

ORDINANCE NO. 13 – 50

AN ORDINANCE REQUIRING THE OWNER OF EVERY PROPERTY WITHIN THIS CITY WHICH IS LEASED OR RENTED FOR RESIDENTIAL PURPOSES TO PROVIDE CERTAIN INFORMATION CONCERNING THE TENANT OR LESSEE TO THE CITY INCOME TAX ADMINISTRATOR AND DECLARING AN EMERGENCY.

WHEREAS, Section 191.07 of the Codified Ordinances of this City requires each resident who is at least eighteen (18) years of age, with some exceptions, to file an annual income tax return, and

WHEREAS, it is difficult to identify certain residents who rent or lease residential real estate as such transactions are not required by law to be public records, and

WHEREAS, it is the opinion of this Council that in the interest of the fair and equal administration of the City's Income Tax Ordinance that all owners of residential properties within Ontario which are leased or rented be required to disclose information concerning their tenants or lessees , and

WHEREAS, the information required to be disclosed by this Ordinance is not legally confidential and is gathered only in the interest of fairly administrating the City's Income Tax Ordinance and the information received shall not be otherwise disclosed except as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ONTARIO, STATE OF OHIO:

SECTION 1. THAT Section 191.07 RETURNS of the Codified Ordinances of Ontario is hereby amended to add the following:

(i) By no later than January 31 of each year, every person, corporation or other legal entity who owns real property within the City of Ontario which property was rented or leased for residential purposes during any part of the proceeding calendar year, shall supply in writing to the City Income Tax Administrator the following information for each such residential property:

1. Address of property
2. Name of tenant/lessee
3. Dates of Occupancy
4. Forwarding address if no longer a tenant

SECTION 2. THAT in the interest of the efficient administration of this provision the City Income Tax Administrator shall develop a form which shall be made available upon request and without charge or made available from the City's website to each property owner required to report tenant/lessee information under this Ordinance.

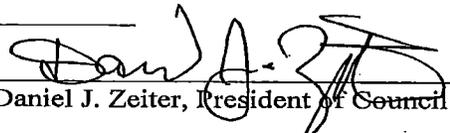
SECTION 3. THAT Section 191.09 INTEREST AND PENALTIES of the Codified Ordinances of this City division (E) VIOLATIONS is hereby amended to add the following:

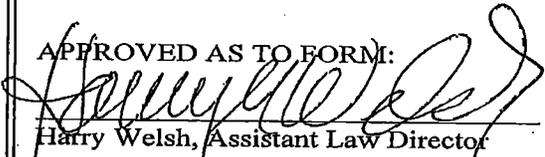
(12) Fail or refuse to provide accurate tenant/lessee information as required by division (i) of Section 191.07.

SECTION 4. THAT it is hereby determined that this Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this City and for the further reason that the immediate effective date of this Ordinance is necessary so that the reporting of tenants/lessees can be used to collect income taxes for 2013 and shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council; otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

DATE: December 19, 2013

Ayes 6 Nays 1 Abstain _____


Daniel J. Zeiter, President of Council

APPROVED AS TO FORM:

Harry Welsh, Assistant Law Director

ATTEST:

Cathy VanAuker, Clerk of Council

APPROVED:

Larry C. Collins, Mayor

12-19-13
Date

DISAPPROVED:
Objections: _____

Larry C. Collins, Mayor

Date