

ORDINANCE NO. 2022 - 108

**AN ORDINANCE REPEALING ORDINANCE NO. 2022-098, PASSED SEPTEMBER 21, 2022, AND DECLARING AN EMERGENCY.**

**WHEREAS**, on September 21, 2022, this Council passed Ordinance No. 2022-098, An Ordinance Authorizing The Filing Of A Petition With The Board Of County Commissioners Of Portage County, Ohio To Change The Franklin Township Boundary Lines In Order To Remove 174.828 Acres Of Territory From Franklin Township And Make The Township Lines Identical With The Limits Of The City Of Kent, Ohio, As A Result Of Removing Said Territory From The Township, And Declaring An Emergency; and

**WHEREAS**, Ordinance No. 2022-098 was passed prematurely, and will become ripe for passage after Council formally accepts the annexation of the 174.828 Acres of Territory which are the subject of Ordinance No. 2022-098; and

**WHEREAS**, this Council desires to repeal Ordinance No. 2022-098, effective immediately, so that a new ordinance authorizing the filing of a petition to remove the 174.828 Acres of Territory from Franklin Township can be enacted by this Council after all steps requisite to complete the annexation of said territory have been performed.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio:

**SECTION 1.** That Ordinance No. 2022-098 is hereby repealed, effective immediately.

**SECTION 2.** That 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 this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare and shall take effect and be in force from and after its passage. The reason for said declaration of emergency is to ensure that all procedural requirements for the annexation of the 174.828 Acres of Territory into the City, and the corresponding removal of the same territory are followed, are completed in a prompt and expeditious manner, and for the further reason that the City desires to provide the annexation area with city services at the earliest possible time period, to relieve Franklin Township of any obligation to serve the territory, to allow for the immediate change of township boundaries as provided by the Annexation Agreement of the parties, and to permit the inhabitants of the territory to receive services and vote in the appropriate jurisdiction.

PASSED: October 19, 2022  
Date

EFFECTIVE: October 19, 2022  
Date

ATTEST: Amy Wilkens  
Amy Wilkens  
Clerk of Council

J T Fiala  
Jerry T. Fiala  
Mayor and President of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 227-106 ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON October 19, 2022.

(SEAL)

  
AMY WILKENS  
CLERK OF COUNCIL