$0.00	$29.74	90.087%
Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Clerk - Treasurer	$2,001.26	$78,205.00	$80,206.26	$2,279.07	$61,244.01	$3,074.10	$15,888.15	
Auditor of State Fees								
Contractual Services	$0.00	$15,000.00	$15,000.00	$0.00	$2,501.00	$7,499.00	$5,000.00	16.673%

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Auditor of State Fees	$0.00	$15,000.00	$15,000.00	$0.00	$2,501.00	$7,499.00	$5,000.00	
Solicitor								
Personal Services	$281.68	$21,096.00	$21,377.68	$1,517.26	$17,520.94	$240.74	$3,516.00	82.427%
Employee Fringe Benefits	$0.00	$3,804.00	$3,804.00	$0.00	$2,357.85	$0.00	$1,446.15	61.983%
Contractual Services	$0.00	$13,220.00	$13,220.00	$0.00	$4,709.00	$620.00	$7,891.00	35.620%
Supplies and Materials	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Other	$0.00	$3,000.00	$3,000.00	$0.00	$2,580.00	$0.00	$420.00	86.000%
Total Solicitor	$281.68	$41,120.00	$41,401.68	$1,517.26	$27,267.79	$860.74	$13,273.15	
Income Tax Administration								
Contractual Services	$508.29	$14,800.00	$15,308.29	$341.22	$11,653.48	$1,499.44	$2,155.37	76.125%
Supplies and Materials	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Income Tax Administration	$508.29	$14,800.00	$15,308.29	$341.22	$11,653.48	$1,499.44	$2,155.37	
Tax Refunds								
Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Tax Refunds	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Other General Government								
Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other General Government	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total General Government	$4,197.84	$286,982.00	$291,179.84	$8,159.07	$182,782.10	$18,883.58	$89,514.16	
Capital Outlay								
Capital Outlay								
Capital Outlay	$5,000.00	$210,511.84	$215,511.84	$0.00	$114,332.79	$33,849.84	$67,329.21	53.052%
Total Capital Outlay	$5,000.00	$210,511.84	$215,511.84	$0.00	$114,332.79	$33,849.84	$67,329.21	
Total Capital Outlay	$5,000.00	$210,511.84	$215,511.84	$0.00	$114,332.79	$33,849.84	$67,329.21	
Debt Service								
Debt Service								
Debt Service	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Debt Service	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Debt Service	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Other Financing Uses								
Transfers - Out	$0.00	$72,970.00	$72,970.00	$0.00	$50,000.00	$0.00	$22,970.00	68.521%
Advances - Out	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Other Financing Uses	$0.00	$72,970.00	$72,970.00	$0.00	$50,000.00	$0.00	$22,970.00	
Total 1000 - General	$18,590.36	$996,362.48	$1,014,952.84	$20,248.94	$609,322.60	$83,199.57	$322,430.67	
2011 - Street Construction, Maint. and Repair								
Transportation								
Street Construction and Reconstruction								
Employee Fringe Benefits	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Street Construction and Reconstruction	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Street Maintenance and Repair								
Personal Services	$493.55	$39,000.00	$39,493.55	$871.05	$27,885.68	$653.50	$10,954.37	70.608%
Employee Fringe Benefits	$0.00	$14,815.00	$14,815.00	$0.00	$8,626.19	$0.00	$6,188.81	58.226%
Contractual Services	$120.68	$32,100.00	$32,220.68	$69.86	$25,881.42	$1,370.37	$4,968.89	80.325%
Supplies and Materials	$405.95	$21,650.00	$22,055.95	$260.86	$13,712.11	$2,965.64	$5,378.20	62.170%
Capital Outlay	$0.00	$500.00	$500.00	$0.00	$0.00	$0.00	$500.00	0.000%
Other	$0.00	$150.00	$150.00	$0.00	$135.47	$0.00	$14.53	90.313%
Total Street Maintenance and Repair	$1,020.18	$108,215.00	$109,235.18	$1,201.77	$76,240.87	$4,989.51	$28,004.80	
Storm Sewers and Drains								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Storm Sewers and Drains	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Transportation	$1,020.18	$108,215.00	$109,235.18	$1,201.77	$76,240.87	$4,989.51	$28,004.80	
Capital Outlay								
Capital Outlay								
Capital Outlay	$0.00	$39,500.00	$39,500.00	$542.28	$17,088.19	$39.92	$22,371.89	43.261%
Total Capital Outlay	$0.00	$39,500.00	$39,500.00	$542.28	$17,088.19	$39.92	$22,371.89	
Total Capital Outlay	$0.00	$39,500.00	$39,500.00	$542.28	$17,088.19	$39.92	$22,371.89	
Debt Service								
Debt Service								
Debt Service	$0.00	$13,247.16	$13,247.16	$1,103.93	$12,143.23	$0.00	$1,103.93	91.667%
Total Debt Service	$0.00	$13,247.16	$13,247.16	$1,103.93	$12,143.23	$0.00	$1,103.93	
Total Debt Service	$0.00	$13,247.16	$13,247.16	$1,103.93	$12,143.23	$0.00	$1,103.93	
Total 2011 - Street Construction, Maint. and Repair	$1,020.18	$160,962.16	$161,982.34	$2,847.98	$105,472.29	$5,029.43	$51,480.62	

SOUTH AMHERST VILLAGE, LORAIN COUNTY

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
2021 - State Highway								
Transportation								
Street Maintenance and Repair								
Contractual Services	$0.00	$10,000.00	$10,000.00	$0.00	$2,200.00	$0.00	$7,800.00	22.000%
Supplies and Materials	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Street Maintenance and Repair	$0.00	$10,000.00	$10,000.00	$0.00	$2,200.00	$0.00	$7,800.00	
Total Transportation	$0.00	$10,000.00	$10,000.00	$0.00	$2,200.00	$0.00	$7,800.00	
Total 2021 - State Highway	$0.00	$10,000.00	$10,000.00	$0.00	$2,200.00	$0.00	$7,800.00	
2031 - Cemetery-Operating Funds								
Public Health Services								
Cemetery								
Personal Services	$134.45	$18,140.00	$18,274.45	$271.88	$8,674.03	$178.91	$9,421.51	47.466%
Employee Fringe Benefits	$0.00	$3,275.00	$3,275.00	$0.00	$1,315.58	$0.00	$1,959.42	40.170%
Contractual Services	$390.75	$53,100.00	$53,490.75	$2,098.48	$42,455.18	$7,592.38	$3,443.19	79.369%
Supplies and Materials	$0.00	$2,750.00	$2,750.00	$0.00	$1,053.24	$90.52	$1,606.24	38.300%
Other	$0.00	$600.00	$600.00	$0.00	$451.56	$0.00	$148.44	75.260%
Total Cemetery	$525.20	$77,865.00	$78,390.20	$2,370.36	$53,949.59	$7,861.81	$16,578.80	
Total Public Health Services	$525.20	$77,865.00	$78,390.20	$2,370.36	$53,949.59	$7,861.81	$16,578.80	
Capital Outlay								
Capital Outlay								
Capital Outlay	$0.00	$52,000.00	$52,000.00	$0.00	$2,500.00	$0.00	$49,500.00	4.808%
Total Capital Outlay	$0.00	$52,000.00	$52,000.00	$0.00	$2,500.00	$0.00	$49,500.00	
Total Capital Outlay	$0.00	$52,000.00	$52,000.00	$0.00	$2,500.00	$0.00	$49,500.00	
Total 2031 - Cemetery-Operating Funds	$525.20	$129,865.00	$130,390.20	$2,370.36	$56,449.59	$7,861.81	$66,078.80	
2032 - Cemetery-Perpetual Funds								
Public Health Services								
Cemetery								
Contractual Services	$0.00	$4,000.00	$4,000.00	$0.00	$2,630.00	$239.92	$1,130.08	65.750%
Total Cemetery	$0.00	$4,000.00	$4,000.00	$0.00	$2,630.00	$239.92	$1,130.08	
Total Public Health Services	$0.00	$4,000.00	$4,000.00	$0.00	$2,630.00	$239.92	$1,130.08	

Report reflects selected information.

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total 2032 - Cemetery Perpetual Funds	$0.00	$4,000.00	$4,000.00	$0.00	$2,630.00	$239.92	$1,130.08	
2041 - Recreation								
Leisure Time Activities								
Recreation								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Employee Fringe Benefits	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Supplies and Materials	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Recreation	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Leisure Time Activities	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total 2041 - Recreation	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
2061 - 2022 Building Demo & Revitalization								
Capital Outlay								
Capital Outlay								
Capital Outlay	$33,425.00	$630.00	$34,055.00	$0.00	$34,055.00	$0.00	$0.00	100.000%
Total Capital Outlay	$33,425.00	$630.00	$34,055.00	$0.00	$34,055.00	$0.00	$0.00	
Total Capital Outlay	$33,425.00	$630.00	$34,055.00	$0.00	$34,055.00	$0.00	$0.00	
Total 2061 - 2022 Building Demo & Revitalization	$33,425.00	$630.00	$34,055.00	$0.00	$34,055.00	$0.00	$0.00	
2091 - Law Enforcement Trust								
Security of Persons and Property								
Police Enforcement								
Contractual Services	$0.00	$2,000.00	$2,000.00	$0.00	$0.00	$0.00	$2,000.00	0.000%
Total Police Enforcement	$0.00	$2,000.00	$2,000.00	$0.00	$0.00	$0.00	$2,000.00	
Total Security of Persons and Property	$0.00	$2,000.00	$2,000.00	$0.00	$0.00	$0.00	$2,000.00	
Total 2091 - Law Enforcement Trust	$0.00	$2,000.00	$2,000.00	$0.00	$0.00	$0.00	$2,000.00	
2151 - Coronavirus Relief Fund								
Security of Persons and Property								

SOUTH AMHERST VILLAGE, LORAIN COUNTY

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Police Enforcement								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Police Enforcement	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Fire Fighting, Prevention and Inspection								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Fire Fighting, Prevention and Inspection	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Security of Persons and Property	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Public Health Services								
Cemetery								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Cemetery	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Public Health Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Basic Utility Services								
Administration - Water								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Administration - Water	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Basic Utility Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Transportation								
Street Maintenance and Repair								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Street Maintenance and Repair	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Transportation	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total 2151 - Coronavirus Relief Fund	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
2152 - American Rescue Plan								
Capital Outlay								
Capital Outlay								
Capital Outlay	$49,630.00	$59,000.00	$108,630.00	$0.00	$65,200.00	$5,630.00	$37,800.00	60.020%
Total Capital Outlay	$49,630.00	$59,000.00	$108,630.00	$0.00	$65,200.00	$5,630.00	$37,800.00	
Total Capital Outlay	$49,630.00	$59,000.00	$108,630.00	$0.00	$65,200.00	$5,630.00	$37,800.00	
Total 2152 - American Rescue Plan	$49,630.00	$59,000.00	$108,630.00	$0.00	$65,200.00	$5,630.00	$37,800.00	

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
2901 - Fire Levy								
Capital Outlay								
Capital Outlay								
Contractual Services	$0.00	$900.00	$900.00	$0.00	$711.59	$0.00	$188.41	79.066%
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Capital Outlay	$0.00	$900.00	$900.00	$0.00	$711.59	$0.00	$188.41	
Total Capital Outlay	$0.00	$900.00	$900.00	$0.00	$711.59	$0.00	$188.41	
Debt Service								
Debt Service								
Debt Service	$0.00	$35,936.90	$35,936.90	$0.00	$35,936.90	$0.00	$0.00	100.000%
Total Debt Service	$0.00	$35,936.90	$35,936.90	$0.00	$35,936.90	$0.00	$0.00	
Total Debt Service	$0.00	$35,936.90	$35,936.90	$0.00	$35,936.90	$0.00	$0.00	
Total 2901 - Fire Levy	$0.00	$36,836.90	$36,836.90	$0.00	$36,648.49	$0.00	$188.41	
2902 - Law Enforcement Technology								
Security of Persons and Property								
Police Enforcement								
Supplies and Materials	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Capital Outlay	$0.00	$5,000.00	$5,000.00	$0.00	$0.00	$0.00	$5,000.00	0.000%
Total Police Enforcement	$0.00	$5,000.00	$5,000.00	$0.00	$0.00	$0.00	$5,000.00	
Total Security of Persons and Property	$0.00	$5,000.00	$5,000.00	$0.00	$0.00	$0.00	$5,000.00	
Total 2902 - Law Enforcement Technology	$0.00	$5,000.00	$5,000.00	$0.00	$0.00	$0.00	$5,000.00	
2903 - Computer Fund Mayor's Court								
General Government								
Mayor's Court								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Mayor's Court	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total General Government	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total 2903 - Computer Fund Mayor's Court	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
2904 - Computer Fund CLERK Mayor's Court								
General Government								
Mayor's Court								
Contractual Services	$0.00	$1,750.00	$1,750.00	$17.50	$976.34	$56.23	$717.43	55.791%
Supplies and Materials	$0.00	$1,750.00	$1,750.00	$0.00	$487.02	$0.00	$1,262.98	27.830%
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Mayor's Court	$0.00	$3,500.00	$3,500.00	$17.50	$1,463.36	$56.23	$1,980.41	
Total General Government	$0.00	$3,500.00	$3,500.00	$17.50	$1,463.36	$56.23	$1,980.41	
Total 2904 - Computer Fund CLERK Mayor's Court	$0.00	$3,500.00	$3,500.00	$17.50	$1,463.36	$56.23	$1,980.41	
4901 - Capital Projects								
Transportation								
Street Construction and Reconstruction								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Street Construction and Reconstruction	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Street Maintenance and Repair								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Street Maintenance and Repair	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Transportation	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Capital Outlay								
Capital Outlay								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Debt Service								
Debt Service								
Debt Service	$0.00	$48,589.72	$48,589.72	$0.00	$48,589.72	$0.00	$0.00	100.000%
Total Debt Service	$0.00	$48,589.72	$48,589.72	$0.00	$48,589.72	$0.00	$0.00	
Total Debt Service	$0.00	$48,589.72	$48,589.72	$0.00	$48,589.72	$0.00	$0.00	
Total 4901 - Capital Projects	$0.00	$48,589.72	$48,589.72	$0.00	$48,589.72	$0.00	$0.00	

Report reflects selected information.

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
4903 - Park Capital Projects								
Capital Outlay								
Capital Outlay								
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Other Financing Uses								
Advances - Out	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Financing Uses	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total 4903 - Park Capital Projects	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
4906 - Annis Road North Phase II								
Capital Outlay								
Capital Outlay								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total 4906 - Annis Road North Phase II	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
4907 - FEMA Other Capital Projects								
Capital Outlay								
Capital Outlay								
Capital Outlay	$0.00	$264,774.76	$264,774.76	$0.00	$0.00	$0.00	$264,774.76	0.000%
Total Capital Outlay	$0.00	$264,774.76	$264,774.76	$0.00	$0.00	$0.00	$264,774.76	
Total Capital Outlay	$0.00	$264,774.76	$264,774.76	$0.00	$0.00	$0.00	$264,774.76	
Total 4907 - FEMA Other Capital Projects	$0.00	$264,774.76	$264,774.76	$0.00	$0.00	$0.00	$264,774.76	
5101 - Water Operating								
Basic Utility Services								
Administration - Water								
Personal Services	$1,303.88	$80,600.00	$81,903.88	$2,546.72	$56,057.81	$1,951.86	$23,894.21	68.443%

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Employee Fringe Benefits	$515.00	$20,580.00	$21,095.00	$0.00	$12,713.50	$1,545.00	$6,836.50	60.266%
Total Administration - Water	$1,818.88	$101,180.00	$102,998.88	$2,546.72	$68,771.31	$3,496.86	$30,730.71	
Supply / Purchase - Water								
Contractual Services	$11,859.74	$190,000.00	$201,859.74	$0.00	$149,293.76	$0.00	$52,565.98	73.959%
Total Supply / Purchase - Water	$11,859.74	$190,000.00	$201,859.74	$0.00	$149,293.76	$0.00	$52,565.98	
Other Water								
Personal Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Employee Fringe Benefits	$0.00	$3,200.00	$3,200.00	$0.00	$1,693.15	$706.85	$800.00	52.911%
Contractual Services	$331.43	$78,400.00	$78,731.43	$166.33	$62,568.00	$8,658.46	$7,504.97	79.470%
Supplies and Materials	$3,332.23	$13,900.00	$17,232.23	$0.00	$8,948.64	$1,373.11	$6,910.48	51.930%
Other	$0.00	$1,300.00	$1,300.00	$0.00	$1,194.99	$0.00	$105.01	91.922%
Total Other Water	$3,663.66	$96,800.00	$100,463.66	$166.33	$74,404.78	$10,738.42	$15,320.46	
Total Basic Utility Services	$17,342.28	$387,980.00	$405,322.28	$2,713.05	$292,469.85	$14,235.28	$98,617.15	
Capital Outlay								
Capital Outlay								
Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Capital Outlay	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Debt Service								
Debt Service								
Debt Service	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Debt Service	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Debt Service	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total 5101 - Water Operating	$17,342.28	$387,980.00	$405,322.28	$2,713.05	$292,469.85	$14,235.28	$98,617.15	
5102 - Water Improvement								
Basic Utility Services								
Other Water								
Supplies and Materials	$0.00	$10,000.00	$10,000.00	$0.00	$540.00	$0.00	$9,460.00	5.400%
Total Other Water	$0.00	$10,000.00	$10,000.00	$0.00	$540.00	$0.00	$9,460.00	
Total Basic Utility Services	$0.00	$10,000.00	$10,000.00	$0.00	$540.00	$0.00	$9,460.00	
Capital Outlay								

