

RESOLUTION NO. 40-2022

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF NEW PHILADELPHIA WILL PROVIDE TO PARCEL NO. 25-01989-000 AND 25-01887-000, LOCATED IN GOSHEN TOWNSHIP, TUSCARAWAS COUNTY, OHIO, UPON ANNEXATION INTO THE CITY OF NEW PHILADELPHIA.

WHEREAS, pursuant to Ohio Revised Code Section 709.023, the property owner seeking the annexation of real property in Goshen Township, Tuscarawas County, Ohio, contiguous to the City of New Philadelphia (the "Property"), filed a Petition for Annexation of their property to the City of New Philadelphia with the Board of County Commissioners of Tuscarawas County, Ohio, and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty days after the date that the petition is filed, the municipal corporation to which annexation is sought shall adopt a resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and,

WHEREAS, Ohio Revised Code Section 709.023(C) also provides that within that same twenty day period, a municipal corporation shall adopt an ordinance or resolution stating that the municipal corporation will require a buffer separating the use of the annexed territory and the adjacent land remaining within the township, if the municipal corporation determines that its permitted zoning is incompatible with the uses permitted under the county or township zoning, but for reasons stated herein, this section is inapplicable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of New Philadelphia, County of Tuscarawas, State of Ohio:

SECTION 1. In the event that the proposed property is annexed to the City of New Philadelphia, Ohio, the City will provide to the Property the full range of municipal services available to the property within the City of New Philadelphia, including but not limited to water and sewer services, police and fire protection, municipal court, public works and street maintenance, and planning, zoning, building and engineering services, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be determined that as a result of the annexation, the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem, the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.

SECTION 2. The City of New Philadelphia determines that the zoning uses are compatible with the county or township zoning and a buffer is not required.

SECTION 3. The Clerk is hereby directed to forward and file certified copies of this Resolution with the Tuscarawas County Board of County Commissioners and to send a copy to the petitioner for annexation or the petitioner's agent within twenty days following the date that the petition was filed with Tuscarawas County.

SECTION 4. This Ordinance is here declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect, and maintain the health, safety, and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

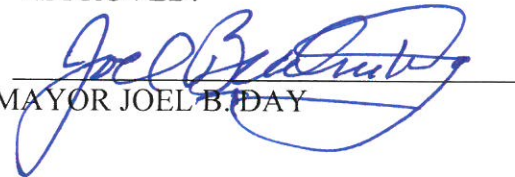
PASSED: Dec 12, 2022


DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:


JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:


MAYOR JOEL B. DAY

SPONSORED BY: ZONING AND ANNEXATION COMMITTEE