

**ORDINANCE NO. 93-15**

**AN ORDINANCE TO AMEND SECTION 1040.01(a) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE THE RATES CHARGED FOR WATER SERVICE FOR THE CITY OF AVON AND DECLARING AN EMERGENCY**

**WHEREAS**, the City commissioned a study by Jones & Henry Engineering to evaluate and make recommendations regarding, among other things, water usage rates; and

**WHEREAS**, the City's Utility Department, to keep in line with the recommendations of that study, is recommending an adjustment to the City's water usage rates; and

**WHEREAS**, Council, having considered the recommendation of the Administration, finds that an amendment to Section 1040.01(a) of the Codified Ordinances of the City of Avon to increase water usage rates for all property owners and residents of the City of Avon to be in the best interest of the health, safety and welfare of the community in maintaining a fiscally responsible approach to management of capital improvements for the future benefit of the City and its inhabitants.

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

Section 1 - That Section 1040.01(a) of the Codified Ordinances of the City of Avon which currently reads as follows:

1040.01(a) Commencing with the billing cycle beginning August 1, 1992, the following quarterly rates for all water users in the City are hereby established:

| <u>Gallons Used</u> |        | <u>Charge Per 1,000 Gallons</u> |
|---------------------|--------|---------------------------------|
| First               | 75,000 | \$3.51                          |
| All Over            | 75,000 | \$2.96                          |

The minimum charge per quarter shall be twenty dollars and sixteen cents (\$20.16).

A service charge of two dollars and one cents (\$2.01) will be charged per quarterly billing cycle. (Ord. 63-92. Passed 6-22-92; Ord. 57-14. Passed 5-27-14.)

**Shall be amended to read as follows: (New language in bold print)**

1040.01(a) Commencing with the billing cycle beginning July 1, 2015, the following quarterly rates for all water users in the City are hereby established:

| <u>Gallons Used</u> |        | <u>Charge Per 1,000 Gallons</u> |
|---------------------|--------|---------------------------------|
| First               | 75,000 | \$3.98                          |
| All Over            | 75,000 | \$3.36                          |

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The minimum charge per quarter shall be twenty dollars and sixteen cents (\$20.16).  
A service charge of two dollars and one cents (\$2.01) will be charged per quarterly billing cycle. (Ord. 63-92. Passed 6-22-92; Ord. 57-14. Passed 5-27-14.)

Section 2 - That all language contained in Section 1040.01 not specifically amended herein shall remain in full force and effect.

Section 3 - 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 4 - 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 amend Section 1040.01(a) to increase the water usage rates; 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

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Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

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