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Capital Outlay								
Contractual Services	$0.00	$15,000.00	$15,000.00	$0.00	$0.00	$0.00	$15,000.00	0.000%
Capital Outlay	$12,708.83	$50,000.00	$62,708.83	$0.00	$26,603.34	$15,369.14	$20,736.35	42.424%
Total Capital Outlay	$12,708.83	$65,000.00	$77,708.83	$0.00	$26,603.34	$15,369.14	$35,736.35	
Total Capital Outlay	$12,708.83	$65,000.00	$77,708.83	$0.00	$26,603.34	$15,369.14	$35,736.35	
Debt Service								
Debt Service								
Debt Service	$0.00	$102,183.06	$102,183.06	$0.00	$102,183.06	$0.00	$0.00	100.000%
Total Debt Service	$0.00	$102,183.06	$102,183.06	$0.00	$102,183.06	$0.00	$0.00	
Total Debt Service	$0.00	$102,183.06	$102,183.06	$0.00	$102,183.06	$0.00	$0.00	
Total 5102 - Water Improvement	$12,708.83	$177,183.06	$189,891.89	$0.00	$129,326.40	$15,369.14	$45,196.35	
5781 - Water Security Deposits								
Basic Utility Services								
Other Water								
Other	$0.00	$5,300.00	$5,300.00	$0.00	$4,500.00	$361.00	$439.00	84.906%
Total Other Water	$0.00	$5,300.00	$5,300.00	$0.00	$4,500.00	$361.00	$439.00	
Total Basic Utility Services	$0.00	$5,300.00	$5,300.00	$0.00	$4,500.00	$361.00	$439.00	
Total 5781 - Water Security Deposits	$0.00	$5,300.00	$5,300.00	$0.00	$4,500.00	$361.00	$439.00	
5901 - Storm Water Management								
Basic Utility Services								
Administration - Storm Sewers and Drains								
Personal Services	$53.43	$14,000.00	$14,053.43	$143.12	$4,924.19	$151.24	$8,978.00	35.039%
Employee Fringe Benefits	$0.00	$2,160.00	$2,160.00	$0.00	$663.28	$0.00	$1,496.72	30.707%
Contractual Services	$0.00	$32,122.29	$32,122.29	$0.00	$16,378.29	$4,553.60	$11,190.40	50.987%
Supplies and Materials	$0.00	$627.71	$627.71	$0.00	$627.71	$0.00	$0.00	100.000%
Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Administration - Storm Sewers and Drains	$53.43	$48,910.00	$48,963.43	$143.12	$22,593.47	$4,704.84	$21,665.12	
Total Basic Utility Services	$53.43	$48,910.00	$48,963.43	$143.12	$22,593.47	$4,704.84	$21,665.12	
Total 5901 - Storm Water Management	$53.43	$48,910.00	$48,963.43	$143.12	$22,593.47	$4,704.84	$21,665.12	

Appropriation Summary

November 2023

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
9101 - Unclaimed Monies								
Fiduciary Distributions								
Distributions of Unclaimed Monies								
Other	$0.00	$0.00	$0.00	$0.00	$8,962.42	$0.00	$0.00	0.000%
Total Distributions of Unclaimed Monies	$0.00	$0.00	$0.00	$0.00	$8,962.42	$0.00	$0.00	
Total Fiduciary Distributions	$0.00	$0.00	$0.00	$0.00	$8,962.42	$0.00	$0.00	
Total 9101 - Unclaimed Monies	$0.00	$0.00	$0.00	$0.00	$8,962.42	$0.00	$0.00	
9901 - Prepaid Opening & Closing, Cemetery								
Fiduciary Distributions								
Distributions to Other Funds (Primary Gov't)								
Other	$0.00	$0.00	$0.00	$0.00	$2,050.00	$0.00	$0.00	0.000%
Total Distributions to Other Funds (Primary Gov't)	$0.00	$0.00	$0.00	$0.00	$2,050.00	$0.00	$0.00	
Other Distributions								
Contractual Services	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0.000%
Total Other Distributions	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
Total Fiduciary Distributions	$0.00	$0.00	$0.00	$0.00	$2,050.00	$0.00	$0.00	
Total 9901 - Prepaid Opening & Closing, Cemetery	$0.00	$0.00	$0.00	$0.00	$2,050.00	$0.00	$0.00	
9902 - Mayor's Court								
Fiduciary Distributions								
Distributions to Other Governments								
Other	$0.00	$0.00	$0.00	$0.00	$26,728.00	$0.00	$0.00	0.000%
Total Distributions to Other Governments	$0.00	$0.00	$0.00	$0.00	$26,728.00	$0.00	$0.00	
Distributions to Other Funds (Primary Gov't)								
Other	$0.00	$0.00	$0.00	$0.00	$83,962.00	$0.00	$0.00	0.000%
Total Distributions to Other Funds (Primary Gov't)	$0.00	$0.00	$0.00	$0.00	$83,962.00	$0.00	$0.00	
Total Fiduciary Distributions	$0.00	$0.00	$0.00	$0.00	$110,690.00	$0.00	$0.00	
Total 9902 - Mayor's Court	$0.00	$0.00	$0.00	$0.00	$110,690.00	$0.00	$0.00	
Report Totals:	$133,295.28	$2,340,894.08	$2,474,189.36	$28,340.95	$1,532,623.19	$136,687.22	$926,581.37	

Report reflects selected information.

2021	GROSS RECEIPTS	OHIO REPARATIONS	CITY OF OBERLIN	TOTAL NET RECEIPTS TO SOUTH AMHERST	COMPUTER FUND CLERK FUND 2904	COMPUTER FUND COURT FUND 2093	GENERAL FUND 1000
SEPTEMBER	$2,110.00	$487.50	$19.50	$1,603.00	$130.00	$39.00	$1,434.00
OCTOBER	$3,470.00	$830.00	$30.00	$2,610.00	$220.00	$66.00	$2,324.00
NOVEMBER	$3,934.00	$929.00	$36.00	$2,969.00	$250.00	$75.00	$2,555.00
DECEMBER	$4,790.00	$975.00	$39.00	$3,776.00	$260.00	$78.00	$3,438.00
TOTAL	**$14,304.00**	**$3,221.50**	**$124.50**	**$10,958.00**	**$860.00**	**$258.00**	**$9,751.00**
2022							
JANUARY	$3,715.00	$862.50	$34.50	$2,818.00	$230.00	$69.00	$2,519.00
FEBRUARY	$3,500.00	$787.50	$31.50	$2,681.00	$210.00	$63.00	$2,408.00
MARCH	$10,875.00	$2,289.00	$90.00	$8,496.00	$610.00	$183.00	$7,703.00
APRIL	$7,190.00	$1,567.50	$61.50	$5,561.00	$410.00	$121.00	$5,030.00
MAY	$4,385.00	$1,000.00	$42.00	$3,343.00	$276.00	$83.00	$2,984.00
JUNE	$4,820.00	$1,106.50	$43.50	$3,670.00	$300.00	$90.00	$3,280.00
JULY	$4,715.00	$1,117.50	$43.50	$3,554.00	$290.00	$87.00	$3,177.00
AUGUST	$4,185.00	$1,037.50	$40.50	$3,107.00	$270.00	$81.00	$2,756.00
SEPTEMBER	$5,375.00	$1,312.50	$49.50	$4,013.00	$325.00	$99.00	$3,589.00
OCTOBER	$8,830.00	$2,194.00	$87.00	$6,549.00	$599.00	$178.00	$5,772.00
NOVEMBER	$10,085.00	$2,340.00	$93.00	$7,652.00	$640.00	$194.00	$6,818.00
DECEMBER	$6,335.00	$1,462.50	$55.50	$4,817.00	$370.00	$111.00	$4,336.00
TOTAL	**$74,010.00**	**$17,077.00**	**$672.00**	**$56,261.00**	**$4,530.00**	**$1,359.00**	**$50,372.00**

2023	GROSS RECEIPTS	OHIO REPARATIONS	CITY OF OBERLIN	TOTAL NET RECEIPTS TO SOUTH AMHERST	COMPUTER FUND CLERK FUND 2904	COMPUTER FUND COURT FUND 2093	GENERAL FUND 1000
JANUARY	$8,550.00	$2,033.00	$81.00	$6,436.00	$560.00	$164.00	$5,712.00
FEBRUARY	$7,480.00	$1,800.00	$72.00	$5,608.00	$490.00	$149.00	$4,969.00
MARCH	$18,362.00	$4,289.00	$171.00	$13,902.00	$1,142.00	$346.00	$12,414.00
APRIL	$9,722.00	$2,156.50	$85.50	$7,480.00	$598.00	$180.00	$6,702.00
MAY	$19,641.00	$4,784.00	$189.00	$14,668.00	$1,300.00	$386.00	$12,982.00
JUNE	$11,420.00	$2,497.50	$97.50	$8,825.00	$710.00	$213.00	$7,902.00
JULY	$10,590.00	$2,495.00	$99.00	$7,996.00	$680.00	$208.00	$7,108.00
AUGUST	$13,075.00	$2,957.50	$115.50	$10,002.00	$820.00	$240.00	$8,942.00
SEPTEMBER	$5,515.00	$1,237.50	$49.50	$4,228.00	$360.00	$112.00	$3,756.00
OCTOBER	$10,685.00	$2,652.50	$103.50	$7,929.00	$739.00	$215.00	$6,975.00
NOVEMBER							
DECEMBER							
TOTAL	**$115,040.00**	**$26,902.50**	**$1,063.50**	**$87,074.00**	**$7,399.00**	**$2,213.00**	**$77,462.00**

January 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 ***News Year's Day*** ***Office Closed***	**2** SAFD 6:30 pm	**3**	**4** Pk Bd 7:30 pm	**5**	**6**
7	**8** Council 7 pm	**9** Audit 7 pm FD Assoc. 7:30 pm	**10** Cemetery Bd 6 pm	**11** Ordinance 9 am	**12**	**13**
14	**15** ***MLK Office Closed***	**16** SAFD 6:30pm	**17**	**18**	**19**	**20**
21	**22** Council 7 pm	**23** SAFD 7pm	**24** ZBA*** 7 pm	**25**	**26**	**27**
28	**29**	**30**	**31**			

February 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 Pk Bd 7:30 pm	**2**	**3**
4	**5** Safety 7 pm	**6** SAFD 6:30pm	**7**	**8** Ordinance 9 am	**9**	**10**
11	**12** 24 Perm. Approp. 6:45 pm Council 7 pm	**13** FD Assoc. 7:30 pm	**14** Cemetery Bd 6 pm	**15**	**16**	**17**
18	**19** ***President's Day*** ***Office Closed***	**20** SAFD 6:30pm	**21**	**22**	**23**	**24**
25	**26** Council 7 pm	**27** SAFD 7pm	**28** ZBA*** 7:00 pm	**29**		

March 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5 SAFD 6:30pm	6	7 Pk Bd 7:30 pm	8	9
10	11 Council 7 pm	12 Audit 7 pm FD Assoc. 7:30 pm	13 Cemetery Bd 6 pm	14 Ordinance 9 am	15	16
17	18	19 SAFD 6:30pm	20	21	22	23
24	25 Council 7 pm	26 SAFD 7pm	27 ZBA*** 7 pm	28	29	30
31						

April 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Safety 7 pm	2 SAFD 6:30pm	3	4 Pk Bd 7:30 pm	5	6
7	8 Council 7 pm	9 FD Assoc. 7:30 pm	10 Cemetery Bd 6 pm	11 Ordinance 9 am	12	13
14	15	16 SAFD 6:30pm	17	18	19	20
21	22 Records 6:30 pm Council 7 pm	23 SAFD 7pm	24 ZBA*** 7 pm	25	26	27
28	29	30				

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1777-23 Passed:

AN ORDINANCE ABOLISHING THE BOARD OF TRUSTEES OF PUBLIC AFFAIRS FOR THE VILLAGE OF SOUTH AMHERST AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH AMHERST, LORAIN COUNTY, STATE OF OHIO THAT:

SECTION 1: The Council of the Village of South Amherst hereby abolishes the Board of Trustees of Public Affairs for the Village of South Amherst effective 13 November 2023 at midnight.

SECTION 2: This ordinance shall repeal all Ordinances in conflict herewith.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the efficient and orderly operation of the Village of South Amherst and services to the Village, and the immediate preservation of the public health, safety and welfare of the Village, wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

First Reading:
Second Reading:
PASSED:

____
David J. Leshinski, Mayor

ATTEST: ______________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1777-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

Fiscal Officer

APPROVED AS TO FORM:

Matthew A. Mishak, Law Director
SA/1777-23 Abolish Bd Trust Public Affairs

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1778-23 Passed:

AN ORDINANCE CREATING THE POSITION OF VILLAGE ADMINISTRATOR AND FIXING THE RATE OF COMPENSATION AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH AMHERST, LORAIN COUNTY, STATE OF OHIO THAT:

SECTION 1: The Council of the Village of South Amherst hereby creates the following position for the Village of South Amherst:

(a.) Village Administrator ....$22.00 per hour

(b.) Per duties outlined in Exhibit A.

(c.) Position becomes effective on November 14, 2023.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

SECTION 3: This Ordinance is declared to be an emergency measure necessary for the efficient and orderly operation of the Village of South Amherst and services to the Village, and the immediate preservation of the public health, safety and welfare of the Village, wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

First Reading:
Second Reading:
PASSED:

____
David J. Leshinski, Mayor

ATTEST: ______________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1778-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

____

Fiscal Officer

APPROVED AS TO FORM:

____

Matthew A. Mishak, Law Director

SA/1778-23 Village Administrator

VILLAGE UTILITIES ADMINISTRATOR

GENERAL DESCRIPTION

The position directs the management of public utilities and performs labor operations for various departments of the Village as described below. This position works closely with the Mayor, Council, and other Village personnel representing the Village to other government agencies and organizations outside the Village. The Administrator shall maintain necessary confidentiality at all times.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The Village Administrator enforces the Zoning Ordinances and works closely with the Mayor and Council to develop various village policies and procedures; communicates and implements these procedures. The Village Administrator will request ordinances and resolutions as needed. They work closely with Solicitor, Fiscal Officer, water operators, water clerk, support staff, and other professionals to solve municipal problems. They are also responsible for evaluating the work and professional development of subordinates. The Village Administrator assists citizens with problems regarding municipal services, evaluates existing programs, and develops recommendations for improvement to increase the effectiveness, efficiency, and responsiveness of Village operations and services. They direct the implementation of new or expanded programs. The Village Administrator must inform the Mayor and Council on municipal services, programs, plans, and fiscal matters by written or oral reports at Council meetings.

The Village Administrator serves as a purchasing agent and coordinates all municipal purchases; reviews and recommends annual budgets and methods of financing municipal services; and controls expenditures within budget appropriations. They appoint all employees under their direction, provided positions are first authorized by the Council.

The Village Administrator is required to learn the basics of the budgetary, payroll, and utility programs to assist in the daily operations of the Village in the absence of the Utility Clerk or Water Distribution Operator, including working towards Water Distribution Class 1 Operator certification.

REQUIRED KNOWLEDGE, SKILLS, ABILITIES

The Village Administrator must have comprehensive knowledge of municipal management concepts and techniques and considerable knowledge of financial management. They must thoroughly understand planning and programming concepts, methods, and techniques.

The Village Administrator must be skilled in effectively communicating complex instructions and policies orally and in writing to individuals and groups. They must have the ability to analyze and solve complex management problems. The Village Administrator must be skilled in directing, evaluating, and developing personnel. They must also have considerable skill in developing effective working relationships with Village officials, other public and private agencies, civic groups, and Village residents. The Village Administrator must be able to understand and interpret construction drawings.

WORK ENVIRONMENT

The work environment described here represents what an employee will encounter while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

VILLAGE UTILITIES ADMINISTRATOR

The work environment for utility management will be in the field and office setting, requiring oversite of ongoing construction and maintenance work, which may involve being outside in severe weather. Assigned labor responsibilities for the Village are rigorous and may require additional help as the workload evolves. The employee will be responsible for planning for and requesting extra help as needed. The employee works near moving mechanical parts and is occasionally exposed to fumes, airborne particles, or toxic or caustic substances. The noise level may be high in field and plant settings.

SPECIAL REQUIREMENTS

Performs various village maintenance activities involving manual labor and equipment operation in one or more public works/public utility areas. Performs semi-skilled work requiring some training and experience. The position is supervised by the village Mayor or authorized representative and requires some independent judgment. They will manage additional staff as needed and be required to gain the certifications to maintain utility systems.

EQUIPMENT TO BE USED AND JOB LOCATION

Computers, fax and copy machines, applicable software, pick-up trucks, dump trucks, lawnmowers, chainsaws, weed eaters, chemical sprayers, blowers, hand tools, shovels, rakes, pneumatic and hydraulic equipment, sweeper, backhoe, asphalt roller, sprayer, and woodchipper. This position is based at the village garage and performs duties on village property and rights-of-way.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. While performing the duties of this job, the employee may be required to:

- Frequently required to speak and hear.
- Required to make visual observations, to read reports, and to prepare reports for others to read.
- The employee will make frequent visits to the Utility Systems.
- Will regularly make field inspections of ongoing construction and maintenance work, which may involve walking over rough ground, climbing ladders, or entering enclosed spaces.
- The employee is occasionally required to walk, climb, stoop, or kneel.
- Some lifting and carrying objects weighing 20-50 pounds, with occasional lifting of items weighing 100 pounds with assistance.
- Working in confined spaces.
- Frequent operation of vehicles, shop, or hand tools requiring manipulative skills and hand-eye coordination.
- Position requires working under adverse weather conditions.

QUALIFICATIONS

- Any combination of education and experience that meets the minimum knowledge/skills.
- Experience in performing heavy manual labor preferred.
- Experience in working with diverse Boards, Committees, etc.
- Experience in operating ground maintenance, equipment, plant pest & disease diagnosis, and treatment.

VILLAGE UTILITIES ADMINISTRATOR

- General knowledge of maintenance tasks.
- Good physical strength and stamina are required, as well as a willingness and ability to work under varying climatic conditions.
- Must be able to understand and follow oral instructions and have written skills.
- Must possess or obtain appropriate licensing requirements as required.
- Possession of a valid Ohio Driver's License.
- Ability to manage additional staff as needed.
- Understand municipal utility systems.
- Two years of supervisory experience, preferably in municipal government.
- Class B DOT commercial driver's license or ability to obtain a license if needed. The Village will reimburse all costs associated with getting the required licensure.

DETAILED RESPONSIBILITIES AND ACTIVITIES

Utilities Management (Water & Storm Water)

- Supervises water operators and utilities office staff.
- Prepares an annual schedule of testing and reporting requirements and monitors to completion.
- Completes or monitors the completion of scheduled testing and reporting.
- Oversees all activities pertaining to the village utilities.
- Reports to mayor and Council twice a month or as needed.
- May exercise valves, curb boxes, or hydrants.
- May monitor system for water breaks.
- May install meters and MIU units.
- May shut water service off.
- May complete MS4 quarterly reporting.
- May complete Asset Management reports for EPA.

