

P/C 12/20/16 Finance  
Cau 1/24/17  
1<sup>st</sup> R 2/7/17  
2<sup>nd</sup> R 2/21/17  
3<sup>rd</sup> R 3/7/17  
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10067-2017

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AMENDING SECTION 1805.01(2) (A) and (B)  
OF THE BROOK PARK CODIFIED ORDINANCES  
COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES,  
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 1805.01(2) (A) and (B) of the Brook Park Codified Ordinances, as enacted by Ordinance No. 9984-2015 passed December 15, 2015, and reading as follows:

**1805.01 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES.**

(2) In addition to withholding the amounts required under division (a)(1) of this section, an employer, agent of an employer, or other payer may also deduct and withhold, on the request of an employee, taxes for the municipal corporation in which the employee is a resident.

(b) (1) An employer, agent of an employer, or other payer is required to remit to the Tax Director of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer, along with any report required by the Tax Director to accompany such payment, according to the following schedule:

A. Any employer, agent of an employer, or other payer not required to make payments under division (b)(1)B. of this section or taxes required to be deducted and withheld shall make quarterly payments to the Tax Director not later than the fifteenth day of the month following the end of each calendar quarter.

B. Taxes required to be deducted and withheld are required to be remitted monthly to the Tax Director if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars (\$2,399.00), or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars

(\$200.00). Payment under division (b)(1)B. of this section shall be made so that the payment is received by the Tax Director not later than fifteen days after the last day of each month.

is hereby amended to read as follows:

**1805.01 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES.**

(2) In addition to withholding the amounts required under division (a)(1) of this section, an employer, agent of an employer, or other payer may also deduct and withhold, on the request of an employee, taxes for the municipal corporation in which the employee is a resident.

(b) (1) An employer, agent of an employer, or other payer is required to remit to the Tax Director of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer, along with any report required by the Tax Director to accompany such payment, according to the following schedule:

A. Any employer, agent of an employer, or other payer not required to make payments under division (b)(1)B. of this section or taxes required to be deducted and withheld shall make quarterly payments to the Tax Director not later than the last day of the month following the last of each calendar quarter.

B. Taxes required to be deducted and withheld are required to be remitted monthly to the Tax Director if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars (\$2,399.00), or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars (\$200.00). Payments under division (b)(1)B. of this section shall be made so that the payment is received by the Tax Director not later than fifteen days after the last day of each month.

**SECTION 2:** Former Section 1805.01(2)(A) and (B) the Brook Park Codified Ordinances as enacted by Ordinance No. 9984-2015, passed December 15, 2015, is hereby repealed.

**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 of any of its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 4:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to amend 1805.01(2)(A) and (B); therefore, this

Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: March 7, 2017

Jim Gattone  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR

3/9/2017  
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]  
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution

No. 10067-2017  
passed on the 7<sup>th</sup> day of March  
20 17 by said council.

Michelle Blazak  
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5530 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing March 10, 2017  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council

	Yea	Nay
Troyer	✓	
Mencini	✓	
Powers	✓	
Scott	✓	
Burgio	✓	
McCormick	✓	
Salvatore	✓	