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Clerk of Council

City of Willoughby Hills

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ORDINANCE NO. 2008 – 19

AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 923 – SEWER RATES, SECTION 923.01 – SEWER RATE CHARGES ESTABLISHED, SUBSECTION (c) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City Willoughby Hills adopted Ordinance No. 2004-57 on November 22, 2004 establishing a sewer rate; with the minimum sanitary sewerage charge being at the rate charged for one thousand feet of cubic water used; and

WHEREAS, Section 923.01, Subsection (c) established that rates may increase up to five percent (5%) each year from 2006 through 2011 based on an annual review by Council completed on or before the calendar month of October; and

WHEREAS, the Council of the City of Willoughby Hills has reviewed the revised projected income and expenses related to the Euclid Creek Tributary Watershed Sanitary Sewer and finds it necessary to adjust its rates by a 5%; and

WHEREAS, on March 27, 2008, by a motion of the Council of the City of Willoughby Hills, the sewer rate was increased from \$38.59 to \$40.52 which represents an increase of 5% for each one thousand (1,000) cubic feet of water consumed on each lot, parcel of land or premises connected with, or which is in the future connected with, the sanitary sewerage system of the City; and

WHEREAS, on March 31, 2008, the Administration provided notification to the Lake County Billing Department of the five percent (5%) sanitary sewer rate increase with said increase to be retroactive and effective January 3, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Section 923.01, Subsection (c) be amended to read and provide in its entirety as follows:

“923.01 SEWER RATE CHARGES ESTABLISHED.

(c) The sanitary sewerage charge shall be at the rate as follows for each one thousand (1,000) cubic feet of water consumed on each lot, parcel of land or premises connected with, or which is in the future connected with, the sanitary sewerage system of the City as such water consumption is measured by the water meter reading.

Effective Date
January 3, 2008

Rate
\$ 40.52

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Notwithstanding anything contained herein to the contrary, the minimum sanitary sewerage charge shall be the rate charged for one thousand feet of cubic water used. Rates may increase up to 5% each year from 2008 through 2011 based on an annual review by Council completed on or before the calendar month of October.

SECTION 2. All ordinances or parts thereof in conflict with the provisions of this Ordinance be, and they are hereby repealed as of the effective date of this Ordinance.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the municipality and further reason being that this will the City to ensure a positive Sewer Fund Balance and to accommodate expected debt service payments; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: April 10, 2008

Submitted to the Mayor for his approval
on this 10 day of April, 2008

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Kevin D. Malecek
Kevin D. Malecek
President of Council

Approved by the Mayor
April 10, 2008

Robert M. Weger
Robert M. Weger
Mayor

ORDINANCE NO. 2008-19

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2008-19** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **April 10, 2008**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No. 2003-19 in the **Lake County News-Herald** on **April 16, 2008**. Effective date of Legislation: **April 10, 2008**.

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council