

ORDINANCE NO. 2016-29

AN ORDINANCE REPLACING THE ELECTED POSITION OF VILLAGE CLERK-TREASURER WITH, AND CREATING THE APPOINTED POSITION OF, VILLAGE FISCAL OFFICER

WHEREAS, no legislation can be found combining the duties and obligations of the Village clerk and treasurer into the appointed position of Village Fiscal Officer under O.R.C. 733.262;

WHEREAS, during the year of 2008 the Village utilized the elected position of Clerk-treasurer;

WHEREAS, at the beginning of the year 2009, the previous administration appointed a Village Fiscal Officer;

WHEREAS, since said appointment of the Village Fiscal Officer in 2009, the Village has operated as such;

WHEREAS, the Council wishes to clarify the position of Village Fiscal Officer; and

WHEREAS, the now sitting Council recognizes a vacancy in the position of Clerk-Treasurer at the end of the year 2008.

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

SECTION 1. (A) Council hereby formally creates the position of Village Fiscal Officer.

(B) Council hereby replaces the elected position of Clerk-Treasurer with the appointed position of Village Fiscal Officer.

(C) Council understands that the procedure of creating the position of Village Fiscal Officer under O.R.C. 733.262 was not complied with by the previous administration; however, was operated as though the procedure had been complied with.

(D) Council understands that the current Mayor has appointed a Village Fiscal Officer to fill the vacancy left by the previous Village Fiscal Officer's resignation without knowing of the previous administration's noncompliance with O.R.C. 733.262, and under the creation of the Village Fiscal Officer Position by this Ordinance, Council does ratify these actions of the current mayor.

(E) Council does ratify the actions of the previous Village Fiscal Officer to the extent said actions were not contrary to law or illegal; however, Council does not ratify any actions of the previous administration or previous Village Fiscal Officer that were contrary to law or illegal.

SECTION 2. Council hereby permits the Village Fiscal Officer to reside outside the corporation limit of the Village of Belmont, Belmont County, Ohio.

SECTION 3. 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 regular meeting on the 3rd day of November, 2016.

RICKY BURKHEAD,
Fiscal Officer and Clerk of Council