

ORDINANCE NO. 43-2020

INTRODUCED BY: Mayor James P. Graven and Council as a Whole

AN ORDINANCE PROVIDING A TEMPORARY MORATORIUM TO THE ENFORCEMENT OF THE PERMIT FEE SCHEDULE SPECIFIED IN SECTION 1448.03 OF THE CODIFIED ORDINANCES OF OLMSTED FALLS, BY REDUCING THE SANITARY SEWER FEES APPLICABLE ONLY TO PHASE V PROPERTIES

WHEREAS, Codified Ordinance Section 1448.03 provides an extensive permit fee schedule including residential sanitary sewer service line fee of Five Hundred Dollars (\$500.00) and a residential sanitary sewer connection fee of Two Hundred Fifty Dollars (\$250.00); and

WHEREAS, the same codified ordinance also includes non-residential/multi-family permits for a sanitary connection fee of One Thousand Five Hundred Dollars (\$1,500.00); and

WHEREAS, the property owners affected by the Phase V Sanitary sewer project have significant assessments to their properties for this sanitary sewer project, and city administration and Council are interested in providing some financial relief to those property owners for the expenses of sewer tie-ins from the new sanitary sewer mains for service to those properties; and

WHEREAS, it is proposed that a reduction be made to those Phase V properties for the residential sanitary sewer connection fee stated in codified Code Section 1448.03 from a total of Seven Hundred Fifty Dollars (\$750.00) to Three Hundred Fifty Dollars (\$350.00), of which One Hundred Dollars (\$100.00) shall be allocated to administrative fees and placed in the General Fund, and Two Hundred Fifty Dollars (\$250.00) to be allocated to Sanitary Fund #128; and

WHEREAS, it is proposed that a reduction be made to those Phase V properties for the non-residential/multi-family sanitary sewer connection stated in codified Code Section 1448.03 from a total of One Thousand Five Hundred Dollars (\$1,500.00) to One Thousand Dollars (\$1,000.00), of which One Hundred Fifty Dollars (\$150.00) shall be allocated to administrative fees and placed in the General Fund, and Eight Hundred Fifty Dollars (\$850.00) to be allocated to Sanitary Fund #128; and

WHEREAS, the properties that are affected about the following streets: Water Street, River Road, Nobottom Road, Cook Road, Clark Street, Cranage Road, Inland Drive, Myrtle Avenue, Elm Street, (from Brookside Drive east to Columbia Road), Columbia Road, (from Water Street north to Nobottom Road), and Main Street (from Covered Bridge north to Water Street) and are further identified by Permanent Parcel Numbers, which are attached as Exhibit "A." Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. The sanitary fee permit schedule identified in Codified Ordinance 1448.03 shall be modified and reduced for those properties affected by the Phase V Sanitary Sewer Project as identified by Permanent Parcel Numbers provided for in Exhibit “A” attached hereto, as follows:

- A. Residential sanitary sewer connection fee be reduced from that stated in codified Code Section 1448.03 from a total of Seven Hundred Fifty Dollars (\$750.00) to Three Hundred Fifty Dollars (\$350.00), of which One Hundred Dollars (\$100.00) shall be allocated to administrative fees and placed in the General Fund, and Two Hundred Fifty Dollars (\$250.00) to be allocated to Sanitary Fund #128;
- B. Non-residential/multi-family sanitary sewer connection fee be reduced from that stated in codified Code Section 1448.03 from a total of One Thousand Five Hundred Dollars (\$1,500.00) to One Thousand Dollars (\$1,000.00), of which One Hundred Fifty Dollars (\$150.00) shall be allocated to administrative fees and placed in the General Fund, and Eight Hundred Fifty Dollars (\$850.00) to be allocated to Sanitary Fund #128.

SECTION 2. All prior legislation inconsistent with this legislation in whole or in part are hereby repealed to the extent necessary to avoid conflict with this legislation.

SECTION 3. Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety and welfare of the residents of the City of Olmsted Falls for the further reason that the residents of the Phase V Sanitary Sewer project have significant assessments for this sanitary sewer project, and City Administration and Council are interested in providing some financial relief for the expenses of sewer tie-in’s from the new sanitary sewer mains for service. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

Paul Stibich, President of Council

PASSED: _____

APPROVED: _____
James Graven, Mayor _____
Date

APPROVED AS TO FORM: _____
Andrew D. Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Stibich	_____	_____
Jones	_____	_____
Jansen	_____	_____
McFadden	_____	_____
Munteanu	_____	_____
Buchholz	_____	_____
Chitester	_____	_____