Street Maintenance

- Installs street signs and maintains or adds pavement markings.
- Cleans gutters, ditches, and other drainage structures required to maintain roads.
- Loads and unloads stone, gravel, dirt, asphalt, timber, debris, etc.
- Removes snow, applies salt to village roads, and puts up snow fencing.
- Monitors and provides simple maintenance for traffic signals.
- Fills pavement cracks and holes with asphalt; shovels and rakes asphalt paving mix for road repairs.
- Pours small concrete areas to repair roads, including preparing an area for forms and concrete.
- Removes deceased animals from roadways.
- Keeps growth from road signs, eliminates visual impairments for road users, and removes roadway obstructions.

Landscaping / Grounds Maintenance

- Provides landscape services in all village parks, streets, village property, and rights-of-way;

VILLAGE UTILITIES ADMINISTRATOR

- Plants and maintains trees, shrubs, and flower beds.
- Application of herbicides and pesticides where needed, including the parking lot at the park.
- Mows lawn areas and berms.
- Trims around buildings.
- Maintains ornamental planting areas; may include diagnosis of plant pests and diseases.
- Rakes, loads grass, cuts back brush, and overall cleaning of lawns.
- Removes animal waste from village parks and village grounds.
- Removes trash from village parks and village grounds.

Building Maintenance

Provides minor maintenance of buildings; Includes but is not limited to,

- Replaces/checks Furnace Filters.
- Maintains the exterior of buildings.
- Verifies proper operation of emergency lighting and exit signs on a bi-yearly basis.
- Verifies fire extinguishers are working and up to date.
- Provides snow removal and salt applications during inclement weather.
- Ensures buildings have no safety violations.
- Flag and monument maintenance.

Equipment Maintenance

- Performs daily routine maintenance and minor repairs on equipment.
- Ensures cleanliness of equipment.
- Cleans equipment, vehicles, shop facility, and service grounds.
- Documents, tags, and reports any non-working equipment.
- Maintains inventory of tools and equipment.

Cemetery

- Flower pick-up.
- Smooths dirt on graves & planting grass on graves.
- Keep weeds down in Memorial Gardens bricks.
- Straighten or level headstones.
- Spray for wasps or eliminate rodents.

Zoning

- Zoning Inspections.
- Permit Inspections.
- Posting of notices physically on properties and mailings.
- Village-wide drive through
- Coordination of the abatement of nuisances
- Tracking (complete address file)
- Monthly report to Council regarding status of violations
- Monthly county report. Yearly Building/Zoning Federal Census Report

VILLAGE UTILITIES ADMINISTRATOR

Other Required Duties

- Supervises or assigns duties to support staff.
- Operates a motor truck transporting sand, gravel, stone, and supplies; salts icy streets during snow removal; operates a light truck carrying tools, equipment, and supplies; operates a backhoe and similar rubber-tired equipment; operates power rollers, tar kettles, pneumatic equipment, and various equipment powered by electrical generators; operates and maintains riding mowers and small tractors.
- Works when necessary for 24-hour emergency service, Lorain County Beautiful, Dumpster Days, and possible weekend/holiday on-call duty.
- Performs other duties as assigned.

____________________________________ __________________
Name Date

____________________________________ __________________
Witness Date

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1779-23 Passed:

AN ORDINANCE ENACTING SECTION 505.16 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SOUTH AMHERST, OHIO, TO PERMIT RESIDENTS TO HARBOR, MAINTAIN, KEEP OR CONTROL BACKYARD CHICKENS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, the Village Council desires to provide regulations for the raising and keeping of chickens located within the Village of South Amherst;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of South Amherst, Lorain County, State of Ohio that:

SECTION 1: That section 505.16 of the Codified Ordinances of the Village of South Amherst, entitled "Backyard Chickens", a complete copy of which is attached hereto, shall be enacted, to become effective as soon as authorized by law.

505.16 BACKYARD CHICKENS

(A) As used in this section, "Chicken" means the species of fowl commonly known as domesticated fowl, typically kept for its eggs or meat, and referred to as *gallus domesticus*. "Chicken" does not include roosters or cockerel that crows.

(B) The Zoning Inspector of the Village of South Amherst, or their designee, shall be charged with the enforcement of this Section.

(C) Except as otherwise provided in this section, no person shall harbor, maintain, keep, or control chickens on any property within the Village of South Amherst.

(D) It shall not be a violation of division (C) of this section if all of the following conditions are met:

1. Prior to placement of one or more chickens on property within Village limits, the person desiring to harbor, maintain, keep, or control one or more chickens obtains a permit from the Village of South Amherst and approved by the Village Zoning Inspector or their designee, which shall include, at a minimum:

a.) the name, address, and telephone number of the owner of any chicken,
b.) brief description &/or picture of chicken(s),
c.) any other information deemed relevant by the Village,
d.) payment of twenty dollar ($20.00) one-time registration fee.

2. The property on which any chicken is to be harbored, maintained, kept or controlled is not used as a rental property.

3. Any chicken that is to be harbored, maintained, kept, or controlled on property within the Village in zoning districts designated as R-1 or A-R:

   a,) If the property size is one (1) acre or larger, appropriate plans must be submitted for approval to the zoning inspector

   b.) If the property size is a half (1/2) to one (1) acre, no more than six (6) chickens are permitted on the property

   c.) If the property is smaller than half (1/2) acre no more than two (2) chickens are permitted on the property

4. Any chicken is not housed in a cage.

5. Any chicken is housed at all times, in a coop, run, or other approved structure that:

   a.) is located in the rear yard or backyard of the property

   b.) is a minimum of thirty (30) feet set back from the rear property line, a minimum of twenty-five (25) set back from side property line

   c.) is at least one hundred (100) feet from any residence or dwelling, other than the residence or dwelling of the person harboring, maintain, keeping, or controlling any chicken

   d.) is a permanent structure that does not exceed seven (7) feet in height

   e.) allows for adequate ventilation and light

   f.) contains adequate, functioning feeder(s) and water necessary to feed and water any chicken

   g.) contains one (1) nesting box for every two (2) chickens

   h.) is predator-resistant

   i.) contains a solid, covered roof

   j.) provides at least two (2) square feet of space for each chicken

   k.) contains an enclosed run with fencing that is five (5) in height and buried at least one (1) foot into the ground, or stake and/or secured in such a manner to make the run predator-resistant, and such run shall provide a minimum of four (4) square feet of space for each chicken

   l.) does not create a nuisance, safety hazard, health concern, or unreasonable disturbance to any surround properties

6. The coop, run, or other approved structure is regularly cleaned and sanitized to control dust, odor, and waste.

7. Chicken feed is stored in a reasonable, airtight, predator-resistant container, and such container is closed at all times other than during feeding.

8. Chicken waste is disposed of in watertight containers and disposed of weekly, or composted in a manner that does not cause noxious odors and does not attract

vermin.

9. Deceased chickens are disposed of in a proper manner, such as cremation; they are not to be buried on property and are not placed in a local refuse container.

(E) A permit obtained pursuant to division (D) (I) of this section may be revoked by the Village of South Amherst upon the Zoning Inspector's determination that any of the following conditions exist on the person's property:

1. Any violation of division (D) of this Section.

2. Excessive noise or odor.

3. A nuisance.

4. An unsafe, unclean, unhealthy, or unsanitary condition.

5. A Violation of any Ordinance of the Village.

6. A violation of the Ohio Revised Code.

7. A violation of the Ohio Livestock Standards.

8. Any chicken is being harbored, maintained, kept, or controlled for purposes other than personal use.

9. Slaughtering of any chicken has occurred.

10. Breeding, selling, or bartering of any chicken has occurred; or

11. Any threat to public health or safety.

(F) Current owners of chickens as of November 10, 2023 will be grandfathered for the current size of their flock with the following conditions:

a.) Must be registered and comply with 505.16 division D

b.) Size of flock to correspond with 505.16 division D-3 upon the demise of any current chicken(s)

(G) If the Zoning Inspector revokes a permit obtained through division (D) of this section more than two (2) times, the person whose permit has been revoked will be prohibited from obtaining a permit.

(H) Whoever violates this section is guilty of a minor misdemeanor.

SECTION 2: This Ordinance shall repeal all Ordinances in conflict herewith.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

First Reading:
Second Reading:
PASSED:

____
David Leshinski, Mayor

ATTEST: __________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1779-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director
SA\2023.1779 -23 Backyard Chickens

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1783-23 Passed:

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE VILLAGE OF SOUTH AMHERST CODIFIED ORDINANCE CHAPTER 182 SECTIONS .03; .062; .10 INCOME TAX AND DECLARING AN EMERGENCY

WHEREAS, the Village of South Amherst has determined that it is in the best interest of the Village to amend Chapter 182 Sections .03; .062; .10 in accordance with the State of Ohio revisions.

WHEREAS, it is necessary to amend certain sections of the Village of South Amherst Codified Ordinance 182: .03; .062; .10 to reflect the revisions.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of South Amherst, Lorain County, Ohio:

SECTION 1: The following sections of the Village of South Amherst Codified Ordinances are here by amended as follows:

a. 1335.01 Purpose
b. 1335.05 Definitions
c. 1335.09 Compliance Responsibility

See Exhibit A for the amended revisions

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of South Amherst, Lorain County, Ohio and for the further reason that immediate effectiveness of this Ordinance is necessary to facilitate the efficient administration and operation of the Village of South Amherst, and, as such, shall be in full force and effect immediately upon its passage and approval or at the earliest time allowed by law.

PASSED:

____
David Leshinski, Mayor

ATTEST: ______________________________

Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1783-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

Fiscal Officer

APPROVED AS TO FORM:

Matthew A. Mishak, Law Director
SA\2023.17837-23 Amend 1335 Stormwater

182.03 DEFINITIONS.

Any term used in this chapter that is not otherwise defined in this chapter has the same meaning as when used in a comparable context in laws of the United States relating to federal income taxation or in Title LVII of the Ohio Revised Code, unless a different meaning is clearly required. If a term used in this chapter that is not otherwise defined in this chapter is used in a comparable context in both the laws of the United States relating to federal income tax and in Title LVII of the Ohio Revised Code and the use is not consistent, then the use of the term in the laws of the United States relating to federal income tax shall control over the use of the term in Title LVII of the Ohio Revised Code.

For purposes of this Section, the singular shall include the plural, and the masculine shall include the feminine and the gender-neutral.

As used in this chapter:

(1) "ADJUSTED FEDERAL TAXABLE INCOME," for a person required to file as a C corporation, or for a person that has elected to be taxed as a C corporation under division 23(D) of this section, means a C corporation's federal taxable income before net operating losses and special deductions as determined under the Internal Revenue Code, adjusted as follows:

(A) Deduct intangible income to the extent included in federal taxable income. The deduction shall be allowed regardless of whether the intangible income relates to assets used in a trade or business or assets held for the production of income.

(B) Add an amount equal to five per cent of intangible income deducted under division (1)(A) of this section, but excluding that portion of intangible income directly related to the sale, exchange, or other disposition of property described in section 1221 of the Internal Revenue Code;

(C) Add any losses allowed as a deduction in the computation of federal taxable income if the losses directly relate to the sale, exchange, or other disposition of an asset described in section 1221 or 1231 of the Internal Revenue Code;

(D) (i) Except as provided in division (1)(D)(ii) of this section, deduct income and gain included in federal taxable income to the extent the income and gain directly relate to the sale, exchange, or other disposition of an asset described in section 1221 or 1231 of the Internal Revenue Code;

(ii) Division (1)(D)(i) of this section does not apply to the extent the income or gain is income or gain described in section 1245 or 1250 of the Internal Revenue Code.

(E) Add taxes on or measured by net income allowed as a deduction in the computation of federal taxable income;

(F) In the case of a real estate investment trust or regulated investment company, add all amounts with respect to dividends to, distributions to, or amounts set aside for or credited to the benefit of investors and allowed as a deduction in the computation of federal taxable income;

(G) Deduct, to the extent not otherwise deducted or excluded in computing federal taxable income, any income derived from a transfer agreement or from the enterprise transferred under that agreement under section 4313.02 of the Ohio Revised Code;

(H) (i) Except as limited by divisions (1)(H)(ii), (iii) and (iv) of this section, deduct any net operating loss incurred by the person in a taxable year beginning on or after January 1, 2017. The amount of such net operating loss shall be deducted from net profit that is reduced by exempt income to the extent necessary to reduce municipal taxable income to zero, with any remaining unused portion of the net operating loss carried forward to not more than five consecutive taxable years following the taxable year in which the loss was incurred, but in no case for more years than necessary for the deduction to be fully utilized.

(ii) No person shall use the deduction allowed by division (1)(H) of this section to offset qualifying wages.

(iii) (a) For taxable years beginning in 2018, 2019, 2020, 2021, or 2022, a person may not deduct, for purposes of an income tax levied by a municipal corporation that levies an income tax before January 1, 2016, more than fifty per cent of the amount of the deduction otherwise allowed by division (1)(H)(i) of this section.

(b) For taxable years beginning in 2023 or thereafter, a person may deduct, for purposes of an income tax levied by a municipal corporation that levies an income tax before January 1, 2016, the full amount allowed by division (1)(H)(i) of this section.

(iv) Any pre-2017 net operating loss carryforward deduction that is available must be utilized before a taxpayer may deduct any amount pursuant to division (1)(H) of this section.

(v) Nothing in division (1)(H)(iii)(a) of this section precludes a person from carrying forward, for use with respect to any return filed for a taxable year beginning after 2018, any amount of net operating loss that was not fully utilized by operation of division (1)(H)(iii)(a) of this section. To the extent that an amount of net operating loss that was not fully utilized in one or more taxable years by operation of division (1)(H)(iii)(a) of this section is carried forward for use with respect to a return filed for a taxable year beginning in 2019, 2020, 2021, or 2022, the limitation described in division (1)(H)(iii)(a) of this section shall apply to the amount carried forward.

(I) Deduct any net profit of a pass-through entity owned directly or indirectly by the taxpayer and included in the taxpayer's federal taxable income unless an affiliated group of corporations includes that net profit in the group's federal taxable income in accordance with division (E)(3)(b) of Section 182.063 of this Chapter.

(J) Add any loss incurred by a pass-through entity owned directly or indirectly by the taxpayer and included in the taxpayer's federal taxable income unless an affiliated group of corporations includes that loss in the group's federal taxable income in accordance with division (E)(3)(b) of Section 182.063 of this Chapter.

If the taxpayer is not a C corporation, is not a disregarded entity that has made the election described in division (47)(B) of this section, is not a publicly traded partnership that has made the election described in division (23)(D) of this section, and is not an individual, the taxpayer shall compute adjusted federal taxable income under this section as if the taxpayer were a C corporation, except guaranteed payments and other similar amounts paid or accrued to a partner, former partner, shareholder, former shareholder, member, or former member shall not be allowed as a deductible expense unless such payments are in consideration for the use of capital and treated as payment of interest under section 469 of the Internal Revenue Code or United States treasury regulations. Amounts paid or accrued to a qualified self-employed retirement plan with respect to a partner, former partner, shareholder, former shareholder, member, or former member of the taxpayer, amounts paid or accrued to or for health insurance for a partner, former partner, shareholder, former shareholder, member, or former member, and amounts paid or accrued to or for life insurance for a partner, former partner, shareholder, former shareholder, member, or former member shall not be allowed as a deduction.

Nothing in division (1) of this section shall be construed as allowing the taxpayer to add or deduct any amount more than once or shall be construed as allowing any taxpayer to deduct any amount paid to or accrued for purposes of federal self-employment tax.

(2) (A) "ASSESSMENT" means any of the following:

(i) A written finding by the Tax Administrator that a person has underpaid municipal income tax, or owes penalty and interest, or any combination of tax, penalty, or interest, to the municipal corporation;

(ii) A full or partial denial of a refund request issued under Section 182.096 (B)(2) of this Chapter;

(iii) A Tax Administrator's denial of a taxpayer's request for use of an alternative apportionment method, issued under Section 182.062(B)(2) of this Chapter; or

(iv) A Tax Administrator's requirement for a taxpayer to use an alternative apportionment method, issued under Section 182.062(B)(3) of this Chapter.

(v) For purposes of division (2)(A)(i), (ii), (iii) and (iv) of this Section, an assessment shall commence the person's time limitation for making an appeal to the Local Board of Tax Review pursuant to Section 182.18 of this Chapter, and shall have "ASSESSMENT" written in all capital letters at the top of such finding.

(B) "ASSESSMENT" does not include notice(s) denying a request for refund issued under Section 182.096 (B)(3) of this Chapter, a billing statement notifying a taxpayer of current or past-due balances owed to the municipal corporation, a Tax Administrator's request for additional information, a notification to the taxpayer of mathematical errors, or a Tax Administrator's other written correspondence to a person or taxpayer that does not meet the criteria prescribed by division (2)(A) of this section.

(3) "AUDIT" means the examination of a person or the inspection of the books, records, memoranda, or accounts of a person, ordered to appear before the Tax Administrator, for the purpose of determining liability for a municipal income tax

(4) "BOARD OF REVIEW" has same meaning as "Local Board of Tax Review".

(5) "CALENDAR QUARTER" means the three-month period ending on the last day of March, June, September, or December.

(6) "CASINO OPERATOR" and "CASINO FACILITY" have the same meanings as in section 3772.01 of the Ohio Revised Code.

(7) "CERTIFIED MAIL," "EXPRESS MAIL," "UNITED STATES MAIL," "POSTAL SERVICE," and similar terms include any delivery service authorized pursuant to section 5703.056 of the Ohio Revised Code.

(8) "COMPENSATION" means any form of remuneration paid to an employee for personal services.

(9) "DISREGARDED ENTITY" means a single member limited liability company, a qualifying subchapter S subsidiary, or another entity if the company, subsidiary, or entity is a disregarded entity for federal income tax purposes.

(10) "DOMICILE" means the true, fixed and permanent home of the taxpayer to which, whenever absent, the taxpayer intends to return.

(11) "EXEMPT INCOME" means all of the following:

(A) The military pay or allowances of members of the armed forces of the United States or members of their reserve components, including the national guard of any state;

(B) (i) Except as provided in division (11)(B)(ii) of this section, intangible income;

(ii) A municipal corporation that taxed any type of intangible income on March 29, 1988, pursuant to Section 3 of S.B. 238 of the 116th general assembly, may continue to tax that type of income if a majority of the electors of the municipal corporation voting on the question of whether to permit the taxation of that type of intangible income after 1988 voted in favor thereof at an election held on November 8, 1988.

