

DAVID A. REICHEL  
President of Council

NANCY E. FELLOWS  
Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
DAVID M. FIEBIG  
FRANK A. GERMANO  
KEVIN D. MALECEK  
RAYMOND C. SOMICH

## ORDINANCE NO. 2012 – 17

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**AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 923 SANITARY RATES, SUB-SECTION - 923.01.01(e)(1)(D), DEFINITION OF ELIGIBLE USER IN THE RESIDENTIAL SUMMER SPRINKLING PROGRAM OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING ORDINANCE NO. 2005-54.**

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**WHEREAS**, the City of Willoughby Hills entered into an Agreement with the City of Euclid effective April 1, 1998 (the "1998 Agreement") to discharge sewage from the City of Willoughby Hills into the existing sanitary sewer system of the City of Euclid for treatment in its wastewater treatment facilities; which Agreement was amended April 1, 2000; and was further amended on April 1, 2002; and

**WHEREAS**, the City of Euclid adopted Ordinance No. 63-2002 on April 1, 2002 that establishes a Residential Summer Sprinkling Program; and

**WHEREAS**, the Council of the City of Willoughby Hills determined it appropriate to establish a Residential Summer Sprinkling Program within the authorized service area to the Euclid Sewer District for the benefit of users billed on the water consumption basis whereby user charges may be more evenly spread from quarter to quarter at the option of the eligible user; and

**WHEREAS**, the Council of the City of Willoughby Hills adopted Ordinance 2004-3 that did establish a Residential Summer Sprinkling Program; and

**WHEREAS**, the Council of the City of Willoughby Hills also adopted Ordinance 2005-54 that made certain modifications to Ordinance 2004-3.

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

**SECTION 1.** Existing Sub-Section 923.01.01(e)(1)(D), Eligible User, is hereby amended to read and provide in its entirety as follows:

“D. **“Eligible User”** – shall mean any owner occupied one, two, three, or four family residences within the authorized service area of the Euclid Sewer District where Sewer Service Charges are based upon water consumption. Residences where Sewer Service Charges are based upon sewer meters are not eligible.”

**SECTION 2.** Ordinance 2005-54 adopted April 28, 2005 is 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 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 shall be in full force and effect at the earliest time permitted by law.

PASSED: \_\_\_\_\_, 2012

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**David A. Reichelt**  
*President of Council*

Submitted to the Mayor for his approval  
on this \_\_\_\_ day of \_\_\_\_\_, 2012

Approved by the Mayor

ATTEST:

\_\_\_\_\_, 2012

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**Victoria Ann Savage, CMC**  
*Clerk of Council*

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**Robert M. Weger**  
*Mayor*