

ORDINANCE NO. 45-23

**AN ORDINANCE AMENDING SECTION 210.01(f)(4)(C) OF
THE CODIFIED ORDINANCES OF THE CITY OF AVON
DEALING WITH STORM WATER FEES AND DEPOSITS
AND DECLARING AN EMERGENCY**

WHEREAS, the City's Chief Building Official has reviewed Section 210.01(f)(4)(C) of the Codified Ordinances of the City of Avon dealing with fees charged by the City's Building Department and the deposits required for storm water drainage; and

WHEREAS, the Chief Building Official, on behalf of the Administration, has requested an amendment to the fee schedule set forth therein to bring these fees up to date with the increasing costs; and

WHEREAS, Council, having reviewed said 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 amend Section 210.01(f)(4)(C) to insure adequate fees and deposits are charged for storm water related activities for years to come.

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

Section 1 - That Section 210.01(f)(4)(C) of the Codified Ordinances of the City of Avon which currently reads as follows:

210.01(f)(4)(C) Storm water fees and deposits

C. Storm drainage*	
1. Except as provided in § 1050.193, for all developments to be improved in the City, a drainage charge per gross acre of area to be developed or altered from its existing state, at a rate of \$650.00 per acre of developed land. *Adjusted annually by the Cleveland Construction Cost Index	Payable with building permit application or at final plat approval

Shall be amended as follows: (New language in bold print; deleted language stricken)

210.01(f)(4)(C) Storm water fees and deposits

C. Storm drainage*	
1. Except as provided in § 1050.193, for all developments to be improved in the City, a drainage charge per gross acre of area to be developed or altered from its existing state, shall be assessed at a rate of \$650.00 \$890.00* per acre of developed land. *Adjusted annually by the Cleveland Construction Cost Index	Payable with building permit application or at final plat approval

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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 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 210.01(f)(4)(C) of the Avon Codified Ordinances to increase storm water drainage fees and deposits; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: March 27, 2023 DATE SIGNED: March 27, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: March 28, 2023

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

Posted: March 29, 2023
Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 45-23, passed by the Council of said City on March 27, 2023.

IN WITNESS WHEREOF, I have on this 28th day of March, 2023, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio