

ORDINANCE NO. 121-22

**AN ORDINANCE TO AMEND CHAPTER 1040 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON FOR THE PURPOSE OF UPDATING THE
WATER CODE AND ADJUSTING CERTAIN RATES AND FEES
AND DECLARING AN EMERGENCY**

WHEREAS, the Administration, namely, the Superintendent of Utilities and the former and current Finance Directors, have reviewed the entire Chapter 1040 of the Avon Codified Ordinances.

WHEREAS, that review has resulted in proposed amendments to various sections of Chapter 1040 which deal with how the department operates, particularly, how it regulates construction of infrastructure and establishes fees and rates; and

WHEREAS, City Council, having reviewed the several amendments, finds them 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 to Chapter 1040 as set forth in Exhibit A.

**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 1040, entitled “Water” shall be amended to read as set forth in the new Chapter 1040 which is attached hereto as [Exhibit "A"](#) and incorporated herein by this reference.

Section 2 – That the Codifier is hereby instructed to insert new Chapter 1040 as contained in Exhibit A of this legislation in the appropriate order within the existing codified ordinances, renumbering and/or re-lettering anywhere applicable. All other language contained in Chapter 1040 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 Chapter 1040 of the Avon Codified Ordinances to update the Water Code and adjust certain rates and fees thereby eliminating obsolete provisions and ensuring consistency in application; 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: _____
In Five Places as
Provided by Council

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