

ORDINANCE NO. 9-26

AN ORDINANCE TO AMEND CHAPTERS 210, 1040 & 1042 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON FOR THE PURPOSE OF UPDATING THE WATER & SEWER CODES AND ADJUSTING CERTAIN RATES AND FEES AND DECLARING AN EMERGENCY

WHEREAS, the Administration, namely, the Superintendent of Utilities, along with the consulting rate model firm Hazen & Sawyer, have reviewed sections of Chapters 210, 1040 & 1042 of the Avon Codified Ordinances; and

WHEREAS, that review has resulted in proposed amendments to various sections of Chapters 210, 1040 & 1042 dealing with how the department operates, particularly, how it regulates construction of infrastructure and establishes fees and rates; and

WHEREAS, Council, having considered the recommendation of the Administration, finds it to be appropriate and in the best interests of the health, safety, and welfare of the citizens of Avon and desires to adopt said amendments as set forth in Chapter 210 - (Exhibit "A"), Chapter 1040 - (Exhibit "B") & Chapter 1042 - (Exhibit "C") attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 – That the provisions of Chapter 210, entitled, "General Fee Schedule" ([Exhibit "A"](#)), Chapter 1040, entitled "Water", ([Exhibit "B"](#)) and Chapter 1042 entitled "Sewers", ([Exhibit "C"](#)) shall be amended to read as set forth in Exhibits "A", "B", & "C" which are attached hereto and incorporated herein by this reference.

Section 2 – That the Codifier is hereby instructed to insert new language as contained in Exhibits "A", "B", and "C" of this legislation in the appropriate order within the existing codified ordinances, renumbering, and/or re-lettering anywhere applicable. All other language contained in Chapters 210, 1040 & 1042 not specifically amended herein shall remain in full force and effect.

Section 3 – That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 – That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to amend Chapters 210, 1040 & 1042 of the Avon Codified Ordinances to update the Water & Sewer Code and adjust certain rates and fees thereby eliminating obsolete provisions and ensuring consistency in application;

Ordinance No. 9-26 (Con't.)

therefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director