(C) Social security benefits, railroad retirement benefits, unemployment compensation, pensions, retirement benefit payments, payments from annuities, and similar payments made to an employee or to the beneficiary of an employee under a retirement program or plan, disability payments received from private industry or local, state, or federal governments or from charitable, religious or educational organizations, and the proceeds of sickness, accident, or liability insurance policies. As used in division (11)(C) of this section, "unemployment compensation" does not include supplemental unemployment compensation described in section 3402(o)(2) of the Internal Revenue Code.

(D) The income of religious, fraternal, charitable, scientific, literary, or educational institutions to the extent such income is derived from tax-exempt real estate, tax-exempt tangible or intangible property, or tax-exempt activities.

(E) Compensation paid under section 3501.28 or 3501.36 of the Ohio Revised Code to a person serving as a precinct election official to the extent that such compensation does not exceed one thousand dollars for the taxable year. Such compensation in excess of one thousand dollars for the taxable year may be subject to taxation by a municipal corporation. A municipal corporation shall not require the payer of such compensation to withhold any tax from that compensation.

(F) Dues, contributions, and similar payments received by charitable, religious, educational, or literary organizations or labor unions, lodges, and similar organizations;

(G) Alimony and child support received;

(H) Awards for personal injuries or for damages to property from insurance proceeds or otherwise, excluding compensation paid for lost salaries or wages or awards for punitive damages;

(I) Income of a public utility when that public utility is subject to the tax levied under section 5727.24 or 5727.30 of the Ohio Revised Code. Division (11)(I) of this section does not apply for purposes of Chapter 5745. of the Ohio Revised Code.

(J) Gains from involuntary conversions, interest on federal obligations, items of income subject to a tax levied by the state and that a municipal corporation is specifically prohibited by law from taxing, and income of a decedent's estate during the period of administration except such income from the operation of a trade or business;

(K) Compensation or allowances excluded from federal gross income under section 107 of the Internal Revenue Code;

(L) Employee compensation that is not qualifying wages as defined in division (34) of this section;

(M) Compensation paid to a person employed within the boundaries of a United States air force base under the jurisdiction of the United States air force that is used for the housing of members of the United States air force and is a center for air force operations, unless the person is subject to taxation because of residence or domicile. If the compensation is subject to taxation because of residence or domicile, tax on such income shall be payable only to the municipal corporation of residence or domicile.

(N) An S corporation shareholder's distributive share of net profits of the S corporation, other than any part of the distributive share of net profits that represents wages as defined in section 3121(a) of the Internal Revenue Code or net earnings from self-employment as defined in section 1402(a) of the Internal Revenue Code.

(O) All of the municipal taxable income earned by individuals under eighteen years of age.

(i) For tax years through 2023.

(ii) For tax years 2024 and after, the income of individuals under 18 years of age.

(P) (i) Except as provided in divisions (11)(P)(ii), (iii), and (iv) of this section, qualifying wages described in division (B)(1) or (E) of Section 182.052 of this Chapter to the extent the qualifying wages are not subject to withholding for the Municipality under either of those divisions.

(ii) The exemption provided in division (11)(P)(i) of this section does not apply with respect to the municipal corporation in which the employee resided at the time the employee earned the qualifying wages.

(iii) The exemption provided in division (11)(P)(i) of this section does not apply to qualifying wages that an employer elects to withhold under division (D)(2) of Section 182.052 of this Chapter

(iv) The exemption provided in division (11)(P)(i) of this section does not apply to qualifying wages if both of the following conditions apply:

(a) For qualifying wages described in division (B)(1) of Section 182.052 of this Chapter, the employee's employer withholds and remits tax on the qualifying wages to the municipal corporation in which the employee's principal place of work is situated, or, for qualifying wages described in division (E) of Section 182.052 of this Chapter, the employee's employer withholds and remits tax on the qualifying wages to the municipal corporation in which the employer's fixed location is located;

(b) The employee receives a refund of the tax described in division (11)(P)(iv)(a) of this section on the basis of the employee not performing services in that municipal corporation.

(Q) (i) Except as provided in division (11)(Q)(ii) or (iii) of this section, compensation that is not qualifying wages paid to a nonresident individual for personal services performed in the Municipality on not more than twenty days in a taxable year.

(ii) The exemption provided in division (11)(Q)(i) of this section does not apply under either of the following circumstances:

(a) The individual's base of operation is located in the Municipality.

(b) The individual is a professional athlete, professional entertainer, or public figure, and the compensation is paid for the performance of services in the individual's capacity as a professional athlete, professional entertainer, or public figure. For purposes of division (11)(Q)(ii)(b) of this section, "professional athlete," "professional entertainer," and "public figure" have the same meanings as in Section 182.052 of this Chapter.

(iii) Compensation to which division (11)(Q) of this section applies shall be treated as earned or received at the individual's base of operation. If the individual does not have a base of operation, the compensation shall be treated as earned or received where the individual is domiciled.

(iv) For purposes of division (11)(Q) of this section, "base of operation" means the location where an individual owns or rents an office, storefront, or similar facility to which the individual regularly reports and at which the individual regularly performs personal services for compensation.

(R) Compensation paid to a person for personal services performed for a political subdivision on property owned by the political subdivision, regardless of whether the compensation is received by an employee of the subdivision or another person performing services for the subdivision under a contract with the subdivision, if the property on which services are performed is annexed to a municipal corporation pursuant to section 709.023 of the Ohio Revised Code on or after March 27, 2013, unless the person is subject to such taxation because of residence. If the compensation is subject to taxation because of residence, municipal income tax shall be payable only to the municipal corporation of residence.

(S) Income the taxation of which is prohibited by the constitution or laws of the United States.

Any item of income that is exempt income of a pass-through entity under division (11) of this section is exempt income of each owner of the pass-through entity to the extent of that owner's distributive or proportionate share of that item of the entity's income.

(12) "FORM 2106" means internal revenue service form 2106 filed by a taxpayer pursuant to the Internal Revenue Code.

(13) "GENERIC FORM" means an electronic or paper form that is not prescribed by a particular municipal corporation and that is designed for reporting taxes withheld by an employer, agent of an employer, or other payer, estimated municipal income taxes, or annual municipal income tax liability, including a request for refund.

(14) "INCOME" means the following:

(A) (i) For residents, all income, salaries, qualifying wages, commissions, and other compensation from whatever source earned or received by the resident, including the resident's distributive share of the net profit of pass-through entities owned directly or indirectly by the resident and any net profit of the resident, except as provided in division (23)(D) of this section.

(ii) For the purposes of division (14)(A)(i) of this section:

(a) Any net operating loss of the resident incurred in the taxable year and the resident's distributive share of any net operating loss generated in the same taxable year and attributable to the resident's ownership interest in a pass-through entity shall be allowed as a deduction, for that taxable year and the following five taxable years, against any other net profit of the resident or the resident's distributive share of any net profit attributable to the resident's ownership interest in a pass-through entity until fully utilized, subject to division (14)(A)(iv) of this section;

(b) The resident's distributive share of the net profit of each pass-through entity owned directly or indirectly by the resident shall be calculated without regard to any net operating loss that is carried forward by that entity from a prior taxable year and applied to reduce the entity's net profit for the current taxable year.

(iii) Division (14)(A)(ii) of this section does not apply with respect to any net profit or net operating loss attributable to an ownership interest in an S corporation unless shareholders' distributive shares of net profits from S corporations are subject to tax in the municipal corporation as provided in division 11(N) or division 14(E) of this Section.

(iv) Any amount of a net operating loss used to reduce a taxpayer's net profit for a taxable year shall reduce the amount of net operating loss that may be carried forward to any subsequent year for use by that taxpayer. In no event shall the cumulative deductions for all taxable years with respect to a taxpayer's net operating loss exceed the original amount of that net operating loss available to that taxpayer.

(B) In the case of nonresidents, all income, salaries, qualifying wages, commissions, and other compensation from whatever source earned or received by the nonresident for work done, services performed or rendered, or activities conducted in the Municipality, including any net profit of the nonresident, but excluding the nonresident's distributive share of the net profit or loss of only pass-through entities owned directly or indirectly by the nonresident.

(C) For taxpayers that are not individuals, net profit of the taxpayer;

(D) Lottery, sweepstakes, gambling and sports winnings, winnings from games of chance, and prizes and awards. If the taxpayer is a professional gambler for federal income tax purposes, the taxpayer may deduct related wagering losses and expenses to the extent authorized under the Internal Revenue Code and claimed against such winnings. Credit for tax withheld or paid to another municipal corporation on such winnings paid to the municipal corporation where winnings occur is limited to the credit as specified in Section 182.081 of this Chapter.

(E) INTENTIONALLY LEFT BLANK

(15) "INTANGIBLE INCOME" means income of any of the following types: income yield, interest, capital gains, dividends, or other income arising from the ownership, sale, exchange, or other disposition of intangible property including, but not limited to, investments, deposits, money, or credits as those terms are defined in Chapter 5701. of the Ohio Revised Code, and patents, copyrights, trademarks, trade names, investments in real estate investment trusts, investments in regulated investment companies, and appreciation on deferred compensation. "Intangible income" does not include prizes, awards, or other income associated with any lottery winnings, gambling winnings, or other similar games of chance.

(16) "INTERNAL REVENUE CODE" means the "Internal Revenue Code of 1986," 100 Sta. 2085, 26 U.S.C.A. 1, as amended.

(17) "LIMITED LIABILITY COMPANY" means a limited liability company formed under Chapter 1705 of the Ohio Revised Code or under the laws of another state.

(18) "LOCAL BOARD OF TAX REVIEW" and "BOARD OF TAX REVIEW" means the entity created under Section 182.18 of this Chapter.

(19) "MUNICIPAL CORPORATION" means, in general terms, a status conferred upon a local government unit, by state law giving the unit certain autonomous operating authority such as the power of taxation, power of eminent domain, police power and regulatory power, and includes a joint economic development district or joint economic development zone that levies an income tax under section 715.691, 715.70, 715.71, or 715.74 of the Ohio Revised Code.

(20) (A) "MUNICIPAL TAXABLE INCOME" means the following:

(i) For a person other than an individual, income reduced by exempt income to the extent otherwise included in income and then, as applicable, apportioned or sitused to the Municipality under Section 182.062 of this Chapter, and further reduced by any pre-2017 net operating loss carryforward available to the person for the Municipality.

(ii) (a) For an individual who is a resident of a Municipality other than a qualified municipal corporation, income reduced by exempt income to the extent otherwise included in income, then reduced as provided in division (20)(B) of this section, and further reduced by any pre-2017 net operating loss carryforward available to the individual for the Municipality.

(b) For an individual who is a resident of a qualified municipal corporation, Ohio adjusted gross income reduced by income exempted, and increased by deductions excluded, by the qualified municipal corporation from the qualified municipal corporation's tax on or before December 31, 2013. If a qualified municipal corporation, on or before December 31, 2013, exempts income earned by individuals who are not residents of the qualified municipal corporation and net profit of persons that are not wholly located within the qualified municipal corporation, such individual or person shall have no municipal taxable income for the purposes of the tax levied by the qualified municipal corporation and may be exempted by the qualified municipal corporation from the requirements of section 718.03 of the Ohio Revised Code.

(iii) For an individual who is a nonresident of the Municipality, income reduced by exempt income to the extent otherwise included in income and then, as applicable, apportioned or sitused to the Municipality under Section 182.062 of this Chapter, then reduced as provided in division (20)(B) of this section, and further reduced by any pre-2017 net operating loss carryforward available to the individual for the Municipality.

(B) In computing the municipal taxable income of a taxpayer who is an individual, the taxpayer may subtract, as provided in division (20)(A)(ii)(a) or (iii) of this section, the amount of the individual's employee business expenses reported on the individual's form 2106 that the individual deducted for federal income tax purposes for the taxable year, subject to the limitation imposed by section 67 of the Internal Revenue Code. For the municipal corporation in which the taxpayer is a resident, the taxpayer may deduct all such expenses allowed for federal income tax purposes. For a municipal corporation in which the taxpayer is not a resident, the taxpayer may deduct such expenses only to the extent the expenses are related to the taxpayer's performance of personal services in that nonresident municipal corporation.

(21) "MUNICIPALITY" means the same as the Village of South Amherst,

(22) "NET OPERATING LOSS" means a loss incurred by a person in the operation of a trade or business. "Net operating loss" does not include unutilized losses resulting from basis limitations, at-risk limitations, or passive activity loss limitations.

(23) (A) "NET PROFIT" for a person other than an individual means adjusted federal taxable income.

(B) "NET PROFIT" for a person who is an individual means the individual's net profit required to be reported on schedule C, schedule E, or schedule F reduced by any net operating loss carried forward. For the purposes of this division, the net operating loss carried forward shall be calculated and deducted in the same manner as provided in division (1)(H) of this section.

(C) For the purposes of this chapter, and notwithstanding division (23)(A) of this section, net profit of a disregarded entity shall not be taxable as against that disregarded entity, but shall instead be included in the net profit of the owner of the disregarded entity.

(D) (i) For purposes of this chapter, "publicly traded partnership" means any partnership, an interest in which is regularly traded on an established securities market. A "publicly traded partnership" may have any number of partners.

(ii) For the purposes of this chapter, and not withstanding any other provision of this chapter, the net profit of a publicly traded partnership that makes the election described in division (23)(D) of this section shall be taxed as if the partnership were a C corporation, and shall not be treated as the net profit or income of any owner of the partnership.

(iii) A publicly traded partnership that is treated as a partnership for federal income tax purposes and that is subject to tax on its net profits in one or more municipal corporations in this state may elect to be treated as a C corporation for municipal income tax purposes. The publicly traded partnership shall make the election in every municipal corporation in which the partnership is subject to taxation on its net profits. The election shall be made on the annual tax return filed in each such municipal corporation. Once the election is made, the election is binding for a five-year period beginning with the first taxable year of the initial election. The election continues to be binding for each subsequent five-year period unless the taxpayer elects to discontinue filing municipal income tax returns as a C corporation for municipal purposes under division (D)(iv) of this section.

(iv) An election to discontinue filing as a C corporation must be made in the first year following the last year of a five-year election period in effect under division (D)(iii) of this section. The election to discontinue filing as a C corporation is binding for a five-year period beginning with the first taxable year of the election and continues to be binding for each subsequent five-year period unless the taxpayer elects to discontinue filing municipal income tax returns as a partnership for municipal purposes. An election to discontinue filing as a partnership must be made in the first year following the last year of a five-year election period.

(v) The publicly traded partnership shall not be required to file the election with any municipal corporation in which the partnership is not subject to taxation on its net profits, but division (D) of this section applies to all municipal corporations in which an individual owner of the partnership resides.

(vi) The individual owners of the partnership not filing as a C Corporation shall be required to file with their municipal corporation of residence, and report partnership distribution of net profit.

(24) "NONRESIDENT" means an individual that is not a resident of the Municipality.

(25) "OHIO BUSINESS GATEWAY" means the online computer network system, created under section 125.30 of the Ohio Revised Code, that allows persons to electronically file business reply forms with state agencies and includes any successor electronic filing and payment system.

(26) "OTHER PAYER" means any person, other than an individual's employer or the employer's agent, that pays an individual any amount included in the federal gross income of the individual. "Other payer" includes casino operators and video lottery terminal sales agents.

(27) "PASS-THROUGH ENTITY" means a partnership not treated as an association taxable as a C corporation for federal income tax purposes, a limited liability company not treated as an association taxable as a C corporation for federal income tax purposes, an S corporation, or any other class of entity from which the income or profits of the entity are given pass-through treatment for federal income tax purposes. "Pass-through entity" does not include a trust, estate, grantor of a grantor trust, or disregarded entity.

(28) "PENSION" means any amount paid to an employee or former employee that is reported to the recipient on an IRS form 1099-R, or successor form. Pension does not include deferred compensation, or amounts attributable to nonqualified deferred compensation plans, reported as FICA/Medicare wages on an IRS form W-2, Wage and Tax Statement, or successor form.

(29) "PERSON" includes individuals, firms, companies, joint stock companies, business trusts, estates, trusts, partnerships, limited liability partnerships, limited liability companies, associations, C corporations, S corporations, governmental entities, and any other entity.

(30) "POSTAL SERVICE" means the United States postal service, or private delivery service delivering documents and packages within an agreed upon delivery schedule, or any other carrier service delivering the item.

(31) "POSTMARK DATE," "DATE OF POSTMARK," and similar terms include the date recorded and marked by a delivery service and recorded electronically to a database kept in the regular course if its business and marked on the cover in which the payment or document is enclosed, the date on which the payment or document was given to the delivery service for delivery

(32) (A) "PRE-2017 NET OPERATING LOSS CARRYFORWARD" means any net operating loss incurred in a taxable year beginning before January 1, 2017, to the extent such loss was permitted, by a resolution or ordinance of the Municipality that was adopted by the Municipality before January 1, 2016, to be carried forward and utilized to offset income or net profit generated in such Municipality in future taxable years.

(B) For the purpose of calculating municipal taxable income, any pre-2017 net operating loss carryforward may be carried forward to any taxable year, including taxable years beginning in 2017 or thereafter, for the number of taxable years provided in the resolution or ordinance or until fully utilized, whichever is earlier.

(33) "QUALIFIED MUNICIPAL CORPORATION" means a municipal corporation that, by resolution or ordinance adopted on or before December 31, 2011, adopted Ohio adjusted gross income, as defined by section 5747.01 of the Ohio Revised Code, as the income subject to tax for the purposes of imposing a municipal income tax.

(34) "QUALIFYING WAGES" means wages, as defined in section 3121(a) of the Internal Revenue Code, without regard to any wage limitations, adjusted as follows:

(A) Deduct the following amounts:

(i) Any amount included in wages if the amount constitutes compensation attributable to a plan or program described in section 125 of the Internal Revenue Code.

(ii) Any amount included in wages if the amount constitutes payment on account of a disability related to sickness or an accident paid by a party unrelated to the employer, agent of an employer, or other payer.

(iii) INTENTIONALLY LEFT BLANK.

(iv) INTENTIONALLY LEFT BLANK.

