

**ORDINANCE NO. 002-24**

**AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 4) FROM ONE APPROPRIATION LINE ITEM TO ANOTHER APPROPRIATION LINE ITEM PURSUANT TO ORC. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023 AS LISTED IN EXHIBIT A; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City appropriates funds by fund, department, and category of personal services and other; and,

**WHEREAS**, transfer from one appropriation item to another is necessary to provide appropriations for current expenses of the City; **Now Therefore**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, pursuant to Section 5705.40 of the Ohio Revised Code, and this Ordinance No. 003-24, the Finance Director is hereby authorized and directed to transfer from one appropriation item to another, in the Fiscal Year ending December 31, 2023, as listed in Exhibit A, attached hereto and made a part hereof.

Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the City's Revised Code of General Ordinances.


Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of current expenses, and for further reasons as stated in the Preamble hereof.

Passed: 1-15-24

  
\_\_\_\_\_  
Ross Durham, Council President

Approved: 1-15-21

  
\_\_\_\_\_  
Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:   
Marrison Flogaus, Clerk of Council

I, Marrison Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 002-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 20 day of January, 2024; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
Marrison Flogaus, Clerk of Council

STATE OF OHIO  
COUNTIES OF HENRY, FULTON AND LUCAS

Heather Lane, being first duly sworn, says that she is the General Manager of The Northwest Signal a daily newspaper, published and of general circulation in the counties of Henry, Fulton and Lucas aforesaid, and that the annexed notice was published in one issue in said paper, publishing on the 20th of January, 2024.

Heather Lane

Heather Lane

Subscribed and sworn to before me this 21st day of January, 2024.

Caroline Ellen Betts Notary Public

Caroline Ellen Betts  
Notary Public, State of Ohio  
My Commission Expires:  
June 25, 2028

Caroline Ellen Betts

PUBLISHERS FEE: \$163.80

NOTARY FEE: \$4.00

Summary of Ordinance No.(s) 001-24, 002-24 and  
Resolution No. 057-23

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 001-24

An Ordinance supplementing the annual appropriation measure (supplement No. 4) for the year 2023; and declaring an Emergency

In this legislation, the City of Napoleon supplemented the 2023 annual appropriation measure, Supplement No. 4.

Ordinance No. 002-24

An Ordinance authorizing the Finance Director to make appropriation transfers (transfer of appropriation 4) from one appropriation line item to another appropriation line item pursuant to ORC, Section 5705.40 for the fiscal year ending December 31, 2023 as listed in Exhibit A; and declaring an Emergency  
In this legislation, the City of Napoleon authorized the Finance Director to make appropriation transfers for the fiscal year ending December 31, 2023, Transfer of Appropriation No. 4.

Resolution No. 057-23

A Resolution imposing an immediate moratorium on the issuance and processing of permits allowing retail dispensaries, cultivators, or processors of adult use marijuana within the City of Napoleon, Ohio; and declaring an Emergency  
In this legislation, the City of Napoleon imposed an immediate moratorium on adult marijuana use permits within the City.

The above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director