

ORDINANCE NUMBER 2020-9

AN ORDINANCE ESTABLISHING A PROCESS FOR THE VILLAGE OF APPLE CREEK TO RECEIVE AND ADMINISTER FUNDS AS AUTHORIZED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT), AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in House Bill 481 of the 133rd General Assembly (HB 481); and

WHEREAS, HB 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution or ordinance affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS, The Village of Apple Creek is requesting its share of funds from the Wayne County Coronavirus Relief Distribution Fund, having registered with the Ohio Office of Budget Management; and

WHEREAS, the measures taken herein are time sensitive, Village Council of Apple Creek determines these measures to be in the best interests of the village’s public health and safety, and hereby declares an emergency in order for them to go into effect as soon as possible.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Apple Creek, Ohio, that:

SECTION 1. All funds received from the Wayne County Coronavirus Relief Distribution Fund pursuant to HB 481 shall be expended **only** to cover costs of the Village consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- A. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- B. Were not accounted for in the Village’s most recently approved budget as of March 27, 2020; and
- C. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

SECTION 2. In compliance with HB 481, the Village of Apple Creek Fiscal Officer shall take all necessary action to:

- A. On or before October 15, 2020, pay any unencumbered balance of money in the Village of Apple Creek's local coronavirus relief fund to the Wayne County Treasurer;
- B. On or before December 28, 2020, pay the balance of any money in the Village of Apple Creek's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management;
- C. Provide any information related to any payments received under HB 481 to the Director of the Ohio Office of Budget and Management as requested.

SECTION 3: This Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that this Resolution is necessary for the immediate preservation of public peace, health, safety and welfare and that Council maintain the Village's financial records in accordance with applicable state and federal law.

SECTION 4: All prior resolutions which conflict with the provisions of this resolution are hereby repealed to the extent that they are in conflict herewith.

SECTION 5: If any provision of this resolution, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions are severable.

VOTE TO SUSPEND RULES:	Yeas <u>6</u>	Nays <u>0</u>
VOTE ON EMERGENCY ORDINANCE:	Yeas <u>6</u>	Nays <u>0</u>
PASSED: July <u>6</u> , 2020.	Yeas <u>6</u>	Nays <u>0</u>

ATTEST:

Steph Siff
President of Council

Misty Little
Fiscal Officer

APPROVED:
Rodney Mackey
Rodney Mackey, Mayor