(v) Any amount included in wages that is exempt income.

(B) Add the following amounts:

(i) Any amount not included in wages solely because the employee was employed by the employer before April 1, 1986.

(ii) Any amount not included in wages because the amount arises from the sale, exchange, or other disposition of a stock option, the exercise of a stock option, or the sale, exchange, or other disposition of stock purchased under a stock option. Division (34)(B)(ii) of this section applies only to those amounts constituting ordinary income.

(iii) Any amount not included in wages if the amount is an amount described in section 401(k), 403(b), or 457 of the Internal Revenue Code. Division (34)(B)(iii) of this section applies only to employee contributions and employee deferrals.

(iv) Any amount that is supplemental unemployment compensation benefits described in section 3402(o)(2) of the Internal Revenue Code and not included in wages.

(v) Any amount received that is treated as self-employment income for federal tax purposes in accordance with section 1402(a)(8) of the Internal Revenue Code.

(vi) Any amount not included in wages if all of the following apply:

(a) For the taxable year the amount is employee compensation that is earned outside of the United States and that either is included in the taxpayer's gross income for federal income tax purposes or would have been included in the taxpayer's gross income for such purposes if the taxpayer did not elect to exclude the income under section 911 of the Internal Revenue Code;

(b) For no preceding taxable year did the amount constitute wages as defined in section 3121(a) of the Internal Revenue Code;

(c) For no succeeding taxable year will the amount constitute wages; and

(d) For any taxable year the amount has not otherwise been added to wages pursuant to either division (34)(B) of this section or section 718.03 of the Ohio Revised Code, as that section existed before the effective date of H.B. 5 of the 130th general assembly, March 23, 2015.

(35) "RELATED ENTITY" means any of the following:

(A) An individual stockholder, or a member of the stockholder's family enumerated in section 318 of the Internal Revenue Code, if the stockholder and the members of the stockholder's family own directly, indirectly, beneficially, or constructively, in the aggregate, at least fifty per cent of the value of the taxpayer's outstanding stock;

(B) A stockholder, or a stockholder's partnership, estate, trust, or corporation, if the stockholder and the stockholder's partnerships, estates, trusts, or corporations own directly, indirectly, beneficially, or constructively, in the aggregate, at least fifty per cent of the value of the taxpayer's outstanding stock;

(C) A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under division (35)(D) of this section, provided the taxpayer owns directly, indirectly, beneficially, or constructively, at least fifty per cent of the value of the corporation's outstanding stock;

(D) The attribution rules described in section 318 of the Internal Revenue Code apply for the purpose of determining whether the ownership requirements in divisions (35)(A) to (C) of this section have been met.

(36) "RELATED MEMBER" means a person that, with respect to the taxpayer during all or any portion of the taxable year, is either a related entity, a component member as defined in section 1563(b) of the Internal Revenue Code, or a person to or from whom there is attribution of stock ownership in accordance with section 1563(e) of the Internal Revenue Code except, for purposes of determining whether a person is a related member under this division, "twenty per cent" shall be substituted for "5 percent" wherever "5 percent" appears in section 1563(e) of the Internal Revenue Code.

(37) "RESIDENT" means an individual who is domiciled in the Municipality as determined under Section 182.042 of this Chapter.

(38) "S CORPORATION" means a person that has made an election under subchapter S of Chapter 1 of Subtitle A of the Internal Revenue Code for its taxable year.

(39) "SCHEDULE C" means internal revenue service schedule C (form 1040) filed by a taxpayer pursuant to the Internal Revenue Code.

(40) "SCHEDULE E" means internal revenue service schedule E (form 1040) filed by a taxpayer pursuant to the Internal Revenue Code.

(41) "SCHEDULE F" means internal revenue service schedule F (form 1040) filed by a taxpayer pursuant to the Internal Revenue Code.

(42) "SINGLE MEMBER LIMITED LIABILITY COMPANY" means a limited liability company that has one direct member.

(43) "SMALL EMPLOYER" means any employer that had total revenue of less than five hundred thousand dollars during the preceding taxable year. For purposes of this division, "total revenue" means receipts of any type or kind, including, but not limited to, sales receipts; payments; rents; profits; gains, dividends, and other investment income; commissions; premiums; money; property; grants; contributions; donations; gifts; program service revenue; patient

service revenue; premiums; fees, including premium fees and service fees; tuition payments; unrelated business revenue; reimbursements; any type of payment from a governmental unit, including grants and other allocations; and any other similar receipts reported for federal income tax purposes or under generally accepted accounting principles. "Small employer" does not include the federal government; any state government, including any state agency or instrumentality; any political subdivision; or any entity treated as a government for financial accounting and reporting purposes.

(44) "TAX ADMINISTRATOR" means the individual charged with direct responsibility for administration of an income tax levied by a municipal corporation in accordance with this chapter, and also includes the following:

(A) A municipal corporation acting as the agent of another municipal corporation;

(B) A person retained by a municipal corporation to administer a tax levied by the municipal corporation, but only if the municipal corporation does not compensate the person in whole or in part on a contingency basis;

(C) The Central Collection Agency (CCA) or the Regional Income Tax Agency (RITA) or their successors in interest, or another entity organized to perform functions similar to those performed by the Central Collection Agency and the Regional Income Tax Agency.

(45) "TAX RETURN PREPARER" means any individual described in section 7701(a)(36) of the Internal Revenue CODE AND 26 C.F.R. 301.7701-15 .

(46) "TAXABLE YEAR" means the corresponding tax reporting period as prescribed for the taxpayer under the Internal Revenue Code.

(47) (A) "TAXPAYER" means a person subject to a tax levied on income by a municipal corporation in accordance with this chapter. "Taxpayer" does not include a grantor trust or, except as provided in division (47)(B)(i) of this section, a disregarded entity.

(B) (i) A single member limited liability company that is a disregarded entity for federal tax purposes may be a separate taxpayer from its single member in all Ohio municipal corporations in which it either filed as a separate taxpayer or did not file for its taxable year ending in 2003, if all of the following conditions are met:

(a) The limited liability company's single member is also a limited liability company.

(b) The limited liability company and its single member were formed and doing business in one or more Ohio municipal corporations for at least five years before January 1, 2004.

(c) Not later than December 31, 2004, the limited liability company and its single member each made an election to be treated as a separate taxpayer under division (L) of section 718.01 of the Ohio Revised Code as this section existed on December 31, 2004.

(d) The limited liability company was not formed for the purpose of evading or reducing Ohio municipal corporation income tax liability of the limited liability company or its single member.

(e) The Ohio municipal corporation that was the primary place of business of the sole member of the limited liability company consented to the election.

(ii) For purposes of division (47)(B)(i)(e) of this section, a municipal corporation was the primary place of business of a limited liability company if, for the limited liability company's taxable year ending in 2003, its income tax liability was greater in that municipal corporation than in any other municipal corporation in Ohio, and that tax liability to that municipal corporation for its taxable year ending in 2003 was at least four hundred thousand dollars.

(48) "TAXPAYERS' RIGHTS AND RESPONSIBILITIES" means the rights provided to taxpayers in sections 718.11 , 718.12 , 718.19, 718.23, 718.36, 718.37, 718.38, 5717.011 , and 5717.03 of the Ohio Revised Code and any corresponding ordinances of the Municipality, and the responsibilities of taxpayers to file, report, withhold, remit, and pay municipal income tax and otherwise comply with Chapter 718 of the Ohio Revised Code and resolutions, ordinances, and rules and regulations adopted by a municipal corporation for the imposition and administration of a municipal income tax.

(49) "VIDEO LOTTERY TERMINAL" has the same meaning as in section 3770.21 of the Ohio Revised Code.

(50) "VIDEO LOTTERY TERMINAL SALES AGENT" means a lottery sales agent licensed under Chapter 3770. of the Ohio Revised Code to conduct video lottery terminals on behalf of the state pursuant to section 3770.21 of the Ohio Revised Code. ~~(Ord. 1497-15. Passed 11-23-15.)~~

182.062 NET PROFIT; INCOME SUBJECT TO NET PROFIT TAX; ALTERNATIVE APPORTIONMENT.

This section applies to any taxpayer engaged in a business or profession in the Municipality unless the taxpayer is an individual who resides in the Municipality or the taxpayer is an electric company, combined company, or telephone company that is subject to and required to file reports under Chapter 5745 of the Ohio Revised Code.

(A) Net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

(1) The average original cost of the real property and tangible personal property owned or used by the taxpayer in the business or profession in the Municipality during the taxable period to the average original cost of all of the real and tangible personal property owned or used by the taxpayer in the business or profession during the same period, wherever situated.

As used in the preceding paragraph, tangible personal or real property shall include property rented or leased by the taxpayer and the value of such property shall be determined by multiplying the annual rental thereon by eight;

(2) Wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession for services performed in the Municipality to wages, salaries, and other compensation paid during the same period to individuals employed in the business or profession, wherever the individual's services are performed, excluding compensation from which taxes are not required to be withheld under Section 182.052 of this Chapter;

(3) Total gross receipts of the business or profession from sales and rentals made and services performed during the taxable period in the Municipality to total gross receipts of the business or profession during the same period from sales, rentals, and services, wherever made or performed.

(B) (1) If the apportionment factors described in division (A) of this section do not fairly represent the extent of a taxpayer's business activity in the Municipality ,the taxpayer may request, or the Tax Administrator of the Municipality may require, that the taxpayer use, with respect to all or any portion of the income of the taxpayer, an alternative apportionment method involving one or more of the following:

(a) Separate accounting;
(b) The exclusion of one or more of the factors;
(c) The inclusion of one or more additional factors that would provide for a more fair apportionment of the income of the taxpayer to the Municipality;
(d) A modification of one or more of the factors.

(2) A taxpayer request to use an alternative apportionment method shall be in writing and shall accompany a tax return, timely filed appeal of an assessment, or timely filed amended tax return. The taxpayer may use the requested alternative method unless the Tax Administrator denies the request in an assessment issued within the period prescribed by division (A) of Section 182.19 of this Chapter.

(3) A Tax Administrator may require a taxpayer to use an alternative apportionment method as described in division (B)(1) of this section only by issuing an assessment to the taxpayer within the period prescribed by division (A) of Section 182.19 of this Chapter.

(4) Nothing in division (B) of this section nullifies or otherwise affects any alternative apportionment arrangement approved by a Tax Administrator or otherwise agreed upon by both the Tax Administrator and taxpayer before January 1, 2016.

(C) As used in division (A)(2) of this section, "wages, salaries, and other compensation" includes only wages, salaries, or other compensation paid to an employee for services performed at any of the following locations:

(1) A location that is owned, controlled, or used by, rented to, or under the possession of one of the following:

(a) The employer;

(b) A vendor, customer, client, or patient of the employer, or a related member of such a vendor, customer, client, or patient;

(c) A vendor, customer, client, or patient of a person described in division (C)(1)(b) of this section, or a related member of such a vendor, customer, client, or patient.

(2) Any location at which a trial, appeal, hearing, investigation, inquiry, review, court-martial, or similar administrative, judicial, or legislative matter or proceeding is being conducted, provided that the compensation is paid for services performed for, or on behalf of, the employer or that the employee's presence at the location directly or indirectly benefits the employer;

(3) Any other location, if the Tax Administrator determines that the employer directed the employee to perform the services at the other location in lieu of a location described in division (C)(1) or (2) of this section solely in order to avoid or reduce the employer's municipal income tax liability. If a Tax Administrator makes such a determination, the employer may dispute the determination by establishing, by a preponderance of the evidence, that the Tax Administrator's determination was unreasonable.

(D) For the purposes of division (A)(3) of this section, **and except as provided in division (G) of this section** receipts from sales and rentals made and services performed shall be sitused to the municipal corporation as follows:

(1) Gross receipts from the sale of tangible personal property shall be sitused to the municipal corporation in which the sale originated. For the purposes of this division, a sale of property originates in a municipal corporation on if, regardless of where title passes, the property meets any of the following criteria:

(a) The property is shipped to or delivered within the municipal corporation from a stock of goods located within the municipal corporation.

(b) The property is delivered within the municipal corporation from a location outside the municipal corporation, provided the taxpayer is regularly engaged through its own employees in the solicitation or promotion of sales within such municipal corporation and the sales result from such solicitation or promotion.

(c) The property is shipped from a place within the municipal corporation to purchasers outside the municipal corporation, provided that the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.

(2) Gross receipts from the sale of services shall be sitused to the municipal corporation to the extent that such services are performed in the municipal corporation.

(3) To the extent included in income, gross receipts from the sale of real property located in the municipal corporation shall be sitused to the municipal corporation.

(4) To the extent included in income, gross receipts from rents and royalties from real property located in the municipal corporation shall be sitused to the municipal corporation.

(5) Gross receipts from rents and royalties from tangible personal property shall be sitused to the municipal corporation based upon the extent to which the tangible personal property is used in the municipal corporation.

(E) The net profit received by an individual taxpayer from the rental of real estate owned directly by the individual or by a disregarded entity owned by the individual shall be subject to tax only by the municipal corporation in which the property generating the net profit is located and the municipal corporation in which the individual taxpayer that receives the net profit resides. A municipal corporation shall allow such taxpayers to elect to use separate accounting for the purpose of calculating net profit sitused under this division to the municipal corporation in which the property is located.

(F) (1) Commissions received by a real estate agent or broker relating to the sale, purchase, or lease of real estate shall be sitused to the municipal corporation in which the real estate is located. Net profit reported by the real estate agent or broker shall be allocated to a municipal corporation, **if applicable**, based upon the ratio of the commissions the agent or broker received from the sale, purchase, or lease of real estate located in the municipal corporation to the commissions received from the sale, purchase, or lease of real estate everywhere in the taxable year.

(2) An individual who is a resident of a municipal corporation that imposes a municipal income tax shall report the individual's net profit from all real estate activity on the individual's annual tax return for that municipal corporation. The individual may claim a credit for taxes the individual paid on such net profit to another municipal corporation to the extent that such credit is allowed under Section 182.081 of this Chapter.

(3) When calculating the ratios described in division (F) (1) of this section for the purposes of that division or division (F) (2) if this section, the owner of a disregarded entity shall include in the owner's ratios the property, payroll, and gross receipts of such disregarded entity.

(H) Left intentionally blank
(I) Left intentionally blank

~~(G) If, in computing a taxpayer's adjusted federal taxable income, the taxpayer deducted any amount with respect to a stock option granted to an employee, and if the employee is not required to include in the employee's income any such amount or a portion thereof because it is exempted from taxation under divisions (11)(L) and (34)(A)(iv) of Section 182.03 of this Chapter, by a municipal corporation to which the taxpayer has apportioned a portion of its net profit, the taxpayer shall add the amount that is exempt from taxation to the taxpayer's net profit that was apportioned to that municipal corporation. In no case shall a taxpayer be required to add to its net profit that was apportioned to that municipal corporation any amount other than the amount upon which the employee would be required to pay tax were the amount related to the stock option not exempted from taxation.~~
~~This division applies solely for the purpose of making an adjustment to the amount of a taxpayer's net profit that was apportioned to a municipal corporation under this section.~~

(G)(1) As used in this division:

tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (F)(1) of this section, all of the following apply to a taxpayer that has made the lection described in division (G)(2):

(a) For the purpose of division (F)(1)(a) of this section, the average original cost of any tangible personal Property used by qualifying remote employee or owner at that individual's qualifying remote work location shall be sitused to that individual's qualifying reporting location.

(b) For the purpose of division (F)(1)(b) of this section, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be sitused to that individual's qualifying reporting location.

(c) For the purpose of division of (F)(1)(c) of this section, and not withstanding division (F)(4) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at the individual's qualifying remote work location shall be sitused to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (F)(2)of this section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 4 of this Chapter. (Ord. 1780-23. Passed

182.10 PENALTY, INTEREST, FEES, AND CHARGES

(A) As used in this section:

(1) "Applicable law" means this chapter, the resolutions, ordinances, codes, directives, instructions, and rules adopted by the Municipality provided such resolutions, ordinances, codes, directives, instructions, and rules impose or directly or indirectly address the levy, payment, remittance, or filing requirements of a municipal income tax.

(2) "Federal short-term rate" means the rate of the average market yield on outstanding marketable obligations of the United States with remaining periods to maturity of three years or less, as determined under section 1274 of the Internal Revenue Code, for July of the current year.

(3) "Income tax," "estimated income tax," and "withholding tax" mean any income tax, estimated income tax, and withholding tax imposed by a municipal corporation pursuant to applicable law, including at any time before January 1, 2016.

(4) "Interest rate as described in division (A) of this section" means the federal short-term rate, rounded to the nearest whole number per cent, plus five per cent. The rate shall apply for the calendar year next following the July of the year in which the federal short-term rate is determined in accordance with division (A)(2) of this section.

(5) "Return" includes any tax return, report, reconciliation, schedule, and other document required to be filed with a Tax Administrator or municipal corporation by a taxpayer, employer, any agent of the employer, or any other payer pursuant to applicable law, including at any time before January 1, 2016.

(6) "Unpaid estimated income tax" means estimated income tax due but not paid by the date the tax is required to be paid under applicable law.

(7) "Unpaid income tax" means income tax due but not paid by the date the income tax is required to be paid under applicable law.

(8) "Unpaid withholding tax" means withholding tax due but not paid by the date the withholding tax is required to be paid under applicable law.

(9) "Withholding tax" includes amounts an employer, any agent of an employer, or any other payer did not withhold in whole or in part from an employee's qualifying wages, but that, under applicable law, the employer, agent, or other payer is required to withhold from an employee's qualifying wages.

(B) (1) This section shall apply to the following:

(a) Any return required to be filed under applicable law for taxable years beginning on or after January 1, 2016;

(b) Income tax, estimated income tax, and withholding tax required to be paid or remitted to the Municipality on or after January 1, 2016 for taxable years beginning on or after January 1, 2016

(2) This section does not apply to returns required to be filed or payments required to be made before January 1, 2016, regardless of the filing or payment date. Returns required to be filed or payments required to be made before January 1, 2016, but filed or paid after that date shall be subject to the ordinances or rules,, as adopted from time to time before January 1, 2016 of this Municipality.

