

ORDINANCE NO. 48-13

**AN ORDINANCE APPROVING A MODIFICATION TO THE
CITY'S SANITARY SEWER MASTER PLAN FOR THE NAGEL ROAD
SANITARY SEWER DISTRICT**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA), by Resolution No. 2013-02 passed January 11, 2013, modified the *Clean Water 2000 Plan*, a.k.a. "The 208 Plan", to remove an area of Avon in the northeast corner of the City from the French Creek Facility Planning Area (FPA) to the Avon Lake Facility Planning Area (FPA); and

WHEREAS, this modification resulted in the need to amend portions of the Nagel Road Sanitary Sewer District, a subsection of the City's overall Sanitary Sewer Master Plan; and

WHEREAS, Planning Commission held a public hearing on March 20th, 2013, heard recommendations from the City Engineer and Utilities Superintendent, and by a vote of Five (5) to Zero (0), approved the City's application to modify the Nagel Road Sanitary Sewer District, a subsection of the overall Sanitary Sewer Master Plan for the City of Avon to coincide with the changes to the *Clean Water 2000 Plan* (The 208 Plan); and,

WHEREAS, Council, on April 8, 2013, authorized a Public Hearing; and

WHEREAS, said Public Hearing was duly publicized according to law and was held on May 13, 2013 at 7:00 PM; and

WHEREAS, Council finds that adoption of the recommended revision to the Nagel Road Sanitary Sewer District is reasonable and in the best interests of the safety, health and welfare of the citizens of Avon.

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

Section 1 - That the Nagel Road Sanitary Sewer District, a subsection of the overall Sanitary Sewer Master Plan for the City of Avon, is hereby modified as set forth in the attached Exhibit "A" which is incorporated herein by this reference.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such 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 3 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

Ordinance No. 48-13 (Con't.)

First Reading _____

Second Reading _____

Third Reading _____

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, Council President

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director