

EMERGENCY – April 12, 2011

COUNCIL NO. 021

SPONSOR: Council

ORDINANCE NO. 20-11

AN ORDINANCE AMENDING SECTION 191.02(I) OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING EARNED INCOME TAX DEFINITIONS, AND THE DECLARING OF AN EMERGENCY

WHEREAS, the residents of the City of Sheffield Lake approved a one-quarter of one percent increase in the income tax rate with the effective date of July 1, 2006; and,

WHEREAS, Sheffield Lake City Council passed Ordinance 16-06 increasing the income tax rate by one-fourth of one percent; and,

WHEREAS, Section 191.02(I) is inconsistent with Section 191.03 of the Code; and,

WHEREAS, it is in the best interest of the City of Sheffield Lake, Ohio to amend Section 191.02(I) of the Codified Ordinances regarding Earned Income Tax Definitions.

NOW THEREFORE, be it ordained by the Council of the City of Sheffield Lake, State of Ohio:

Section 1. Codified Ordinance 191.02(I) presently reading as follows:

- (1) “Net profits” For taxable years prior to 2004, Net Profits means a net gain from the operation of a business, profession, enterprise or other activity, after provision for all ordinary and necessary expenses either paid or accrued in accordance with the accounting system used by the taxpayer for federal income tax purposes (provided such method does not conflict with any provision of this chapter which imposes an annual tax of one percent on the net profits earned, received or accrued for the effective period of this chapter attributable to the City under the formula of separate accounting method provided for in this chapter), without the deduction of taxes imposed by this chapter, Federal State and other taxes based on income; and in the case of an association, without deduction of salaries paid to partners and other owners; and otherwise adjusted to the

requirements of this chapter. For taxable years 2004 and later, see “adjustable federal taxable income”.

Section 2. Is hereby amended as follows:

- (1) “Net profits” For taxable years prior to 2004, Net Profits means a net gain from the operation of a business, profession, enterprise or other activity, after provision for all ordinary and necessary expenses either paid or accrued in accordance with the accounting system used by the taxpayer for federal income tax purposes (provided such method does not conflict with any provision of this chapter which imposes an annual tax of one and one-half percent (1.5%) on the net profits earned, received or accrued for the effective period of this chapter attributable to the City under the formula of separate accounting method provided for in this chapter), without the dedication of taxes imposed by this chapter, Federal State and other taxes based on income; and in the case of an association, without deduction of salaries paid to partners and other owners; and otherwise adjusted to the requirements of this chapter. For taxable years 2004 and later, see “adjustable federal taxable income”.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure made necessary for the preservation of the public peace, health, safety and welfare of the City of Sheffield Lake, Ohio, the emergency being the immediate necessity of amending Section 191.02(1) of the Codified Ordinances regarding Earned Income Tax Definitions.

PASSED THIS _____ DAY OF _____, 2011.

	Yea	Nay	Not Voting
Dennis Bring	_____	_____	_____
Leanna Stark	_____	_____	_____
Diane Huska	_____	_____	_____
Steve Kovach	_____	_____	_____
Rick Rosso	_____	_____	_____
Alan Smith	_____	_____	_____
Eric Elliott	_____	_____	_____

MAYOR
John J Piskura

PRESIDENT OF COUNCIL
Edward R Podmanik

and/or

President Pro Tem
Richard Rosso

CLERK OF COUNCIL
Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of Ordinance#_____. PASSED_____, 2011.