ORDINANCE NO. 64-20

AN ORDINANCE TO AMEND '1042.02(i) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE SANITARY SEWER RATES AND DECLARING AN EMERGENCY

WHEREAS, sanitary sewer service in the City of Avon is provided by either Avon Lake Wastewater Treatment Plant or the City of North Ridgeville (French Creek Wastewater Treatment Plant), depending upon where one’s property is located within the City of Avon; and

WHEREAS, Avon Lake increased their sanitary sewer rate fifteen percent (15%) on July 1, 2020, and North Ridgeville increased their rate four percent (4%) on January 1, 2020; and

WHEREAS, the City of Avon must budget for increases in the rates charged by these governmental entities and consider their own budgetary requirements for operation and maintenance. As such, the Administration is recommending an increase in the sanitary sewer rates; and

WHEREAS, Council’s Finance Committee met on July 13, 2020 and by a vote of Three (3) in favor and Zero (0) opposed voted to recommend to Council adoption of legislation to increase the rates as set forth herein; and

WHEREAS, Council, having considered the recommendation of the Administration and Finance Committee, finds it to be in the best interest of the health, safety and welfare of the citizens of the City of Avon that §1042.02(i) be amended to increase sanitary sewer rates to keep pace with increases by our sanitary sewer service providers and to insure funding for current and future costs of operation and maintenance of the Avon system.

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

Section 1 - That Section 1042.02 which currently reads:

1042.02 SANITARY SEWER CHARGES

(i) Schedule of Base Charge and Sewer Use Rate. The base charge and sewer use rate shall be fixed and established as follows, subject to adjustment pursuant to paragraph (h)(5) hereof:

(1) Base charge for all users: $1.99/month

(2) Sewer use rate for all users: $7.38/1,000 gallons

The Director of Finance is hereby authorized and directed to adjust, from time to time, the dollar amount of the base charge and/or the sewer use rate fixed and established in this subsection to reflect any increase or decrease in such amount charged by the City of Avon, the City of North Ridgeville or the City of Avon Lake but no such adjustment shall take effect until the billing date
following the Finance Director filing with the Clerk of Council a notice of the base charge adjustment or sewer use rate adjustment, as the case may be.


**Shall be amended as follows:** (New language in bold print)

1042.02 SANITARY SEWER CHARGES

(i) **Schedule of Base Charge and Sewer Use Rate.** The base charge and sewer use rate shall be fixed and established as follows, subject to adjustment pursuant to paragraph (h)(5) hereof:

1. Base charge for all users: $1.99/month
2. Sewer use rate for all users: $7.38 - $7.60/1,000 gallons

The Director of Finance is hereby authorized and directed to adjust, from time to time, the dollar amount of the base charge and/or the sewer use rate fixed and established in this subsection to reflect any increase or decrease in such amount charged by the City of Avon, the City of North Ridgeville or the City of Avon Lake but no such adjustment shall take effect until the billing date following the Finance Director filing with the Clerk of Council a notice of the base charge adjustment or sewer use rate adjustment, as the case may be.


**Section 2** - That these rates shall take effect with the August 1, 2020 billing date.

**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 for the City to amend '1042.02(i) to increase sanitary sewer rates by August 1, 2020 to keep pace with increased costs of providing sanitary sewer service; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.
Ordinance No. 64-20  (Con’t.)

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