

EMERGENCY – September 13, 2011

COUNCIL NO. 045

SPONSOR: Service Director Smith

ORDINANCE NO. 43-11

AN ORDINANCE AMENDING SECTION 931.03 OF THE CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE REGARDING SEWER RENTAL RATES AND THE DECLARING OF AN EMERGENCY.

WHEREAS, the current sewer rental ordinance expired December 31, 2010; and,

WHEREAS, this termination date was not intended to apply to the sewer rental rates; and,

WHEREAS, it is in the best interest of the City of Sheffield Lake to continue to charge a sewer rental rate.

NOW THEREFORE, be it ordained by the Council of the City of Sheffield Lake, State of Ohio:

Section 1. Codified Ordinance 931.03 presently reading as follows:

- (a) Effective January 1, 2006 through December 31, 2010, the following sewer rental rates shall be charged to each water consumer in the Municipality whose premises are adjacent to a sanitary sewer:
 - (1) Base Charge. Three dollars (\$3.00) per month which shall be interpreted to mean one month or portion thereof. Such monthly sewer rental shall be used solely and paid into the Sewer Capital Improvement Fund #1.
 - (2) Additional charges. The monthly additional sewer rental charge per one hundred cubic feet of water consumed or fraction thereof, shall be established and recalculated annually for each year subsequent to 2007. In recalculating the additional sewer rental charge per one hundred cubic feet of water consumed or fraction thereof, the Director of Public Service is hereby authorized to apply a percentage increase equal to the annual percentage increase charged to the City of Sheffield Lake by the sewer treatment facility servicing the City.

(3) Penalty. A penalty of ten percent (10%) of the total amount of charges on each bill for each billing period shall added to the charges herein set out if the bill is not paid on or before the fifteenth day of the month in which payment is due.

Section 2. Is hereby rewritten as follows:

- (a) The following sewer rental rates shall be charged to each water consumer in the Municipality whose premises are adjacent to a sanitary sewer:
- (1) Base Charge. Three dollars (\$3.00) per month which shall be interpreted to mean one month or portion thereof. Such monthly sewer rental shall be used solely and paid into the Sewer Capital Improvement Fund #1.
 - (2) Additional charges. The monthly additional sewer rental charge per one hundred cubic feet of water consumed or fraction thereof, shall be established and recalculated annually for each year subsequent to 2007. In recalculating the additional sewer rental charge per one hundred cubic feet of water consumed or fraction thereof, the Director of Public Service is hereby authorized to apply a percentage increase equal to the annual percentage increase charged to the City of Sheffield Lake by the sewer treatment facility servicing the City.
 - (3) Penalty. A penalty of ten percent (10%) of the total amount of charges on each bill for each billing period shall added to the charges herein set out if the bill is not paid on or before the fifteenth day of the month in which payment is due.

Section 3. This Ordinance is specifically made to be retroactive to January 1, 2011.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance

with all legal requirements, including Section 931.03 of the Ohio Revised Code.

Section 5. This ordinance is hereby declared to be an emergency measure made necessary for the preservation of the public peace, health, safety and welfare of the City of Sheffield Lake, Ohio, the emergency being the immediate necessity of amending Section 931.03 of the Codified Ordinance regarding Sewer Rental Rates.

PASSED THIS _____ DAY OF _____, 2011.

Yea Nay NV

Dennis Bring	_____	_____	_____
Leanna Stark	_____	_____	_____
Diane Huska	_____	_____	_____
Steve Kovach	_____	_____	_____
Rick Rosso	_____	_____	_____
Alan Smith	_____	_____	_____
Eric Elliott	_____	_____	_____

MAYOR
John J. Piskura

PRESIDENT OF COUNCIL
Edward R. Podmanik

and/or

PRESIDENT PRO TEM
Richard Rosso

CLERK OF COUNCIL
Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of Ordinance#_____. PASSED _____, 2011.