

KEVIN D. MALECEK
President of Council

DAVID A. REICHEL
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
NANCY E. FELLOWS
DAVID M. FIEBIG
FRANK A. GERMANO
RAYMOND C. SOMICH

ORDINANCE NO. 2009 – 92

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. 1987-19 on April 9, 1987 establishing a charge for the use of central sanitary sewers in the City which are served by the Euclid Sewerage Treatment Plant; and

WHEREAS, said established charge is necessary to provide funds for the cost of maintenance, repair and capital improvements to the sanitary sewerage lines in the City, Sewage treatment and the use of sanitary sewerage lines outside of the City; and

WHEREAS, Section 923.11(c) of the city's Codified Ordinances provides that the minimum sanitary sewerage charge shall be the rate charged for one thousand feet of cubic water used; and rates may increase up to five percent (5%) each year from 2008 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 five percent (5%).

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 1, 2010

Rate
\$ 42.55

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 allow 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: December 28, 2009

Submitted to the Mayor for his approval
on this 28 day of December, 2009

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Kevin D. Malecek
Kevin D. Malecek
President of Council

Approved by the Mayor
December 29, 2009

Robert M. Weger
Robert M. Weger
Mayor