

CITY OF CLAYTON, OHIO

RESOLUTIONS AND ORDINANCES November 2, 2023

NEW BUSINESS

ORDINANCES (FIRST OF TWO READINGS)

ORDINANCE NO. O – 11 – 23 – 24

AN ORDINANCE APPROVING AMENDMENT OF THE CLAYTON CODIFIED ORDINANCES IN ORDER TO ADD A NEW CHAPTER 185 ENTITLED, “HOTEL LODGING EXCISE TAX”

WHEREAS, Ohio Revised Code §5739.08 states, in relevant part, “The levy of an excise tax on transactions by which lodging by a hotel is or is to be furnished to transient guests pursuant to §5739.02 and §5739.01(B) does not prevent a municipal corporation from levying an excise tax for any lawful purpose not to exceed three percent (3%) on transactions by which lodging by a hotel is or is to be furnished to transient guests in addition to the tax levied under §5739.02.”; and

WHEREAS, Council desires to amend the Clayton Codified Ordinances in order to add a new Chapter 185 thereto entitled, “Hotel Lodging Excise Tax”, as delineated in the attached **Exhibit A**.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the Clayton Codified Ordinances are hereby amended to add a new Chapter 185 thereto entitled, “Hotel Lodging Excise Tax”, as delineated in the attached **Exhibit A**.
2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
3. That in accordance with Clayton Charter Section 4.031 the requirement that this enactment be read on two (2) separate days is complied with by readings on November 2, 2023 and November 16, 2023.
4. That in accordance with Clayton Charter Section 4.031(H) this enactment shall become effective thirty days after its second reading and enactment.

ADOPTED BY COUNCIL ON NOVEMBER 16, 2023

ORDINANCE NO. O – 11 – 23 – 25

**AN ORDINANCE AMENDING THE CITY INCOME TAX CODE AT CHAPTER
183 OF THE CLAYTON CODIFIED ORDINANCES TO ADOPT REVISIONS
MANDATED BY OHIO HOUSE BILL 33**

WHEREAS, in House Bill (H.B.) 33 of the 135th General Assembly, the said General Assembly has included therein revisions to Ohio Revised Code Chapter 718 requiring municipalities adopt certain municipal income tax amendments that are also adopted within H.B. 33; and

WHEREAS, the City has determined the necessity to revise its municipal income tax ordinance located at Chapter 183 of the Clayton Codified Ordinances in order to comply with the revisions authorized and found in H.B. 33 and codified at Ohio Revised Code Chapter 718.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF CLAYTON, STATE OF OHIO:**

1. That Sections 183.062, 183.091, 183.094, 183.10, and 183.34 of Chapter 183 of the Codified Ordinances of the City shall hereby be amended to read as set forth in **Exhibit A** (additions in **bold** and deletions in ~~strike through~~) of this Ordinance, attached hereto and incorporated by reference herein.
2. That those provisions of Chapter 183 not amended herein as delineated in the attached **Exhibit A** shall remain unchanged in full force and effect.
3. That this Ordinance shall be effective as an exception to any ordinance, resolution, or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
4. That in accordance with Clayton Charter Section 4.031, the requirement that this enactment be read on two (2) separate days is complied with by readings on November 2, 2023 and November 16, 2023.
5. That this Ordinance shall take effect and be in force on and after January 1, 2024.

ADOPTED BY COUNCIL ON NOVEMBER 16, 2023

OLD BUSINESS

NOTE: COUNCIL VOTED TO LEAVE THE FOLLOWING RESOLUTION TABLED:

RESOLUTION NO. R – 10 – 23 – 60

**A RESOLUTION APPOINTING _____ TO THE
PARKS ADVISORY COMMISSION**

WHEREAS, Clayton Codified Ordinance Chapter 159 created the Parks Advisory Commission;
and

WHEREAS, Clayton Codified Ordinance Chapter 159 provides for the appointment of nine (9)
members to the Parks Advisory Commission to be appointed by a majority vote of Council for
overlapping terms of three years each; and

WHEREAS, Naoimi Thomas was previously appointed to said Commission via adoption of
Resolution No. R-01-20-03 and her term has expired, leaving a vacant seat.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
CLAYTON, STATE OF OHIO:**

1. That _____ is hereby appointed to the Parks Advisory Commission for a three
(3) year term commencing November 2, 2023.

ADOPTED BY COUNCIL ON NOVEMBER 2, 2023

NEW BUSINESS

RESOLUTIONS (SINGLE READING AND IMMEDIATE ENACTMENT)

RESOLUTION NO. R – 11 – 23 – 61

**A RESOLUTION TO AUTHORIZE AND APPROVE FIVE-YEAR
CAPITAL IMPROVEMENT BUDGET**

WHEREAS, under Section 8.05 (A) of the Clayton City Charter the City Manager is to prepare a
five-year capital improvement budget for the consideration of Council; and

WHEREAS, the City Manager has prepared and presented to City Council a five-year capital
improvement budget (**Exhibit A**).

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
CLAYTON, STATE OF OHIO:**

1. That the five-year capital improvement budget appended hereto as **Exhibit A** and made a part
hereof is hereby authorized and approved.

ADOPTED BY COUNCIL ON NOVEMBER 2, 2023

RESOLUTION NO. R – 10 – 23 – 62

**A RESOLUTION OF ENCOURAGEMENT FOR OFFICER CODY CECIL
AND IN SUPPORT OF THE CLAYTON POLICE DEPARTMENT**

WHEREAS, the City of Clayton Police Department was formed in 1998; and

WHEREAS, Office Cody Cecil is an Officer within the City of Clayton Police Department; and

WHEREAS, this Resolution recognizes the sacrifices local law enforcement officers make in keeping their communities safe; and

WHEREAS, City Council desires to express its encouragement to and wish Officer Cody Cecil a quick recovery.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the City of Clayton Council hereby offers its encouragement to Officer Cody Cecil during his recovery and offers its continued support of the Clayton Police Department and encourages the residents of Clayton to do the same.

ADOPTED BY COUNCIL ON NOVEMBER 2, 2023
