Village of Batavia - Ordinance 1591-26

AN ORDINANCE OF THE VILLAGE OF BATAVIA, CLERMONT COUNTY OHIO, TO REPEAL ORDINANCE 1572-26 AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Batavia previously passed Ordinance 1572-26 titled "AN ORDINANCE OF THE VILLAGE OF BATAVIA, CLERMONT COUNTY OHIO, DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE; DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS; EXEMPTING SUCH IMPROVEMENTS FROM AD VALOREM REAL PROPERTY TAXATION; REQUIRING THE OWNER OF THE IMPROVEMENTS TO MAKE SERVICE PAYMENTS IN LIEU OF AD VALOREM REAL PROPERTY TAXES AND ESTABLISHING A MUNICIPAL IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS IN LIEU OF AD VALOREM PROPERTY TAXES, PURSUANT TO SECTIONS 5709.40, 5709.42 AND 5709.43 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY" on June 22, 2026; and

WHEREAS, the Council of the Village of Batavia is desirous to repeal Ordinance 1572-26 to ensure accuracy and clarity with the intent of the Village of Batavia and its Council given a scrivener's error with respect to address and to ensure the records of the Village are clear; and

WHEREAS, the Council of the Village of Batavia has determined that it is necessary and appropriate and in the best interests of the Village to provide for service payments in lieu taxes with respect to the Improvement of the TIF Site, pursuant to Section 5709.42 of the Ohio Revised Code, to pay costs of the Public Infrastructure Improvements; and

WHEREAS, the Village of Batavia, through its Council, believes this Ordinance is immediately necessary for the immediate preservation of the health, peace, welfare, safety, and economic stability of the Village of Batavia and its residents to wit: to ensure accuracy and clarity with the intent of the Village of Batavia and its Council and to immediately repeal an ordinance with a scrivener's error.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Batavia, Clermont County, Ohio, that:

SECTION 1. Ordinance 1572-26 titled "AN ORDINANCE OF THE VILLAGE OF BATAVIA, CLERMONT COUNTY OHIO, DECLARING IMPROVEMENTS TO CERTAIN REAL

PROPERTY WITHIN THE VILLAGE TO BE A PUBLIC PURPOSE; DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS; EXEMPTING SUCH IMPROVEMENTS FROM AD VALOREM REAL PROPERTY TAXATION; REQUIRING THE OWNER OF THE IMPROVEMENTS TO MAKE SERVICE PAYMENTS IN LIEU OF AD VALOREM REAL PROPERTY TAXES AND ESTABLISHING A MUNICIPAL IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE SERVICE PAYMENTS IN LIEU OF AD VALOREM PROPERTY TAXES, PURSUANT TO SECTIONS 5709.40, 5709.42 AND 5709.43 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY" enacted on June 22, 2026 is hereby repealed in its entirety.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from the necessity of providing immediate clarity and accuracy of the intent of the Village of Batavia and ensure the records of the Village of Batavia are clear.

SECTION 4. That this Ordinance shall be effective at the earliest date allowed by law.

ADOPTED: _____

Attest:

_____ _____

Stephen M. Staton, Mayor F. Justin Russell, Fiscal Officer