

ORDINANCE NO. 59-17

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 of Avon purchases its potable water from the Avon Lake Regional Water Authority (hereinafter referred to as “Avon Lake”); and

WHEREAS, Avon Lake is contemplating an increase in their water rate to take effect in July of 2017; and

WHEREAS, Avon is incurring additional costs in operating its water delivery system and with the increase in the rate Avon Lake plans to charge for water, the Administration is recommending to Council an increase in Avon’s rate to off-set these increases; and

WHEREAS, Council, having considered the recommendation of the Administration and Finance Committee, 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 RATES

(a) Commencing with the billing date of August 1, 2016, the following monthly rates for all water users in the City are hereby established:

<i>Gallons Used</i>	<i>Charge Per 1,000 Gallons</i>
First 25,000	\$4.26
All over 25,000	3.60

There shall be no minimum consumption charge. A service charge of one dollar (\$1.00) will be charged per account per month.

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

1040.01 RATES

(a) Commencing with the billing date of August 1, **2017**, the following monthly rates for all water users in the City are hereby established:

<i>Gallons Used</i>	<i>Charge Per 1,000 Gallons</i>
First 25,000	\$4.51
All over 25,000	\$3.81

There shall be no minimum consumption charge. A service charge of one dollar (\$1.00) will be charged per account per month.

(Ord. 63-92. Passed 6-22-92; Ord. 57-14. Passed 5-27-14; Ord. 93-15. Passed 7-13-15; Ord. 67-16. Passed 6-13-16; Ord. 85-16. Passed 7-11-16.)

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:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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