

ORDINANCE NO. 68-15

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MULTI-JURISDICTIONAL AGREEMENT BETWEEN THE CITY OF NORTH RIDGEVILLE AND THE VILLAGE OF SHEFFIELD AS REQUESTED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY TO ENSURE UNIFORM STANDARDS, COMPLIANCE AND ENFORCEMENT FOR THE OPERATION OF THE FRENCH CREEK WASTE WATER TREATMENT PLANT AND DECLARING AN EMERGENCY

WHEREAS, the City of North Ridgeville owns and operates the French Creek Waste Water Treatment Plant located in Sheffield Village, Ohio; and

WHEREAS, since the acquisition of the treatment facility from the OWDA in 1983 by the City of North Ridgeville, the City of Avon and Sheffield Village have received wastewater treatment services by the French Creek Waste Water Treatment Plant pursuant to the terms of agreements executed with North Ridgeville; and

WHEREAS, the French Creek Waste Water Treatment Plant must obtain and maintain a National Pollutant Discharge Elimination System (NPDES) Permit through the Ohio Environmental Protection Agency (OEPA) which inspects the French Creek Waste Water Treatment Plant and enforces regulations therefore to ensure compliance with required standards; and

WHEREAS, the OEPA has conditioned the current NPDES Permit upon certain conditions and requirements, including an agreement between the cities served as required by Title 40 Part 403.8(f)(1) of the Code of Federal Regulations and Section 3745-3-03(C)(1) of the Ohio Administrative Code to ensure uniform pretreatment standards and compliance enforcement for the operation of the French Creek Waste Water Treatment Plant.

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

Section 1 - That the Mayor is hereby authorized to enter into a Multi-Jurisdictional Agreement between the cities of Avon, North Ridgeville, and Sheffield Village, in the same form of that substantially similar to that which is attached hereto and marked Exhibit A, and is incorporated herein by reference.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enter into a multi-jurisdictional agreement between the City of Avon, City of North Ridgeville and Sheffield Village relative to the French Creek Wastewater Treatment Plant; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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