(C) ~~The Municipality shall impose on a~~ **Should any** taxpayer, employer, ~~any~~ agent of the employer, ~~and any~~ **or** other payer **for any reason fails, in whole or in part, to make** ~~and will attempt to collect, the interest amounts and penalties prescribed in this section when the taxpayer, employer, any agent of the employer, or any other payer for any reason fails, in whole or in part, to make to the Municipality~~ timely and full payment or remittance of income tax, estimated income tax, or withholding tax or to file timely with the Municipality any return required to be filed **the following penalties and interest shall apply:**

(1) Interest shall be imposed at the rate ~~defined as "interest rate as~~ described in division (A) of this section, per annum, on all unpaid income tax, unpaid estimated income tax, and unpaid withholding tax. ~~This imposition of interest shall be assessed per month, or fraction of a month.~~

(2)**(a)** With respect to unpaid income tax and unpaid estimated income tax, **the Municipality may impose** a penalty equal to fifteen percent of the amount not timely paid. ~~shall be imposed.~~

(b) With respect to any unpaid withholding tax, **the Municipality may impose** a penalty equal to fifty percent **(50%)** of the amount not timely paid. ~~shall be imposed.~~

(3) (a) For tax years ending on or before December 31, 2022 with respect to returns other than estimated income tax returns, the Municipality may impose a monthly penalty of $25 for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed $150 for each failure.

(b) For tax years ending on or after January 1, 2023, with respect to returns other than estimated income tax returns, the Village may impose a penalty not exceeding $25 for each failure to timely file each return, regardless

of the liability shown thereon, except that the Municipality shall abate or refund the penalty assessed on a taxpayer's first failure to timely file a return after the taxpayer files that return.

~~(4) With respect to returns other than estimated income tax returns, the Municipality shall impose a monthly penalty of twenty-five dollars for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed a total of one hundred fifty dollars in assessed penalty for each failure to timely file a return.~~

~~(D) With respect to income taxes, estimated income taxes, withholding taxes, and returns, the Municipality shall not impose, seek to collect, or collect any penalty, amount of interest, charges or additional fees not described in this section.~~

(E) With respect to income taxes, estimated income taxes, withholding taxes, and returns, the Municipality shall not refund or credit any penalty, amount of interest, charges, or additional fees that were properly imposed or collected before January 1, 2016.

(F) The Tax Administrator may, in the Tax Administrator's sole discretion, abate or partially abate penalties or interest imposed under this section when the Tax Administrator deems such abatement or partial abatement to be appropriate. Such abatement or partial abatement shall be properly documented and maintained on the record of the taxpayer who received benefit of such abatement or partial abatement.

(G) The Municipality may impose on the taxpayer, employer, any agent of the employer, or any other payer the Municipality's post-judgment collection costs and fees, including attorney's fees.
(Ord. 1783-23. Passed ________

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1784-23 Passed:

AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO CERTIFY THE UTILITY DELINQENCY FOR PARCEL NO. 0900023101005, 6429 RUSSIA RD SOUTH, AMHERST, OH, 44001 ("THE PROPERTY"), FOR THE AMOUNT OF $215.73 TO SUBMIT TO THE LORAIN COUNTY AUDITOR'S OFFICE AS A SPECIAL DELINQUENCY ASSESSMENT FOR PLACEMENT ON THE TAX DUPLICATE FOR COLLECTION IN ONE ANNUAL INSTALLMENT IN THE YEAR, 2024; AND DECLARING AN EMERGENCY

WHEREAS, the current balance due on the utility bill and related fees for the above-captioned property is $215.73 and has been due and pending since approximately October 4, 2022,

WHEREAS, the owner of said property has failed to pay said bill in a timely manner and in accordance with Sections 107.02 et. Seq. and 921.02 of the Codified Ordinances of the Village of South Amherst.,

WHEREAS, such service has be delinquent for more than ninety (90) days or otherwise terminated due to such delinquency,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of South Amherst, Lorain County, State of Ohio:

SECTION 1: That in accordance with Section 921.03 of the Codified Ordinances of the Village of South Amherst, the Fiscal Officer shall certify the delinquency of the utility bill on the Property to the Lorain County Auditor as a special assessment for placement on the tax duplicate for collection in one annual installment in year 2024, in the form provided in **Exhibit 1** and attached hereto and incorporated herein by reference, along with a copy of this Ordinance. The assessment must be completed before the statutory deadline in February 2024.

SECTION 2: The Fiscal Officer shall also provide a certified copy of this Ordinance to the Accounting Department at the Lorain County Auditor's Office with a One Dollar ($1.00) filing fee.

SECTION 3: That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4: This Ordinance is hereby determined to be an emergency measure and necessary for the preservation of the public peace, health, safety and welfare and for the furth reason that this

Ordinance must be immediately effective so that said costs are certified to the Lorain County Auditor's Office by the statutory deadline in February.

First Reading:
Second Reading:
PASSED:

____
David Leshinski, Mayor

ATTEST: ________________________
Fiscal Officer

I, Michelle Henke, Fiscal Officer of the Village of South Amherst, certify there is no newspaper of general circulation published in the municipality and the publishing of this Ordinance No. 1784-23 was made by posting true copies thereof in at least five of the most public places in the said Village, determined by Council, for a period of not less than fifteen (15) days, following the passage.

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director
SA\2023 Ord. 1784-23 Property Assessment 6429 Russia Rd.

EXHIBIT 1

CERTIFICATION OF SPECIAL ASSESSMENT OF NUISANCE ABATEMENT

THIS SHALL CERTIFY that, as a result of the unpaid balance due and owing for the water account for the property located at:

APRIL KEKIC
6429 RUSSIA RD
SOUTH AMHERST, OH 44001

and further identified as Permanent Parcel Number 0900023101005, in the amount of $215.73 (ten thousand and twenty dollars and ten cents), having been delinquent for mor than ninety (90) days or otherwise terminated due to delinquency, the same of which is hereby certified and thus Deemed to be DELINQUENT, and accordingly such amount shall constituted and good and valid lien upon the aforesaid property by the Village of South Amherst, pursuant to Section 921.03 et seq. of the Codified Ordinances of the Village of South Amherst, to wit: DELINQUENT ACCOUNTS, and,

WHEREFORE, in accordance with Section 921.03 et seq. as noted above, such lien in the full amount of $215.73 shall forthwith be placed on the duplicate of the property by the Auditor and shall be collectible in accordance with the law.

Michelle Henke, Fiscal Officer, Village of South Amherst

Date : November 13, 2023

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No.1785-23 Passed:

AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO CERTIFY THE VILLAGE'S TOTAL COST OF NUISANCE ABATEMENT AT 6429 RUSSIA RD, PERMANENT PARCEL NO. 0900023101005, TO SUBMIT TO THE LORAIN COUNTY AUDITOR'S OFFICE AS A SPECIAL ASSESSMENT FOR PLACEMENT ON THE TAX DUPLICATE FOR COLLECTION IN ONE ANNUAL INSTALLMENT IN THE YEAR, 2024; AND DECLARING AN EMERGENCY

WHEREAS, on or about June 1, 2023, the Zoning Inspector issued a Final Order to April Kekic, owner of 6429 Russia Rd. Parcel No. 0900023101005 ("Property"), declaring the Property a public nuisance and ordering the public nuisance in violation of the Codified Ordinances, Chapter 521.12 to be abated within thirty (30) days; and

WHEREAS, the owner did not abate the public nuisance; and

WHEREAS, on or about June 22, 2023, the Village abated the public nuisance at the property by mowing the property; and

WHEREAS, on or about August 30, 2023, the Village Records Clerk not received payment of $500.00 for the abatement; and

WHEREAS, the Village incurred significant cost in abating the public nuisance at the Property,

WHEREAS, the Village's total cost of the nuisance abatement at the Property is five Hundred Dollars ($500.00); and

WHEREAS, pursuant to R.C. Section 715.261 and Section 1319.10 (c) of the Codified Ordinances of the Village of South Amherst, the Village is authorized to place a lien on the Property to recover from the owner the total cost associated with the abatement of the public nuisance at the Property; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of South Amherst, Lorain County, State of Ohio:

SECTION 1: That in accordance with R.C. Section 715.261 and Section 1319.10 (c) of the Codified Ordinances of the Village of South Amherst, the Fiscal Officer (R.C. 733.262) shall certify the Village's total cost of abating the public nuisance at the Property to the Lorain County Auditor as a special assessment for placement on the tax duplicate for collection in one annual installment in year 2023, in the form provided in **Exhibit 1** and attached hereto and incorporated herein by reference, along with a copy of this Ordinance. The assessment must be completed before the statutory deadline in February 2024.

SECTION 2: The Fiscal Officer shall also provide a certified copy of this Ordinance to the Accounting Department at the Lorain County Auditor's Office with a One Dollar ($1.00) filing fee.

SECTION 3: That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4: This Ordinance is hereby determined to be an emergency measure and necessary for the preservation of the public peace, health, safety and welfare and for the furth reason that this Ordinance must be immediately effective so that the Village's nuisance abatement costs are certified to the Lorain County Auditor's Office by the statutory deadline in February.

First Reading:
Second Reading:
PASSED:

____
David Leshinski, Mayor

ATTEST: ______________________________
Fiscal Officer

I, Michelle Henke, Fiscal Officer of the Village of South Amherst, certify there is no newspaper of general circulation published in the municipality and the publishing of this Ordinance No. 1785-23 was made by posting true copies thereof in at least five of the most public places in the said Village, determined by Council, for a period of not less than fifteen (15) days, following the passage.

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director

SA\2023 Ord. 1785-23 Property Assessment 6429 Russia Rd.

EXHIBIT 1

CERTIFICATION OF SPECIAL ASSESSMENT OF NUISANCE ABATEMENT

THIS SHALL CERTIFY that, as a result of the unpaid balance due and owing for nuisance abatement activities for the property located at:

APRIL KEKIC
6429 RUSSIA RD
SOUTH AMHERST OH 44001

and further identified as Permanent Parcel Number 0900023101005, in the amount of $500.00 (FIVE HUBNDRED DOLLARS), the same of which is hereby certified as due and owing and, accordingly such amount shall therefore be and constitute a good and valid lien upon the aforesaid property by the Village of South Amherst pursuant to Section 521.10 et seq. of the Codified Ordinances of the Village of South Amherst, to wit: NUISANCE ABATEMENT ASSESSMENT; and,

WHEREFORE, in accordance with Section 521.10 et seq. as noted above, such lien in the full amount of $500.00 shall forthwith be placed on the duplicate of the property by the Auditor and shall be collectible in accordance with the law.

Michelle Henke, Fiscal Officer, Village of South Amherst

Date: November 13, 2023

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1786-23 Passed:

AN ORDINANCE REPEALING EXISTING SOUTH AMHERST CODIFIED ORDINANCE CHAPTER 921 ENACTING NEW SOUTH AMHERST CODIFIED ORDINANCE CHAPTER 921 WATER AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH AMHERST, LORAIN COUNTY, STATE OF OHIO THAT:

SECTION 1: The Council of the Village of South Amherst herby repeals existing South Amherst Codified Ordinance Chapter 921 and enacts new South Amherst Codified Ordinance Chapter 921 as detailed in the attached **Exhibit A**; and

SECTION 2: This Ordinance shall repeal all Ordinances in conflict herewith.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of South Amherst, Lorain County, Ohio and for the further reason that immediate effectiveness of this Ordinance is necessary to facilitate the efficient administration and operation of the Village of South Amherst, and, as such, shall be in full force and effect immediately upon its passage and approval or at the earliest time allowed by law.

PASSED:

____
David Leshinski, Mayor

ATTEST: ________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1786-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director
SA\2023.1786-23 Repel/Enact 921 Water

921.01 BACKFLOW PROTECTION.

To provide an effective means for protecting the public water system from contamination due to backflow of contaminants through the water service connection into the public water system.

(a) That if, in the judgment of the Operator of Record, an approved backflow prevention assembly is necessary for the safety of the public water system, the Operator of Record will give notice to the water consumer to install such an approved assembly immediately. The water consumer shall, at his own expense, install such an approved assembly at a location in a manner approved assemblies as required by the Operator of Record.

(b) That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village of South Amherst may enter the supply or distributing system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Operator of Record of South Amherst and by the Ohio Environmental Protection Agency.

(c) That it shall be the duty of the Operator of Record to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Operator of Record shall deem necessary.

(d) That the Operator of Record of South Amherst or his or its duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village of South Amherst for the purpose of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Operator of Record any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Operator of Record, be deemed evidence of the presence of improper connections as provided in this ordinance.

(e) That the Operator of Record of the Village of South Amherst is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this ordinance.

921.02 DEPOSIT REQUIRED; TERMINATION OF DELINQUENT ACCOUNTS; HABITUAL DELINQUENT ACCOUNTS.

The following deposit schedule is established for water users of the Village of South Amherst, Ohio, whether commercial or residential:

(a) Tenants shall deposit the sum of one hundred dollars ($100.00) with the Village before water services will be granted to said tenant. The Village shall retain the deposit so long as the tenant remains within the Village as a tenant.

(b) New owners shall deposit the sum of one hundred dollars ($100.00) with the Village before water service will be granted, and the Village shall retain the deposit for twelve months. After the end of twelve consecutive months, the deposit shall be credited to the existing water account. If an owner moved from one location to another within the Village after twelve months, this section shall not apply.

(c) If an owner moves out of their home, and enters into a tenant rental situation, the owner shall be required to maintain a one hundred dollar ($100.00) security deposit on file unless that tenant has the water bill put in their name along with a one hundred dollar ($100.00) security deposit. (See 921.01(a) for tenant security deposit rules).

(d) New Commercial customers shall deposit the sum of two hundred dollars ($200.00) with the Village before water service will be granted to said applicant. The Village shall retain the deposit for twelve months. After the end of twelve consecutive months, the deposit shall be credited to the existing water account.

(e) Leased/Rented Commercial businesses shall deposit the sum of two hundred dollars ($200.00) with the Village before water service will be granted to said applicant. The Village shall retain the deposit while the lessee is leasing/renting the business.

(f) Any account for a service address which is delinquent in payment sixty days shall have water service terminated according to guidelines established by the Village of South Amherst. Said water service shall not be restored until the delinquent bill is paid in full, and a deposit of two hundred dollars ($200.00) placed with the Village to be returned only upon the termination of the tenancy, in the case of a tenant; and twenty-four months in the case of an owner. See Section 921.05 TURN-ON FEE.

(g) A habitual delinquent account which is delinquent in payment forty-five days shall have water service terminated according to guidelines established by the Village of South Amherst. Said water service shall not be restored until the delinquent bill is paid in full, and a deposit of two hundred dollars ($200.00) placed with the Village to be returned only upon the termination of the tenancy, in the case of a tenant; and twenty-four months in the case of an owner. For purposes of this chapter, an account is deemed a habitual delinquent account when one or more times in the preceding twelve months said account has been sixty or more days delinquent in payment. See Section 921.05 TURN-ON FEE.

(h) The owner of the premises receiving water service from the Village of South Amherst and the premises is occupied by a tenant or other occupant who has registered with the Village to be billed for water usage, the owner of the premises may request to receive copies of all billings to the occupant or tenant of the premises. A fee is fixed at twenty-five dollars ($25.00) per calendar quarter for such services.

(i) The Village may apply the deposit against any outstanding delinquencies of the tenant/owner. Failure of the tenant/owner to keep the deposit at a level consistent with this section shall be cause for termination of water service according to guidelines established by the Village of South Amherst.

921.03 CHARGES MAY BE COLLECTIBLE AS LIENS.

(a) All charges for water usage are assessed against the property to which the service is rendered and are a lien against said property collectible as other liens and taxes. Transfer of ownership of property connected to the water system of the Village of South Amherst shall not relieve the property of responsibility for charges assessed against the property.

(b) Any Village utility account established and maintained in the name of a tenant, lessee or other person or party for water provided to the premises shall not relieve the property or the owner of the property for liability for water charges.

(c) If water charges for a premises have not been paid after due and payable, the Village may do either or both of the following:

(1) Certify said charges, together with the interest and penalties allowed by law to Lorain County Auditor, to be placed on the tax list and duplicate for said property, for which such water charges were rendered thereto.

(2) Collect the charges by actions at law in the name of the Village from an owner, tenant, or other person who is liable to pay the rents or charges.

921.031 CHARGES PAID THROUGH SALE OF PROPERTY

(a) No person, agent, firm, or corporation shall sell, convey, exchange or otherwise transfer by deed, lease, land contract, or otherwise, any interest in any real property located within the corporate limits of the Village, which is supplied with water services by the Village, without holding five hundred dollars ($500.00) in escrow until such proof of payment has been furnished to the escrow agent by the water department

(b) Any party to a sale, exchange, conveyance or transfer or their agent, may request the Village to read the meter at that property and to render within ten days following the date of the request a final bill for all outstanding water charges. Such request shall be made at least fourteen days prior to the transfer of the title of said property.

(c) No person, agent, firm, or corporation acting in the capacity of escrow agent in any real estate transaction involving the sale of any real property or interest therein located within the corporate limits of the Village, which is serviced or supplied with water services by the Village, shall disburse any funds until the provisions of subsection (a) hereof have been complied therewith.

1. The property owner (seller) is responsible to ensure that $500.00 be held in escrow with the title company and provide proof as evidence in the purchase agreement.

2. Any remaining balance not paid by the escrow account or proceeds of sale, will be the sole responsibility of the new property owner (buyer) once property is transferred.

(d) The provisions of this section shall not bar or prejudice the rights the purchaser may have against the prior owner of the property for reimbursement of any charges as provided herein incurred prior to the transfer of title for the property or any other rights that the purchaser may have against the prior owner of the property, subject to the provisions of this section.

921.04 USER FEES AND WATER RATES

(a) The Village does hereby establish user fees of fifteen dollars and twenty-five cents ($15.25) per month. User fees shall be used for capital improvements for the Village water distribution system and shall not be applied to payment of salary, wages, and benefits of

(a) the Village does hereby establish water rates for the Village of South Amherst with an initial increase to $19.00, then an annual increase of three percent (3%) through 2026.

	Remainder of 2023	Jan-2024	Jan-2025	Jan -2026
p/first 1000 gallons/monthly minimum	**19.00**	**19.57**	**20.16**	**20.76**
p/1000 gallons over the first 1000 gallons	**19.00**	**19.57**	**20.16**	**20.76**

(b) The Village does hereby establish user fees of $20.00 per month. User fee shall be used for capital improvements for the Village water distribution system and shall not be applied to payment of salary, wages, and benefits of the Village employees.

