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City of Willoughby Hills

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ORDINANCE NO. 2009-28

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 135 – DEPARTMENT OF FINANCE, BY THE ADDITION OF A NEW SECTION 135.33 – EUCLID CREEK TRIBUTARY WATERSHED (ECTW) SANITARY SEWER ASSESSMENT AREA “C” FUND OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

WHEREAS, the City wishes to create a separate enterprise fund for the Willoughby Hills’ Sanitary Sewer Program, Assessment Area “C”; and

WHEREAS, the Auditor of State has advised the City to establish, by Ordinance, any new funds and make application to the Bureau of Inspection when applicable; and

WHEREAS, the establishment of a new **Section 135.33 – Euclid Creek Tributary Watershed (ECTW) Sanitary Sewer Assessment Area “C” Fund** will provide for the creation of a enterprise fund to receive grants, loans, fees, appropriations or transfers and receipt expenditures for all legally approved expenditures for the ECTW Assessment Area “C” fund.

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

SECTION 1. That the existing **Chapter 135 – Department of Finance**, of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is, amended by the addition of a new **Section 135.33 – Euclid Creek Tributary Watershed (ECTW) Sanitary Sewer Assessment Area “C” Enterprise Fund** which shall read and provided in its entirety, as follows:

“135.33 EUCLID CREEK TRIBUTARY WATERSHED (ECTW) ASSESSMENT AREA “C” ENTERPRISE FUND.

(a) There is hereby created a fund to be known as the ECTW Assessment Area “C” Enterprise Fund. Funds received by the City as a result of fees, grants, loans, and other legally approved transfers or appropriations for the ECTW Assessment Area “C” Sanitary Sewer Program together with all other sources of revenue attributable to the Fund or approved by Council shall be paid into this fund.

(b) Expenditures shall be made from the ECTW Assessment Area “C” Fund to pay for engineering, contracting, easements, and all other legally approved expenditures deemed necessary for the construction of the ECTW Assessment Area “C” Sanitary Sewer Program with said expenditures to be recommended and approved by the Mayor and Finance Director or their designated alternatives.

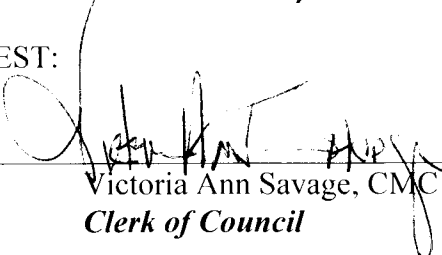
(c) The Director of Finance is hereby authorized and directed to make application to the Bureau of Inspection for approval of the creation of the Euclid Creek Tributary Watershed (ECTW) Assessment Area “C” Enterprise Fund.”

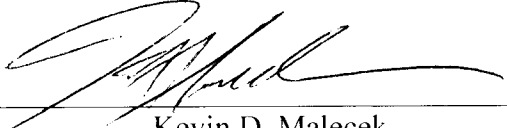
SECTION 2. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 3. 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 Finance Department and further being that the creation of said fund will provide for the establishment of proper accounting of accumulated resources related to the construction and development of the City's Sanitary Sewer System while providing multi-year accountability through the ECTW Assessment Area "C" Enterprise Fund; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

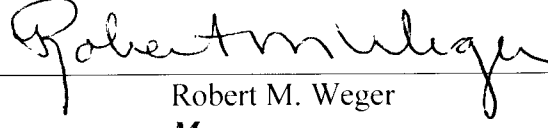
PASSED: April 9, 2009

Submitted to the Mayor for his approval
on this 9 day of April, 2009

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council


Kevin D. Malecek
President of Council

Approved by the Mayor
April 9, 2009


Robert M. Weger
Mayor

ORDINANCE NO. 2009-28

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2009-28** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **April 9, 2009**.

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 15, 2009. Effective date of Legislation: April 9, 2009.

Victoria Ann Savage, CMC
Clerk of Council