

**Initiative Petition****Municipality or Home Rule Township**

R.C. 504.14, 731.28-41, 3501.38, 3503.06

**NOTE:** Prior to circulation of an initiative petition proposing an ordinance or measure, a certified copy of such ordinance or measure must be filed with the City Auditor, Village Clerk or Township Fiscal Officer (home rule township). This petition must be signed by ten percent of the number of electors in the city, village or unincorporated area of the township who voted for governor at the preceding gubernatorial election and must be filed with the City Auditor, Village Clerk or Township Fiscal Officer.

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(NOTE –The below notice must be printed in red.)

**NOTICE – Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution.**

To the Village Clerk of the Village of  
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)  
Perry  
(Name of City, Village or Township), Ohio:

We, the undersigned, electors of the Village of Perry,  
(City, Village or Township) (Name of City, Village or Township),

Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the third day of November, 2026 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**AN ORDINANCE AMENDING CHAPTER 133.01 “ESTABLISHED; POWER AND DUTIES” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF PERRY**

WHEREAS, the Village of Perry is a municipal corporation authorized to exercise powers of local government pursuant to Article XVIII, Section 3 of the Ohio Constitution; and  
 WHEREAS, numerous hyperscale data centers, defined as a data center that exceeds ten thousand square feet, five thousand servers, and fifty megawatts of power, have been sought to be built in the Village of Perry, Ohio; and

WHEREAS, hyperscale data center developers are drawn to the Village of Perry due to its proximity to a reliable source of energy, a nuclear power plant, abundant land, and proximity to major metropolitan areas; and

WHEREAS, hyperscale data center developers have made representations to the Village of Perry regarding jobs and tax revenue in consideration of receiving tax abatements or other benefits from the Village of Perry over the course of their projected thirty-one year lifetimes; and

WHEREAS, the Village of Perry wants concrete guarantees from the companies before any tax abatements or other city benefits are provided to any hyperscale data center developer that is seeking to build in the Village of Perry; and

NOW, THEREFORE, BE IT ORDAINED BY THE ELECTORS OF THE VILLAGE OF PERRY, LAKE COUNTY, OHIO:

SECTION 1. Chapter 133.01(c)(23) “Established; Power and Duties” of the Codified Ordinances of the Village of Perry is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated into this Ordinance as if fully rewritten herein by reference.

SECTION 2. All prior ordinances or parts thereof inconsistent with the provisions herein are hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force from the earliest period allowed by law.

