

ORDINANCE NO. 66-15

**AN ORDINANCE AMENDING SECTION 1042.02(e) OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON RELATING TO SEWER TAP FEES
AND DECLARING AN EMERGENCY**

WHEREAS, the City contracted with Jones & Henry Engineering to conduct a sanitary sewer rate study in January of 2014 to evaluate all of the City's rates and fees for this utility; and

WHEREAS, pursuant to that study it is necessary to increase tap fees for all taps 3 inches and greater; and

WHEREAS, it is also necessary to add a 1½ inch tap to meet an increase in demand for that size; and

WHEREAS, it is necessary to amend Section 1042.02(e) of the Codified Ordinances of the City of Avon to increase the cost of these connections and include the 1½ inch tap; and

WHEREAS, Council finds that these amendments to Section 1042.02(e) of the Codified Ordinances is necessary to continue to provide, maintain and preserve the high levels of potable water service to the public all of which is necessary to protect the public peace, health, safety and welfare of the citizens of the City of Avon.

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

Section 1 - It is necessary to amend Section 1042.02(e) of the Codified Ordinances of the City of Avon to increase sanitary sewer tap connections fees which presently reads as follows:

1042.02 TAP-IN CHARGES.

(e) Tap-in Charges.

- (1) There is hereby levied a sewer tap-in charge for each tap-in made to the sanitary sewerage system, to be paid to the City and deposited into Sanitary Sewer Fund No. 2, the funds from which shall be used for sewer debt reduction and/or for sewer operation and maintenance, and/or capital outlay, prior to the issuance of a building permit, if sanitary sewer service is available, or at the time that sanitary sewer service becomes available to a property owner, as follows:

Meter Size (Inches)	Non-Refundable Fee
3/4	\$2,130.00
1	\$2,130.00
2	\$3,408.00
3	\$10,650.00
4	\$10,650.00
6	\$21,300.00
8	\$34,080.00
10	\$51,120.00
12 +	\$91,590.00

- (2) Annual Adjustment of Fees. The sanitary sewer tap-in fees referred to in this section for ¾, 1 and 2 inch taps shall be adjusted by the Finance Director yearly beginning in 2015 by multiplying them by the first Cleveland Construction Cost Index figure published in July and every year thereafter and divided by \$11,203.59 which is the current Engineering News Record construction cost of Cleveland. All other tap-in fees are subject to annual adjustment based on a yearly review conducted by the Finance Director and the Superintendent of Utilities.

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

1042.02 TAP-IN CHARGES.

(e) Tap-in Charges.

- (1) There is hereby levied a sewer tap-in charge for each tap-in made to the sanitary sewerage system, to be paid to the City and deposited into Sanitary Sewer Fund No. 2, the funds from which shall be used for sewer debt reduction and/or for sewer operation and maintenance, and/or capital outlay, prior to the issuance of a building permit, if sanitary sewer service is available, or at the time that sanitary sewer service becomes available to a property owner, as follows:

Water Meter Size (Inches)	Non-Refundable Fee
3/4	\$2,130.00
1	\$2,130.00
1 ½	\$3,408.00
2	\$3,408.00
3	\$11,182.50
4	\$11,182.50
6	\$22,365.00
8	\$39,192.00
10	\$58,788.00
12 +	\$105,225.00

- (2) **The tap fees for all customer laterals are based on the largest domestic water meter size servicing the parcel.**
- (3) Annual Adjustment of Fees. The sanitary sewer tap-in fees referred to in this section for ¾, 1, 1 ½, and 2 inch taps shall be adjusted by the Finance Director yearly beginning in 2015 by multiplying them by the first Cleveland Construction Cost Index figure published in July and every year thereafter and divided by \$11,203.59 which is the current Engineering News Record construction cost of Cleveland. All other tap-in fees are subject to annual adjustment based on a yearly review conducted by the Finance Director and the Superintendent of Utilities.

Section 2 - Nothing herein shall be construed to eliminate the separate tap-in fees due directly to the City of North Ridgeville (French Creek Wastewater System) or the City of Avon Lake (Avon Lake Municipal Utilities) as set forth in this Chapter.

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.

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 increase sewer tap-in fees on all taps; 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

Posted: _____
In Five Places as
Provided by Council

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