(c) Current rates for water usage for the minimum 1,000-gallon p/month and usage above the minimum of 1,000 gallons p/month shall remain in effect until the effective date of the new rates.

(d) The Village does hereby establish bulk water rates for the Village of South Amherst with a six percent (6%) initial increase lasting the next three (3) years as set forth below and shall require a six hundred dollar ($600.00) deposit which is to be deducted from the final invoice or refunded upon payment of balance in full.

	Jan-2023	Jan-2024	Jan-2025	Jan-2026
p/1000 gallons for bulk hydrant rate	**22.48**	**22.48**	**22.48**	**22.48**

921.05 TURN-ON FEE.

The Village of South Amherst is hereby authorized and shall impose and charge a fee to all water users for turning on water service to any residence or household.

Said fees shall be as follows:

(a) Twenty-five dollars ($25.00) for all turn-ons which take place during regularly scheduled working hours.

(b) Fifty dollars ($50.00) for all turn-ons which take place outside regularly scheduled working hours.

921.06 TEMPORARY RESTRICTIONS.

(a) The Village Administrator and the Mayor, are hereby authorized, during emergencies or during periods of temporary problems relative to the supply, production or distribution of water, to restrict the use of water with any action deemed necessary in order to best provide for the protection of life and property, and for the ultimate welfare of the Village residents.

(b) Actions taken pursuant to this section shall be reported to Council.

(c) Any person who fails to obey the action taken pursuant to this section shall be deemed guilty of a minor misdemeanor.

921.07 STORM SEWER TAP-IN OR MODIFICATION TO EXISTING TAP.

(a) It shall be unlawful for any person to alter or install a new tap-in to the Village of South Amherst stormwater system, without first obtaining an approved permit from the Village Administrator.

(b) Before any modification or installation of a new tap-in shall begin, the applicant shall submit a permit application along with a duplicate drawing of detailed plans and specifications of the proposed work. One set of plans and specifications are to be returned to the applicant upon approval or disapproval, with the second set to be kept by the water department.

(c) Detailed plans and specifications shall be approved by the Village Administrator or their designee for all modifications or new tap-in applications.

(d) Check valves must be in existence or installed and exposed prior to final inspection by the Village Administrator or their designee.

(e) Failure of owner to obtain a permit prior to commencement of work shall result in a permit fee amount equivalent to original permit fee plus two times the permit fee amount. It is the property owner's responsibility to have the application filed and fee paid.

(f) Permit Fee for a new tap-in will be five hundred dollars ($500.00). Permit fee for a modification will be one hundred dollars ($100.00).

(g) A refund of fifty dollars ($50.00) will be made to the property owner upon final inspection of approved project by the Village Administrator or their designee.

921.08 MONTHLY BILLING PERIODS.

Billing periods for the payment of water bills to the Village of South Amherst is hereby established for both residential and commercial users and is hereby established as monthly billing periods, and all penalties for late payment shall be based upon monthly billing periods.

921.09 TAP-IN FEES.

(a) Only an authorized agent, appointed by the Village Administrator or an employee of the Municipal Water Department shall be permitted to tap mains and install services to the curb. An estimate for installing the services must be obtained by an employee of the Municipal Water Department and a deposit shall be required from the owner before the work is started. The deposit shall be 50% of the estimate obtained by the Municipal Water Department.

The fee for such services of tapping said main and installing services to the curb shall be the cost of materials and labor plus ten percent (10%).

(b) In addition the meter charge shall be payable by the person requesting such service and shall be paid to the collector of water works bills upon written application for such service.

921.10 APPLICATION FOR INITIAL INSTALLATION OF SERVICES.

All applications for use of water must be on forms provided by the Clerk of the South Amherst Water Department, and same returned to Clerk, and must state truly and fully the uses to which the water is to be applied, and the correct street number of the premises to be supplied.

921.11 SUPPLY TO UNAUTHORIZED PERSONS FORBIDDEN.

No owner, or occupant of any premises supplied from the water works, will be allowed to supply water to any other person, without the express written authority from the Village Administrator. Each premise must be supplied with independent service pipe from the main.

921.12 TAPPING OF MAINS, AND INSTALLING SERVICES.

Only an authorized agent, appointed by the Village Administrator or an employee of the Municipal Water Department shall be permitted to tap mains and install services to the curb. The fee for such services of tapping said main and installing services to the curb shall be payable by the person requesting such services and to be paid to the collector of water works bills, on written application for such services.

921.13 TURNING ON OR OFF WATER SERVICE.

No person, without proper authority from the Village Administrator or their designee shall turn on, or shut off the water from any premises. In case the property owner or occupant of any premises supplied with water desires the water service temporarily discontinued for a period not to exceed six months, they shall apply to the Clerk, or give notice in writing to the Village Administrator and shall pay all amounts then owing. A charge will be made for reconnecting service when temporary disconnection is made under this section.

921.14 FRAUDULENT USE OF WATER.

No person or family supplied with water by the municipal water works will be permitted to use the water for any other purpose than applicants, residents or businesses. Nor shall they permit others to use the hose or attachments or leave them exposed to use by others, when supplied with water from their premises. For willful or unreasonable waste, concealment or neglect or violation of any of these rules, the Village Administrator reserves the right to stop the supply of water and demand payment for all water supplied.

921.15 INJURY TO WATER FIXTURES.

No person shall remove, obstruct, or in any way injure any fire hydrant, valves, valve box or cover, stop cocks, stop cock covers or boxes, or in any manner injure or tamper with, any property of the municipal water works under penalty of law.

921.16 TAMPERING WITH METERS.

(a) If the Village Administrator or their designee finds there has been unauthorized modification tampering to any water measuring and metering equipment, the water shall be shut off, and shall not be turned on again until the consumer or owner of the premises shall pay the estimated quantity of water which has been used and not registered, and in addition to the turning off/on fee as provided in Section 921.05, there shall be a fee of five hundred dollars ($500.00). (Ord. 1739-22. Passed 6-13-22.)

(b) The criminal laws of the State of Ohio, provide severe penalties for the tampering with water meters, meter seals, etc. The penalties herein are in addition to the penalties provided by the criminal laws of the State of Ohio and by making payment herein above will not in any way relieve any person from criminal prosecution.

921.17 UNREASONABLE USE OF WATER.

No consumers of water shall make unreasonably large use of water, or suddenly draw a large quantity from the mains to the detriment, damage or disadvantage of other consumers of water.

921.18 REPEALED.

921.19 METER OWNERSHIP, CONTROL AND REPAIR.

(a) All services must be metered. Water meters shall be furnished and set by the Water Department and installation paid for by the owner of the property. All ordinary repairs and renewals of water meters shall be paid for by the Water Department. All ordinary repairs and renewals of damage by freezing, hot water, carelessness or abuse, shall be charged to the property owner or tenant. The size of meter, tap, service, etc., shall be subject to approval of the Village Administrator.

(b) The water customer may request their meter be tested for accuracy. They will be responsible for the cost of testing the meter if the meter passes. If the meter does not pass, the water department will pay for the cost of testing and adjust the customer's water bill using a six-month average, and will replace the meter.

921.20 METER BOXES WHERE REQUIRED.

On property where there is no cellar or suitable place for a meter or services over 100 feet, a meter box or meter vault will be required and expense of same must be borne by the property owner.

921.21 COLLECTION OF WATER CHARGE.

The Village Council of South Amherst shall determine where and by whom payment of water charged will be collected.

921.22 LATE PAYMENT PENALTIES.

All bills must be paid on the payment due date on which they become due. A penalty of ten percent (10%) of the minimum charge will be added to the bill if not paid on or before the due date. If water is shut off for nonpayment, a charge will be made for turning water on again as provided in Section 921.05.

921.23 INSPECTION OF PREMISES.

The Village Administrator or their designee must at all reasonable hours be permitted to have free access to all parts of the premises and buildings supplied with water service for the purpose of inspecting and examining fixtures, and for reading, repairing, removing or installing meters.

921.24 MATERIALS OF WATER SERVICES.

Three-fourth inches (3/4") (minimum in street) and one inch (1") copper tubing, and six inches (6") over cast iron. All copper pipe, corporation stops, curb stops, and curb boxes shall be as designated by the Village Administrator. Location of curb boxes shall be determined by the Village Administrator and/or designee.

921.25 SERVICE LINES.

Service lines from the main to the curb box will be maintained at the expense of the municipal water works. Service lines from the curb box to the premise shall be installed by the consumer under the supervision of the Village Administrator or their designee and shall be maintained at the expense of the consumer. All service lines must be at least four feet underground.

921.26 STOP AND WASTE COCK (SHUT OFF VALVE) ON PREMISES.

In addition to the stop cock or shut off valve, near the curb, furnished by the Water Department each attachment must, at the expense of the consumer, be provided with a stop and waste cock or shut off valve, conveniently placed inside the premises under the control of the occupant, to be used in case of breakage of the pipes or fixtures, or for making repairs, and to prevent freezing. If the pipe enters the house, a stop and waste cock or shut off valve must be placed just where the pipe comes into the premises.

921.27 INSPECTION OF SERVICE PIPE AND FIXTURES.

All service pipes and fixtures must be subject to inspection and approval by Village Administrator or their designee. No person except the Village Administrator or their designee will be permitted to turn the water on or off to any premises.

921.28 STEAM BOILERS AND GAS ENGINES.

Steam users taking their supply of water for their boilers or users taking their supply of water for cooling gas engines, and depending on the pressure in the mains for supplying such services, will do so at their own risk. Such consumers should provide themselves with tanks or cisterns to furnish a temporary supply in case of stoppage of water from accident or other necessary causes.

921.29 USE OF FIRE HYDRANTS.

The fire hydrants are intended primarily for the use of the Fire Department of the Village of South Amherst for fighting fires. Vendors doing approved projects within the Village may obtain permission from the Village Administrator and/or the Mayor to obtain a water supply from a fire hydrant. They must have a proper air gap device and use the Water Department meter. The rate for water used will be based upon the current rate and the amount of water used for such purpose as stated in 921.04. Drawing of water from fire hydrants by an unauthorized person is strictly forbidden and violation of this rule will constitute an offense as set forth in 921.99.

921.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree. Each day on which a violation occurs or continues shall be deemed a separate offense. Whoever violates any provision of this chapter will also be required to pay three times the amount of the normal permit cost.

(Ord. 1786-23. Passed 11-13-23.)

RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST

Ordinance No. 1787-23 Passed: November 13, 2023

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE VILLAGE OF SOUTH AMHERST CODIFIED ORDINANCE 1335.01; .05; .09 TO REPLACE REFERENCES TO THE SOUTH AMHERST BOARD OF PUBLIC AFFAIRS WITH THE VILLAGE OF SOUTH AMHERST AND/OR DESIGNEE DECLARING AN EMERGENCY

WHEREAS, the Village of South Amherst has determined that it is in the best interest of the Village to replace the South Board of Public Affairs with the wording **Village of South Amherst and/or designee**; and

WHEREAS, it is necessary to amend certain sections of the Village of South Amherst Codified Ordinance 1335.01; .05; .09 to reflect this change.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of South Amherst, Lorain County, Ohio:

SECTION 1: The following sections of the Village of South Amherst Codified Ordinances are here by amended as follows:

a. 1335.01 Purpose
b. 1335.05 Definitions
c. 1335.09 Compliance Responsibility

See Exhibit A for the amended revisions

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of South Amherst, Lorain County, Ohio and for the further reason that immediate effectiveness of this Ordinance is necessary to facilitate the efficient administration and operation of the Village of South Amherst, and, as such, shall be in full force and effect immediately upon its passage and approval or at the earliest time allowed by law.

PASSED: November 13, 2023

David Leshinski, Mayor

ATTEST: ______________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1787-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director
SA\2023.1787-23 Amend 1335 Stormwater

Ordinance 1787-23 Exhibit A

1335.01 PURPOSE.

(a) The intent of this chapter is to comply with the standards set forth in the Ohio EPA General Storm Water NPDES Permit for Construction Activities #OHC000005 and its successors by establishing standards to reduce pollutants in storm water runoff to the Municipal Separate Storm Sewer System (MS4) of the Village of South Amherst.

(b) This Regulation will:

(1) Allow development while minimizing increases in erosion and sedimentation.

(2) Reduce water quality impacts to receiving water resources that may be caused by new development, redevelopment, grading, or clearing activities.

(c) This regulation shall apply to all parcels used or being developed, either wholly or partially, for new or relocated projects involving highways and roads; subdivisions or larger common plans of development; industrial, commercial, institutional, or residential projects; building activities on farms; redevelopment activities; grading; and all other uses that are not specifically exempted in Section 1335.01.

(d) This regulation requires owners who develop or re-develop their property within the Village of South Amherst to:

(1) Comply with the current version and future revisions of Lorain County's Comprehensive Storm Water Management and Sediment and Erosion Regulations.

(2) Implement appropriate erosion and sediment control Best Management Practices (BMPs).

(3) Control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site.

(4) Minimize soil erosion, sedimentation and the volume and rate of storm water runoff from their sites.

(5) Assure that storm water management is incorporated into site planning and design at the earliest possible stage and that all storm water management practices are properly engineered, constructed, and maintained.

(6) Prevent unnecessary removal of vegetation and loss of soil, and to promptly re-vegetate and stabilize the site following land-disturbing activities.

(7) Encourage the construction of storm water management practices that serve purposes such as flood control, erosion control, water quality protection, recreation, and natural habitat preservation.

(8) To achieve a level of soil erosion and storm water management that will minimize and abate degradation of land and water resources and damage to public and private property resulting from land -disturbing activities involving one acre or more.

(e) This chapter is not intended to relieve persons, landowners, construction site operators, applicants, or developers from obtaining appropriate Ohio EPA NPDES Storm Water Permits, Ohio EPA 401 Water Quality Permits, U.S. Army Corps of Engineers 404 Wetlands Permits and the like. Copies of these permits shall be delivered to **Village of South Amherst** designee and the Lorain County Storm Water District prior to the commencement of construction or land-disturbing activities. (Ord. 1787-23. Passed 11-13-23.)

1335.05 DEFINITIONS.

All words used in this chapter shall have their customary meanings, and as defined in Rainwater and Land Development, except those specifically defined in this Section.

(a) Acre: A measurement of area equaling 43,560 square feet.

(b) Administrator: The person or entity having the responsibility and duty to administering and ensuring compliance with SWP3 and CSWMP. The Administrator shall be appointed by the Village of South Amherst & Lorain County Storm Water District (LCSWD).

(c) Best Management Practices: (BMP's) schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of Waters of the United States. BMP's also include treatment requirements, operating procedures, and practices to control plant and/or construction site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(d) Buffer: A designated transition area around water resources or wetlands that is left in a natural, usually vegetated, state to protect the water resources or wetlands from runoff pollution. Construction activities in this area are restricted or prohibited.

(e) Construction General Permit: The most recent General National Pollutant Discharge Elimination System (NPDES) permit for authorization of storm water discharges associated with construction activities issued by Ohio EPA (Ohio EPA Permit #OHC000005 and its successors).

(f) County: Lorain County

(g) Critical Storm: A storm which is calculated by means of the percentage increase in volume runoff by a proposed land-disturbing activity or development area. The critical storm is used to calculate the maximum allowable storm water discharge rate from a site.

(h) Cut: an excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade.

(i) Detention basin: An impoundment area created by constructing an embankment, excavating a pit, or both, for the purpose of temporarily storing storm water.

(j) Detention facility: A detention basin or alternate structure designed to temporarily store storm water runoff and gradually release the stored water at a controlled rate.

(k) Development: A group of dwellings, industrial or commercial buildings, usually constructed as part of a single project.

(l) Development Area: any area upon which land-disturbing activities are planned or underway for a development.

(m) Land-Disturbing Activity: any grading, excavation, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed.

(n) LCSWD: Lorain County Storm Water District

(o) Federal Emergency Management Agency (FEMA): the agency with the responsibility for administering the National Flood Insurance Program.

(p) Fill: any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade.

(q) Grubbing and clearing: machine clearing of vegetation. Usually performed as the first step in the development of land.

(r) Non-structural controls: storm water runoff control and treatment techniques that use natural measures to control runoff and/or reduce pollution levels. Examples include minimizing impervious area, buffer strips along streams, and preserving natural vegetation.

(s) NPDES: National Pollutant Discharge Elimination System.

(t) Parcel: any legally described piece of land created by a partition, subdivision, deed or other instrument recorded with the appropriate entity or agency.

(u) Peak Rate of Runoff - the maximum rate of runoff for any storm of a given frequency and duration.

(v) Pre-Development Conditions: site conditions as they existed as of June 30, 2007.

(w) Riparian: Relating to the banks of a natural course of water.

(x) SABPA: South Amherst Board of Public Affairs

(y) Sediment Basin: a barrier, dam or other facility built to reduce the velocity of water in order to settle and retain sediment.

(z) Silviculture: A branch of forestry dealing with the development and care of forests.

(aa) Stop-Work order: An order issued which requires that all work on the site must cease except work associated with bringing the site into compliance with the approved SWM Plan or Site Development Plan.

(bb) Comprehensive Storm Water Management Plan (CSWMP): The written document which meets the requirements of this Ordinance, sets forth the plans and practices to be used to minimize storm water runoff from a site, and to safely convey or temporarily store and release post-development storm water runoff at an allowable rate which minimizes flooding and erosion.

(cc) Storm Water Pollution Prevention Plan (SWPPP): The document required by the Ohio EPA for compliance with its NPDES Construction Activity General Permit. The written document or set of plans which meet the requirements of this Ordinance that provide information regarding the location of the area proposed for development, the site in relation to its general surroundings, and the existing characteristics of the site, including limits of land-disturbing activities.

(dd) Storm Frequency: the average period of time in years within which a storm of a given duration and intensity can be expected to be equaled or exceeded.

(ee) Structural controls: any man-made facility, structure, or device that is constructed to provide temporary storage and/or treatment of storm water runoff. Examples include retention and detention basins, rock check dams, swales, and constructed wetlands.

(ff) Swale: a low-lying length of vegetated land with a "V" - shaped cross-section which collects and carries surface water.

(gg) Temporary vegetation: short-term vegetated cover such as oats, rye, or wheat, used to stabilize the soil surface until final grading and installation of permanent vegetation.

