

ORDINANCE NO. 129-23

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT
TO THE LETTER AGREEMENT DATED JUNE 27, 1990, WITH THE CITY
OF NORTH RIDGEVILLE REGARDING THE SANITARY SEWER
USAGE FEES FROM COUNTRYSIDE ESTATES #1**

WHEREAS, on or about June 27, 1990, the cities of North Ridgeville and Avon entered into an agreement to address sanitary sewer usage and tap-in fees for the future Countryside Estates #1; and

WHEREAS, the Agreement entered into specifically allowed the subdivider of Countryside Estates #1 to access the North Ridgeville 12 inch sanitary sewer on the south side of Mills Road without any user fees.

WHEREAS, when permits for new homes were issued by the City of Avon, sewer tap fees were paid to the City of North Ridgeville; and

WHEREAS, the City of Avon has remitted to North Ridgeville all the applicable tap fees pertinent to Countryside Estates #1; and

WHEREAS, the City of North Ridgeville and the City of Avon have now agreed that the City of Avon will pay One Dollar (\$1.00) per One Thousand (1,000) gallons of water consumption as a sanitary sewer usage fee; and

WHEREAS, this usage fee will assist the City of North Ridgeville to maintain and/or replace the 12 inch sanitary sewer, when needed, at some point in the future; and

WHEREAS, City Council finds that the amendment to the letter agreement dated June 27, 1990, is fair and equitable to the residents of both the Cities of Avon and North Ridgeville and that adopting same will be in the best interest of the health, safety and welfare of both communities.

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

Section 1 - The Mayor of the City of Avon is hereby authorized to enter into an amendment to the letter agreement dated June 27, 1990 with the City of North Ridgeville, a copy of which is attached hereto, and marked "[Exhibit A](#)" and incorporated herein by reference. Said agreement will require Avon to pay to North Ridgeville One Dollar (\$1.00) per One Thousand (1,000) gallons of water consumed by customers living within the Countryside Estates #1 subdivision.

Section 2 - 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

Ordinance No. 129-23 (Con't)

formal action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading_____

Second Reading_____

Third Reading_____

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: _____
Electronically and at City Hall as
Provided by Council

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