

ORDINANCE NO. 2016-17

AN ORDINANCE AUTHORIZING THE SOLICITOR AND THE FISCAL OFFICER OF THE VILLAGE OF BELMONT, OHIO, TO TAKE NECESSARY ACTION TO OBTAIN A COURT ORDER TO TRANSFER RESTRICTED FUNDS TO THE GENERAL FUND.

WHEREAS, monies in the amount of _____, received as a bonus on a paid-up oil and gas lease was deposited in the general fund and subsequently appropriated to the Street Fund by the previous Fiscal Officer of the Village of Belmont, Ohio.

WHEREAS, said appropriation was never discussed in an open meeting of Council, evidenced by the record of proceedings.

WHEREAS, said appropriation was contrary to law.

WHEREAS, a fiscal emergency has arisen and need for the monies wrongly appropriated are needed elsewhere.

WHEREAS, a court order issued by the Belmont County, Ohio, Court of Common Pleas is necessary to make the necessary adjustment to return the monies wrongly appropriated to the general fund.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Belmont:

SECTION 1. (A) The Village of Belmont, hereby authorizes the Solicitor and Fiscal Officer to take the necessary steps to obtain said court order.

(B) The Solicitor and Fiscal Officer are granted unrestricted discretion in obtaining issuance of said court order by the Belmont County, Ohio, Court of Common Pleas.

(C) Said unrestricted discretion shall cease upon issuance of said court order by the Belmont County, Ohio, Court of Common Pleas.

SECTION 2. This ordinance shall take effect at the earliest time allowed by law.

STANLEY A. SOBEL, Mayor

CLERK'S CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing Ordinance was adopted by Belmont Village Council at a special meeting on the 21st day of June, 2016.

RICKY BURKHEAD,
Fiscal Officer and Clerk of Council