

Sponsored / Introduced by:
Councilmen Vest and Frager

RESOLUTION NO. 22 - 2012

A RESOLUTION ADOPTING A POLICY FOR RECIPIENTS OF ECONOMIC DEVELOPMENT ASSISTANCE TO DISCLOSE LIABILITIES OWED TO GOVERNMENTAL ENTITIES AND AUTHORIZING INSPECTION

WHEREAS, the Village has established, and may in the future establish additional, economic development programs, inclusive of tax exemptions and economic incentive grants, and

WHEREAS, section 9.66(B) of the Ohio Revised Code requires applicants for economic development assistance to disclose whether they have any outstanding liabilities owed to the state, a state agency, or a political subdivision as a condition of receiving economic development assistance, as well as to permit records inspection, and

WHEREAS, the Council desires to adopt a policy explicitly incorporating the requirements of O.R.C. 9.66(B) for all Village programs for economic development assistance, inclusive of tax exemptions, economic incentive grants, and all other such like programs as may in the future be established.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. There is hereby adopted the "Disclosure of Liabilities Owed to Governmental Entities and Authorization for Inspection" policy which is attached hereto as Exhibit "A" and incorporated herein by this reference.

SECTION 2. The "Disclosure of Liabilities Owed to Governmental Entities and Authorization for Inspection" shall be an umbrella policy applicable to all recipients of economic development assistance, inclusive of tax exemptions, economic incentive grants, and all such other like programs that may be established.

SECTION 3. That compliance with this policy, and all requirements of O.R.C. 9.66(B), shall be a continuing condition for any recipient of a tax exemption, incentive grant, or other like program of economic development assistance.

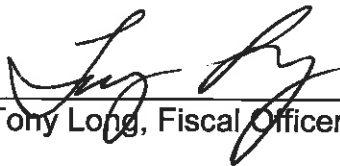
SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. This Resolution shall take effect at the earliest time provided by law.

PASSED:

October 15, 2012

Attested:



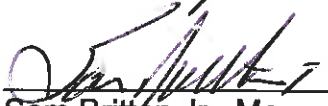
Tony Long, Fiscal Officer



President of Council

Approved:

Date: 11/26/2012



Sam Britton Jr., Mayor

VILLAGE OF MADISON

ECONOMIC DEVELOPMENT ASSISTANCE

DISCLOSURE OF LIABILITIES OWED TO GOVERNMENTAL ENTITIES AND AUTHORIZATION FOR INSPECTION

08.12

Any applicant for economic development assistance shall as a condition of same comply with the disclosure and other substantive requirements of §9.66 of the Ohio Revised Code.

"Economic development assistance" includes without limitation any economic incentive grant or tax exemption.

DUTY TO DISCLOSE AND AUTHORIZATION FOR RECORDS INSPECTION

Revised Code §9.66(B) requires that:

A person who applies to the state, a state agency, or a political subdivision for economic development assistance shall indicate on the application for assistance whether the person has any outstanding liabilities owed to the state, a state agency, or a political subdivision. Such a person also shall authorize the state, state agency, or political subdivision to inspect the personal or corporate financial statements of the applicant, including tax records and other similar information not open to public inspection.

MEANING OF "LIABILITY"

"Liability" means any of the following:

- (a) Any delinquent tax owed the state or a political subdivision of the state;
- (b) Any moneys owed the state or a state agency for the administration or enforcement of the environmental laws of the state;
- (c) Any other moneys owed the state, a state agency, or a political subdivision of the state that are past due.

"Liability" includes any item described above that is being contested in a court of law.

"Political subdivision" means any county, municipal corporation, or township of the state.

"State agency" means every organized body, office, or agency established by the laws of the state for the exercise of any function of state government.

PENALTIES

In addition to any other penalties that may be provided by law:

- (1) Whoever knowingly makes a false statement under division (B) of Revised Code §9.66 concerning an application for economic development assistance or who fails to provide any information required by that division is ineligible for the assistance applied for and is ineligible for any future economic development assistance from the state, a state agency, or a political subdivision.
- (2) Whoever knowingly makes a false statement under division (B) of Revised Code §9.66 concerning an application for economic development assistance or who fails to provide any information required by that division shall return any moneys received from the state, a state agency, or a political subdivision in connection with that application.