## EXHIBIT A

### 133.01 ESTABLISHED; POWERS AND DUTIES

- (a) Pursuant to, and in accordance with, the provisions of Ohio R.C. 733.262 the office of the Village Fiscal Officer of the Village of Perry, Ohio, is hereby established.
- (b) Said Officer shall have the powers, duties, responsibilities and privileges granted same by statute and the Codified Ordinances of Perry, Ohio.
- (c) Fiscal Officer's duties:
- (1) Keep the financial records of the Village in a professional, thorough and proper manner.
  - (2) Establish and maintain an account system as approved by the Auditor of State, including financial records and reports to be used by the Village.
  - (3) Deposit, in an appropriate and timely manner, funds that are received by the Village.
  - (4) Prepare and sign all checks necessary to the proper and timely payment of the Village's payroll, expenses, bills and other legal obligations.
  - (5) Shall act as the Village's "Human Resource Officer," and, in such capacity, maintain all personnel files, including records of an employee's work history, health issues, payroll, benefits, discipline, commendations and other relevant employment information.
  - (6) Prepare and distribute those various monthly, quarterly and annual reports as required by law.
  - (7) Balance, on a monthly basis, all Village financial records and bank statements and provide copies of same to Council.
  - (8) Provide information and assist the State Auditors at the bi-annual audit of the Village.
  - (9) Develop, maintain and supervise the Village's purchasing policy.
  - (10) Provide analyses and projections of future revenue and expenditures, as shall be requested by Council.
  - (11) Oversee all tasks concerning and/or related to the position of the Clerk of Council, including maintenance of records of all proceedings of Council, and its committees, as well as records of all motions, ordinances and resolutions passed by Council, and shall maintain a schedule of office hours as shall be mutually determined by the Chief Fiscal Officer and the Mayor.
  - (12) Prepare and ensure proper and timely notification to the public of all regular and special meetings and hearings of Council, Council committees, Village Planning Commission, and Village Board of Zoning Appeals.
  - (13) Prepare and ensure proper and timely notification to the public of all bidding procedures and requests for proposals.
  - (14) Attend all meetings of Council.
  - (15) Assist department heads, Council and Mayor in the preparation and submission of appropriation measures, estimates, budgets, capital programs, and other financial matters.
  - (16) Work with all department heads, Council and Mayor in the preparations of the annual budget, and the presentation of the annual budget to the Council's Finance Committee for review.
  - (17) Prepare the annual appropriations for Council and the Council's Finance Committee to review.
  - (18) Maintain all HIPPA information as the Village's "HIPPA" Officer.
  - (19) Keep thorough and proper records of all property owned by the Village.
  - (20) Keep thorough and proper records of all taxes and assessments.
  - (21) Ensure that the amount set aside for any appropriation is not overdrawn or used for other than the proper purpose.
  - (22) Certify to the County Auditor, at the beginning of each fiscal year, all available sources for expenditure for each fund.
  - (23) Sign all Village agreements. Should the Fiscal Officer sign a Village agreement with any hyperscale data center, defined as a data center that exceeds (i) ten thousand square feet, (ii) five thousand servers, or (iii) fifty megawatts of power, where the Village of Perry agrees to provide tax abatements, PILOT programs, or any special tax designation, the hyperscale data center developer is required to affirmatively demonstrate before the Fiscal Officer signs the Village agreement that:
    - The hyperscale data center developer has deposited a bond (also known as a "Data Center Bond") in a bank account of the Village of Perry's choosing.
    - This Data Center Bond shall be no less than a combination of:
      - The projected tax revenues across the proposed thirty-one year life of the property and investment and;
      - The total value of two hundred full time employees paid at a comparable salary to similar positions in the State in which the hyperscale data center developer is incorporated projected across thirty-one years of appreciation.
    - This Data Center Bond will offset any unknown environmental, standard of living, and loss of property value due to the effects, calculated on an annual basis by the Fiscal Officer, that said hyperscale data development may have on the future of the Village of Perry and will provide supplemental financing for any deltas that may occur between the proposed financial benefits and real-life outcomes.
    - The Village of Perry will be able to receive supplements paid on an annual basis from debt taken out against the principal of the Data Center Bond, and if the hyperscale data developer does not meet employment projections or projected tax collection amounts, the delta, calculated on an annual basis by the Fiscal Officer, will be paid as a remuneration to the residents of the Village of Perry.
    - Upon completion of the thirty-one year time frame, the remaining principal in the Data Center Bond, once all debt vehicles that were taken to pay the supplemental fees have been paid back, will be returned to the hyperscale data center developer, minus any management or administrative fees in managing the fund and administering its wind down.
    - The Village of Perry will be required to hold any applicant requesting tax abatements to guarantee a standard maximum decibel level of 50dBA during daytime hours (6:30am-10:00pm) and 45dBA during nighttime hours (10:01pm-6:29AM). Fines will be determined by the village council of the Village of Perry.
  - (24) Serve as the Village Tax Administrator in accordance with the provisions of the Codified Ordinances of Perry, Ohio.
  - (25) Give appropriate assistance to all Village officials and/or personnel as needed.
  - (26) Perform all duties as assigned and/or requested by Council.
  - (27) Follow all policies and procedures required (or recommended) by the State Auditor's "Ohio Village Officer's Handbook," the Ohio "Sunshine Law" and/or the rulings, recommendations or opinions of the Ohio Ethics Commission.
  - (28) The Chief Fiscal Officer shall be considered and treated as a part-time, exempt, salaried employee of the Village.
  - (29) The aforesaid duties and responsibilities of the Chief Fiscal Officer shall be implemented and administered with the impute and consideration of the Mayor, who, it is acknowledged, is the Chief Administrative Officer of the Village.