

**ORDINANCE NO. 58-17**

**AN ORDINANCE AMENDING SECTION 1040.04(b)(1) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON RELATING TO WATER TAP FEES AND DECLARING AN EMERGENCY**

**WHEREAS**, the City contracted with Jones & Henry Engineering to conduct a water rate study in December of 2013 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" and greater; and

**WHEREAS**, it is necessary to amend Section 1040.04(b)(1) of the Codified Ordinances of the City of Avon to increase the cost of taps 3" or greater; and

**WHEREAS**, Council finds that these amendments to Section 1040.04(b)(1) 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 in 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, LORAIN COUNTY, OHIO:**

Section 1 - It is necessary to amend Section 1040.04(b)(1) of the Codified Ordinances of the City of Avon to increase water tap connections fees which presently reads as follows:

1040.04 CONNECTIONS; FEES; METERS.

(b) (1) The owner of real property upon which there is made a water tap connection with the Municipal waterworks system shall pay a fee according to the following schedule:

Tap Size (in.)	Nonrefundable Fee
¾	\$3,042.00
1	\$3,042.00
1 ½	\$8,662.00
2	\$8,662.00
3	\$9,624.00
4	\$9,624.00
6	\$10,586.00
8	\$11,550.00
10	\$14,440.00
12 +	\$17,330.00

Ordinance No. 58-17 (Con't)

(Ord. 47-88. Passed 7-11-88; Ord. 108-02. Passed 8-12-02; Ord. 28-14. Passed 3-10-14; Ord. 42-14. Passed 4-14-14; Ord. 65-15. Passed 6-8-15.)

**Shall be amended as follows: (New language in Bold Print)**

1040.04 CONNECTIONS; FEES; METERS.

(b) (1) The owner of real property upon which there is made a water tap connection with the Municipal waterworks system shall pay a fee according to the following schedule:

Tap Size (in.)	Nonrefundable Fee
¾	\$3,042.00*
1	\$3,042.00*
1 ½	\$8,662.00*
2	\$8,662.00*
3	<b>\$11,645.04</b>
4	<b>\$11,645.04</b>
6	<b>\$13,973.52</b>
8	<b>\$16,516.50</b>
10	<b>\$22,237.60</b>
12 +	<b>\$33,360.25</b>

**\*Check with Finance Director/Clerk of Council for current year's rate.**

(Ord. 47-88. Passed 7-11-88; Ord. 108-02. Passed 8-12-02; Ord. 28-14. Passed 3-10-14; Ord. 42-14. Passed 4-14-14; Ord. 65-15. Passed 6-8-15.)

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 increase water tap-in fees on all taps of 3” or greater; 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