

ORDINANCE 2012-05 **NO ACTION TAKEN - FAILED**

AN ORDINANCE APPROVING THE FINAL DRAFT AMENDED SOLID WASTE MANAGEMENT PLAN OF THE ROSS, PICKAWAY, HIGHLAND, FAYETTE JOINT SOLID WASTE MANAGEMENT DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, The Board of Directors (Board) of the Ross, Pickaway, Highland, Fayette Joint Solid Waste Management District (District) has established and convened a "solid waste management policy committee" in accordance with Section 3734.54 of the Revised Code (Policy Committee) to prepare, adopt, and submit to the Director of the Environmental Protection Agency for review and approval, a "solid waste management plan" for the District as required by Section 3734.54 (Plan); and

WHEREAS, the District is currently implementing such an approved solid waste management plan; and

WHEREAS, the District is required by Section 3734.56 of the Revised Code to amend the approved Plan every five years; and

WHEREAS, the Policy Committee completed a draft amended Plan for the District and submitted that amended Plan to the Director of the Ohio Environmental Protection Agency for preliminary review and comment in accordance with Sections 3734.54 and 3734.55 of the Revised Code; and

WHEREAS, the Policy Committee received the Director's written, nonbinding advisory opinion regarding the draft amended Plan and established a public comment period and held a public hearing on, concerning the draft amended plan; and

WHEREAS, the Policy Committee, after consideration of comments and recommendations received concerning the draft amended Plan, has adopted and submitted to this legislative authority a copy of the draft amended Plan for the District as so adopted (the "Final Draft Amended Plan"); and

WHEREAS, this legislative authority is required by Division (B) of Section 3734.55 of the Revised Code to approve or disapprove the Final Draft Amended Plan within 90 days after receiving a copy of the Final Draft Amended Plan and has been requested to approve the Final Draft Amended Plan;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, COUNTY OF PICKAWAY, STATE OF OHIO, TWO-THIRDS OF ITS MEMBERS ELECTED THERETO CONCURRING, THAT:

Section 1. The Final Draft Amended Plan is hereby approved in the form submitted to this legislative authority and presently on file with the Clerk of this legislative authority.

Section 2. The Clerk of this legislative authority is hereby authorized and directed to mail or otherwise deliver promptly a certified copy of this ordinance to the Policy Committee.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4 Council declares this ordinance to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of this municipality and further finds that Village Council needs to approve this Final Draft Amended Solid Waste Management Plan by June 26, 2012. Wherefore, provided that this ordinance receives the required affirmative vote of Council, this Ordinance shall take effect and be in force upon passage by Council

Vote on Suspension of the Three Readings:

Motion by: _____

2nd: _____

Roll Call:

_____ Jim Kuzelka

_____ Jason Thompson

_____ Clarence Wissinger

_____ Vidal Cruz

_____ Kimberly Gooden Kinney

_____ Randy Shelton

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Vote on Passage of the Ordinance:

Motion by: _____ 2nd: _____

Roll Call:

_____ Jim Kuzelka	_____ Jason Thompson	_____ Clarence Wissinger
_____ Vidal Cruz	_____ Kimberly Gooden Kinney	_____ Randy Shelton

Adopted this 4th day of June, 2012

Joe Hammond, Mayor

Wendy L. Hastings, Fiscal Officer

Approved as to Form:

D. Michael Crites, Law Director