**ORDINANCE 47-23-O**

**AN ORDINANCE AUTHORIZING THE RE-ESTABLISHMENT OF THE FIRE CAPITAL FUND, STATING THE PURPOSE OF THE FUND, THE AMOUNT TO BE ACCUMULATED, THE DURATION OF THE FUND, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Celina has an ongoing responsibility to procure and maintain emergency equipment for use in responding to the perilous conditions created by fire, accidents, inclement weather and environmental disasters; and

WHEREAS, the expense of replacing said emergency response equipment without proper financial planning is burdensome in the extreme and may create financial hardships for the City; and

WHEREAS, Section 5705.13(C) of the Ohio Revised Code creates a procedure for encumbering funds and investing said funds in a capital projects fund for future expenditures for emergency response equipment; and

WHEREAS, City Council passed Ordinance 19-11-O on April 21, 2011, which established a capital projects fund for fire vehicles and which was amended by Ordinance 72-15-O on December 28, 2015. Ordinance 72-15-O retitled the fund as “Fire Capital Fund” and permitted the funds therein to be expended on Capital items not limited to “vehicles” in accordance with Ohio Revised Code Section 5705.13(C); and

WHEREAS, the State Auditor’s office has advised the City of Celina that the Fire Capital Fund has exceeded the ten-year limit and needs re-established.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Celina, County of Mercer, State of Ohio:

SECTION ONE

THAT, pursuant to Section 5705.13(C) O.R.C., the Fire Capital Fund is hereby re-established, hereinafter referred to as the “special projects fund”, for the purpose of accumulating resources for the acquisition, construction, or improvement of fixed assets for the Fire Department. The total accumulation of contributions to said special projects fund is set at an amount not to exceed Four Million Dollars ($4,000,000.00). Funds may be deposited in said special project fund for ten years and are to be invested according to law. Any interest accumulated on such funds must be deposited, by law, in the General Fund.

SECTION TWO

THAT, this Ordinance shall be declared an emergency measure immediately necessary for the preservation of the public peace, safety, and welfare, such emergency arising out of the necessity to keep funds available for Fire Capital expenses. NOW, therefore, this ordinance shall take effect and be in force from and after its passage and approval by the Mayor at the earliest period allowed by law.

PASSED this \_\_\_\_\_day of , 2023

Jason D. King, President of Council

ATTEST:

Michael F. DiDonato, Clerk of Council

APPROVED , 2023

Jeffrey S. Hazel, Mayor

APPROVED AS TO FORM:

George Erik. Moore, Esq., City Law Director