

**CITY OF XENIA, OHIO
ORDINANCE NUMBER 10 - 27**

ORDINANCE AUTHORIZING THE CITY OF XENIA, OHIO, PURSUANT TO OHIO REVISED CODE SECTION 718.01(C) TO PLACE ON THE BALLOT AT THE GENERAL ELECTION ON NOVEMBER 2, 2010, A PROPOSED ORDINANCE AMENDING SECTION 880.03 IMPOSITION OF DIRECT TAX OF THE XENIA CODIFIED ORDINANCES, AND SECTION 880.04 IMPOSITION OF WITHHOLDING TAX OF THE XENIA CODIFIED ORDINANCES TO INCREASE THE TAX RATE BY ONE-HALF OF ONE PERCENT (0.5%) FOR THE PURPOSE OF MAINTAINING CURRENT POLICE AND FIRE SERVICE LEVELS, STREET IMPROVEMENTS, AND OTHER GENERAL CAPITAL IMPROVEMENTS.

WHEREAS, it is the determination of the City Council that additional revenues are necessary to maintain current police and fire service levels, street improvements, and other general capital improvements; and

WHEREAS, the Ohio Revised Code provides that a levy of a tax on income at a rate in excess of one percent (1%) requires the approval of a majority of the electors of the City of Xenia; and

WHEREAS, it is the determination of the City Council that the proposed increases in income tax would best serve the needs of the City of Xenia and shall be submitted to the electorate at the November 2, 2010, general election.

NOW, THEREFORE, the City of Xenia hereby ordains:

Section 1. Section 880.03 Imposition of Direct Tax of Chapter 880: Income Tax of the Xenia Codified Ordinances, be amended to read as follows:

Subject to the provisions of Section 880.16 and 880.20, an annual tax for the purposes specified in Section 880.01 shall be imposed on or after ~~January 1, 2004~~ **January 1, 2011**, at the rate of ~~one and three-quarters percent~~ **two and one-quarter percent (2.25%)** per annum on taxable income as specified in Article III, paragraph A.1. of the Income Tax Rules and Regulations.

Section 2. Section 880.04 Imposition of Withholding Tax of Chapter 880: Income Tax of the Xenia Codified Ordinances be amended to read as follows:

Subject to the provisions of Section 880.16 and 880.20, each employer shall, at the time of payment of any taxable income specified in Article III, paragraph B., of the Income Tax Rules and Regulations, deduct the tax of ~~one and three-quarters percent~~ **two and one-quarter percent (2.25%)** commencing ~~January 1, 1992~~ **January 1, 2011**, of the qualifying wages due by such employer to his or her employees who are subject to the provisions of this chapter. Each employer shall make returns and pay to the Accounts Receivable Division the tax withheld in accordance with Article III, paragraph B.1. of the Income Tax Rules and Regulations.

Section 3. All other sections of Chapter 880: Income Tax of the Xenia Codified Ordinances shall remain in full force and effect as written including, Section 880.15 Credit for

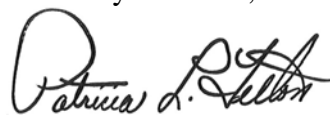
Tax Paid to Another Municipality, which shall remain at a credit not-to-exceed one and one-half percent of the earnings taxed by such municipality.

Section 4. The proceeds from one-quarter (1/4) of one percent of the total increase of one-half (1/2) of one percent of the income tax rate be used solely for the purpose of maintaining current police and fire service levels.

Section 5. Pursuant to Section 718.01(C) of the Ohio Revised Code, said proposed changes to the Income Tax laws shall be certified to the Board of Elections of Greene County, Ohio, and a Resolution shall be passed directing the Board of Elections to place upon the ballot for general voter approval or rejection at the general election on November 2, 2010, as provided by law.

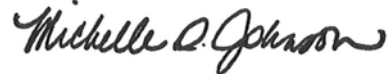
Section 6. This Ordinance shall take effect on the first day of January in the year 2011 following its approval by a majority of the electors of the City of Xenia, Ohio.

Passed: June 24, 2010
Effective: July 24, 2010



Patricia L. Felton
President, Xenia City Council

Attest:



Michelle D. Johnson
Clerk, Xenia City Council