(hh) Watercourse: any natural or artificial surface waterway (including, but not limited to, streams, rivers, creeks, ditches, channels, canals, waterways, gullies, ravines, or washes) in which waters flow in a definite direction or course either continuously or intermittently and including any area adjacent thereto which is subject to inundation by overflow of flood water. (Ord. 1787-23. Passed 11-13-23.)

1335.09 COMPLIANCE RESPONSIBILITY.

(a) Performance Liability. No provision of this chapter shall limit, increase or otherwise affect the liabilities of the applicant nor impose any liability upon the Village of South Amherst not otherwise imposed by law.

(b) No Release from Other Requirements. No condition of this permit shall release the applicant from any responsibility or requirements under other federal, state, or local environmental regulations. If requirements vary, the most restrictive requirements shall prevail.

(c) Proceeding with Activity. Land-disturbing activities regulated under this chapter shall not begin until all necessary state and federal permits and appropriate approvals of Storm Water Pollution Prevention Plans or Comprehensive Storm Water Management Plans have been granted to the site owner/applicant.

(d) Performance Responsibility. The applicant is responsible to carry out all provisions of the approved Storm Water Pollution Prevention Plan or CSWM plan and to meet all the standards and requirements of this regulation.

(e) Enforcement.

(1) All development sites are subject to inspections by the Administrator and the Village designee to ensure compliance with the approved SWPPP and CSWMP.

(2) Any reports issued by the Administrator, SABPA and/or its designee shall be distributed to the applicant and the contractor (if applicable) and the Professional Engineer of record who prepared the SWPPP and CSWMP.

(3) If it is found that the construction or development operations are being conducted in violation of the approved SWPPP and/or CSWMP plan, enforcement proceedings will be carried out in accordance with the Lorain County Sediment and Erosion Control Regulations and/or the Lorain County Comprehensive Stormwater Management Regulations. If these enforcement mechanisms do not result in corrective actions, a stop-work order may be issued by the Administrator and the Village designee.

(4) After the issuance of a stop-work order provided for in subsection 1335.09 (e) (c) above, the applicant may meet with the Law Director and the Administrator and the Village designee to show cause why work should not be stopped.

(5) Following the issuance of a stop-work order, the Administrator and the Village designee shall determine if and when the development may proceed. Any determination by the Administrator and the Village designee pursuant to this section is a final order for purpose of judicial review.

(6) All development sites are subject to inspections and enforcement by an authorized agent(s) under the direction of the Administrator and the Village designee to ensure compliance with the approved SWPPP and CSWMP.

(f) Violations.

(1) The Village designee shall notify the Storm Water applicant of any violations in writing. Said notice shall indicate the exact nature of the violations and other specific corrections which are required.

(2) The permittee shall comply with the timeline for correction in Table A listed below. Timeline extension for adverse weather conditions may be granted upon recommendation of the Administrator.

(3) Violations.

Ordinance 1787-23 Exhibit A

Table A: Timeline for Corrective Action

Nature of Violation	Number of Days from Notice To Correct Functioning of Control Practice
Silt Fence	Within Three (3) Days
Outlet Control Structure	Within Three (3) Days
Temporary or permanent stabilization within 50' of drainage channels.	Within Three (3) Days
Temporary or permanent stabilization for all other disturbed areas.	Within Three (3) Days
Stabilized Construction Entrance	Within Three (3) Days
Pumping Sediment laden discharge into drainage channel	Immediately upon Notice
Sediment Settling Pond	Within Ten (10) Days
Any other control practice not addressed in this table	Within Three (3) Days

(g) Penalties Subsequent to Issuance of Stop-Work Order.

(1) Subsequent to the issuance of a stop-work order, one or more of the following penalties may be imposed.

A. If the land-disturbing activity involves a subdivision, the applicable penalties (including fines) provided for in the subdivision regulations of the Village of South Amherst shall apply. Applicable penalties as described in Section 1335.09 (o).

B. Through its Administrator or authorized agent(s), the Village of South Amherst may enter the site and make any modifications necessary to correct the situation(s) involving excessive erosion or sedimentation, and place the cost of such corrective actions, including legal fees on the tax duplicate of the landowner.

C. The Administrator may request the Law Director of the Village of South Amherst to seek an injunction or other appropriate relief to abate excessive erosion or sedimentation and to secure compliance with this Ordinance. In granting such relief, the court may order the construction of sediment control improvements and/or the implementation of other control measures and/or fines as identified in Subsection 1335.09 (n)(1) or any other relief the court determines.

(h) Internal Inspections.

(1) All controls on the site shall be inspected by the applicant in compliance with the minimum requirements of the current Ohio EPA Construction General Permit.

(i) Ownership and Maintenance of Storm Water Facilities.

(1) In the case of proposed subdivisions, inspection and maintenance agreements shall be approved before the Village of South Amherst accepts the final plat of the proposed subdivision. Said agreement shall be incorporated into

the Developer's Agreement when applicable. This agreement shall bind all current and subsequent owners of land served by the storm water facilities.

(2) All inspection and maintenance agreements shall do the following:

A. Designate the party(ies) responsible for the maintenance of all storm water management facilities and practices including mowing, landscaping, debris pick-up, and to ensure that all inlet and outlet structures are free of obstructions and in good repair.

1. For subdivisions, unless otherwise approved by the Village of South Amherst, responsible party(ies) shall be an entity of common ownership (e.g. Land/Homeowner's Association) within the proposed subdivision.

B. Prohibit unauthorized alterations of all storm water management facilities. Any revisions shall be approved by the Administrator.

C. Provide adequate access to all storm water management facilities for inspection by the Village of South Amherst authorized agent(s) and corrective actions by the owner.

(3) As applicable, all storm water management facility easements shall be shown on the record plat, prior to approval by the Village of South Amherst, and a reference shall be made to the entity or individual(s) responsible for their maintenance.

(4) The Village of South Amherst Planning Commission may require the owner and/or the applicant to follow the maintenance procedure outline in "Appendix A: Ohio Revised Code 6131.63." The Village of South Amherst may require of the owner and/or applicant any one or more of the following items in the maintenance agreement:

A. To benefit two or more property owners.

B. To be designed for cost-effective maintenance.

C. To be determined by the Village of South Amherst Planning Commission or authorized agent(s) to be appropriate addition to this jurisdiction's existing storm drainage system.

D. To not be better suited for private maintenance by an individual or group of property owner(s), which ultimate responsibility for maintenance in the event of default on the part of the owner(s) remaining with jurisdiction.

(5) The following conditions shall apply to all drainage easements:

A. Easements shall be approved by the Administrator prior to approval of the final plat and shall be recorded with said plat in separate instruments.

B. Unless otherwise determined by the Administrator drainage easements shall be no less than twenty (20) feet wide.

C. Unless otherwise determined and approved by the Administrator, storm water management facilities, including basin, ponds or other retention/detention practices, shall lie on separate parcels held and maintained by an entity of common ownership (i.e. Land/Homeowners Association).

D. Those lots that contain or are crossed by a drainage easement shall have the following restriction: "Any area reserved for drainage purposes shall at all times be kept free of any obstructions to the flow of water. No improvements or modifications within the identified drainage easement area shall be allowed without the approval of the Administrator.

(j) Fees. The fee schedule may be obtained through the Lorain County Storm Water District. Fees shall be submitted with SWP3 and CSWMP, prior to review. The fee is based on project size and paid by the owner or developer directly to the Administrator (LCSWD). Payment is made payable to Lorain County Treasurer.

(k) Complaints. The Administrator and/or the Village_designee shall investigate any complaint related to earth disturbing activities covered by this chapter.

(l) Variances.

(1) The Village of South Amherst, or its designated agent, may grant a variance to these regulations where the owner or his appointed representative can show that a hardship exists under which compliance with these regulations is not appropriate, in consideration of the following:

A. That exceptional or extraordinary conditions exist that are peculiar to the particular parcel of land.

B. The variance is necessary for the preservation and enjoyment of substantial property rights.

C. The variance will not be a substantial detriment to adjacent land and will not materially impair the purposes of these regulations.

D. Does not violate the Building or Zoning Codes of the Village of South Amherst.

(2) Adverse economic conditions or hardship shall not be considered as a valid reason for a variance request to be granted.

(3) A request for a variance shall be in writing and shall state specifically the reasons for the request and shall include all data and information in support of the request. The request shall be reviewed and approved, disapproved or approved with modifications within thirty (30) working days. Failure to act within said time will result in the variance request being approved.

(m) Appeals. Any person aggrieved by any order, requirement, determination, or any other action or inaction by the Village of South Amherst or its representatives in relation to this regulation may appeal to the Court of Common Pleas. Such appeal shall be made within thirty (30) days of the date of an order or decision and shall specify the grounds for appeal.

(n) Violations. No person shall violate or cause or knowingly permit to be violated any of the provisions of this chapter or fail to comply with any of its provisions or with any lawful requirements of any public authority made pursuant to it, or knowingly use or cause or permit the use of any lands in violation of this chapter or in violation of any approval permit granted under this chapter. Violations of these regulations which will result in enforcement actions, include but are not limited to:

(1) Failure to install control practices specified in state and federal permits.

(2) Improper installation of control practices according to Rainwater and Land Development, current edition, and/or as recommended by the manufacturer.

(3) Inadequate design and/or unacceptable performance of the control practices as judged by the Village Engineer.

(4) Failure to properly maintain control practices put in place as determined by the Village Engineer.

(5) Failure to remove control practices after the site has reached final stabilization.

(o) Penalties.

(1) Violation of any provision of this or any amendment or supplement thereto, or failure to comply with any of the requirements herein shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. Any person or persons violating any of the provisions herein shall upon conviction be fined up to one hundred fifty dollars ($150.00) per day that the violation exists and, in addition, shall pay all costs and expenses involved in the case.

(2) Upon notice from the Village of South Amherst and/or its authorized agent(s), that work is being carried out contrary to this chapter, such work shall immediately stop. Such notice shall be in writing and shall be given to the applicant and shall state the conditions under which such work may resume; provided, however, in instances where immediate action is deemed necessary for the public safety or the public interest, the Village of South Amherst's authorized agent may require that work be stopped upon verbal order pending issuance of the written order.

(3) The imposition of any other penalties provided herein shall not prelude the Village of South Amherst, by or through its Law Director and/or any of its assistants, from instituting an appropriate actions or proceeding in a Court of proper jurisdiction to prevent an unlawful development, or to restrain, correct, or abate a violation, or to require compliance with the provisions of this regulation or other applicable laws, ordinances, rules, or regulations, or the orders of the authorized agent(s).

(p) All development sites are subject to violations and enforcement under the current version and future revisions of the County Comprehensive Storm Water Management Regulations and Sediment and Erosion Regulations.

Contractor Registration

Contractors planning to perform erosion and sediment control related construction activities must be registered with Lorain County Soil & Water (42110 Russia Rd., Elyria, Ohio 44035) and the Village of south Amherst Building Department (103 W. Main St., South Amherst, Ohio 44001). (Ord. 1787-23. Passed 11-13-23.)

RESOLUTION NO. 716-23

Employment Agreement with Matthew A. Mishak as Law Director for the Village of South Amherst 1 January 2024 to 31 December 2024, Authorizing Appointment of Prosecutor and Administrative Assistant

Lorain County, Ohio

Be It Resolved, *by the Council of the Village of South Amherst*

WHEREAS, this date, November 13, 2023, Council moved to adopt the following Resolution and declaring an emergency:

WHEREAS, the Village of South Amherst authorizes the Mayor to enter into an employment agreement with Matthew A. Mishak as Law Director for the Village of South Amherst.

WHEREAS, Matthew A. Mishak, an Attorney at Law admitted to practice in the Courts of the State of Ohio, be and, pursuant to Chapter 137 of the Codified Ordinances of the Village of South Amherst, is hereby appointed and employed as Law Director for the Village of South Amherst, Ohio, for a term commencing 1 January 2024 and ending 31 December 2024.

WHEREAS, Pursuant to §137.01 of the Codified Ordinances of the Village of South Amherst, the Law Director shall be authorized to appoint and remove an Assistant Law Director and Prosecutor and an Administrative Assistant to provide support services to the Village Prosecutor and Village Police to serve during the term of the Law Director.

WHEREAS, The Law Director shall be paid during the term the sum of $18,000.00 per annum, payable in monthly installments of $1,500.00 for ordinary legal services rendered such as attending council, approving ordinances and resolutions, and rendering routine legal opinions. The Law Director shall represent the Village and have no duty to represent the State of Ohio.

WHEREAS, The Prosecutor shall be paid for ordinary legal services the sum of $3,720.00 per annum, payable in monthly installments of $310.00. The Prosecutor will solely have this duty, independent of the Law Director, to represent the State of Ohio in all cases involving the Village.

WHEREAS, The Oberlin Municipal Court Administrative Assistant shall be paid $2,580.00 per annum, paid annually to the City of Oberlin, following the end of the fiscal year.

WHEREAS, The Administrative Assistant to the Law Director shall be paid $3,096.00 per annum, payable in monthly installments of $258.00. The Law Director shall be responsible for hiring the Administrative Assistant.

WHEREAS, The Law Director shall receive additional compensation for extraordinary services and services not covered by this Ordinance, such as civil court appearances, preparation and drafting of court papers, preparation and drafting of contracts, legal services in connection with capital improvements, negotiation of contracts, enforcement of nuisance abatement and collections and such other extraordinary services as authorized by Village Council. Such extraordinary services rendered by the Law Director shall be charged and paid at an hourly rate of

RESOLUTION NO. 716-23

Employment Agreement with Matthew A. Mishak as Law Director for the Village of South Amherst 1 January 2024 to 31 December 2024, Authorizing Appointment of Prosecutor and Administrative Assistant

Lorain County, Ohio

$180.00. Payment for extraordinary services rendered by the Law Director shall be payable to Matthew A. Mishak. Extraordinary services rendered by the Prosecutor shall be charged and paid at an hourly rate of $100.00. The Village shall not be charged for the same hour of professional services rendered by the Law Director and Prosecutor unless authorized by Village Council.

WHEREAS, Jury trials, bench trials, and other hearings in Oberlin Municipal Court not on regularly scheduled days for the Prosecutor shall be compensated over and above the salaries set forth herein at the applicable hourly rates for the Prosecutor.

WHEREAS, The Village shall reimburse the Law Director the annual dues for the Law Director's membership in the Ohio Municipal Attorney's Association, which is currently $500.00 for a Village with a population of 2500 or under, tuition for seminars on municipal law and travel expenses, and purchase of legal publications and materials necessary for the performance of the duties of the Law Director the total of which shall not exceed $1,000.00 per annum.

WHEREAS, The Fiscal Officer is hereby authorized and directed to make appropriate certification as the availability of funds and to issue the appropriate Order for the payment of such salary to Law Director, Prosecutor, Oberlin Municipal Court Administrative Assistant and the Law Director Administrative Assistant as herein provided monthly as such salaries become payable. Fiscal Officer is also authorized to issue appropriate Orders for the payment of additional fees for extra ordinary services rendered by the Law Director and Prosecutor upon presentation to the Council of statement for said additional services the Law Director and Prosecutor for same and approval of Council as to such additional services and fees. Law Director shall review billings for the Prosecutor's extraordinary services and recommend payment thereof.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

That this Resolution is declared an emergency measure necessary for the immediate effectiveness of this Resolution. Wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

Adopted the 13th day of November 2023

First Reading: October 10, 2023

Second Reading:

PASSED:

RESOLUTION NO. 716-23

Employment Agreement with Matthew A. Mishak as Law Director for the Village of South Amherst 1 January 2024 to 31 December 2024, Authorizing Appointment of Prosecutor and Administrative Assistant

Lorain County, Ohio

____
David Leshinski, Mayor

ATTEST: ______________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Resolution No. **716-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such resolution occurred in and open meeting held in compliance with O.R.C. 121.22

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director

RESOLUTION NO. 717-23

Rate of Compensation for
Records Clerk & Administrative Assistant

Lorain County, Ohio

Be It Resolved, *by the Council of the Village of South Amherst*

WHEREAS, this date, November 27, 2023, Council moved to adopt the following Resolution:

WHEREAS, the Council of the Village of South Amherst hereby fixing the rate of compensation of Records Clerk & Administrative Assistant with an hourly rate of $16.28/hour, effective January 1, 2024.

WHEREAS, This Resolution hereby repeals any and all provisions of Ordinances and/or Resolutions which are in conflict herewith.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 27th day of November 2023

First Reading:
Second Reading:
PASSED:

____
David Leshinski, Mayor

ATTEST: __________________________
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Resolution No. **717-23** is taken and copied from the record of proceedings of the lVillage Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such resolution occurred in and open meeting held in compliance with O.R.C. 121.22

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director
Res. 717-23 SA\ Compensation Records Clerk & Admin. Assist.

RESOLUTION NO. 718-23

Agreement to Provide Emergency Medical/Rescue and Fire Service to New Russia Township from 1/1/24 thru 12/31/26

Lorain County, Ohio

Be It Resolved, *by the Council of the Village of South Amherst*

WHEREAS, this date, November 13, 2023, Council moved to adopt the following Resolution and declaring an emergency:

WHEREAS, the Village of South Amherst authorizes the Mayor to enter into an agreement with New Russia Township from 1/1/2024 thru 12/31/2026.

NOW THEREFORE, it is hereby RESOLVED by the Council that:

The Village of South Amherst wishes to enter into an agreement to provide Emergency Medical/Rescue and Fire Service to New Russia Township from 1/1/2024 thru 12/31/2026 per the provisions in Exhibit A (attached); and

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of the Village of South Amherst concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village of South Amherst Council, and that all deliberations of the Village of South Amherst Council and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

That this resolution is declared an emergency measure necessary for the immediate effectiveness of this Resolution. Wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

Adopted the 13th day of November, 2023

PASSED:

____
David Leshinski, Mayor

ATTEST: ________________________
Fiscal Officer

RESOLUTION NO. 718-23

Agreement to Provide Emergency Medical/Rescue and Fire Service to New Russia Township from 1/1/24 thru 12/31/26

Lorain County, Ohio

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Resolution No. **718-23** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such resolution occurred in and open meeting held in compliance with O.R.C. 121.22

____
Fiscal Officer

APPROVED AS TO FORM:

____
Matthew A. Mishak, Law Director
SA\2023 Res. 718-23 SAFD New Russia