

**ORDINANCE NO. O-2009-42**

**AN ORDINANCE AMENDING SECTION 923.03(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM TO ESTABLISH WATER RATES FOR CUSTOMERS OF THE VILLAGE OF WINDHAM, REPEALING ALL PRIOR AND INCONSISTENT ORDINANCES AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 923.03 of the Codified Ordinances of the Village of Windham establishes a rate to be charged for purchasing water from the Municipal Water System; and

**WHEREAS**, the Finance Committee and the Council of the Village of Windham has recognized that an adjustment in the rate is necessary so as to meet the financial responsibilities of the Village to operate the water system at a level of revenue sufficient to meet expenses.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Windham, two-thirds or more of the members elected concurring:

**SECTION 1:** Section 923.03(a) **RATES** as it is presently enacted by the Village of Windham is hereby repealed.

**SECTION 2:** The following Section 923.03(a) is hereby enacted:

**923.03 WATER RATES.**

- (a) Rate charges for water usage are as follows:
- (1) Charges for metered water sold to locations inside the Village commencing on January 1, 2010 shall be \$31.37 for and/or up to the first 2,000 gallons, and an additional \$4.85 for each thousand gallons thereafter.
  - (2) Commencing on January 1, 2011, the metered water rate as set forth in Section 923.03(a)(1) shall be increased by five percent (5%) annually.

**SECTION 3:** This Ordinance is declared to be an emergency measure, effective immediately upon its passage by Council and approved by the Mayor, in order to preserve the health, safety and general welfare of the citizens of the Village of Windham, and for the further reason it is necessary to establish water usage rates effective January 1, 2010.

**SECTION 4:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

First Reading: November 24, 2009

Second Reading: Passed as an emergency, December 22, 2009

Vote of Council: Ayes: Mr. Slusher, Mr. Garrett, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros, Mrs. Rininger. Nays: None.

ATTEST:

APPROVED:

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Lloyd Billman, Fiscal Officer

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Robert Donham, II Mayor

I hereby certify that the above Ordinance was duly published by public posting at predesignated posting places.

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Lloyd Billman, Fiscal Officer

APPROVED AS TO FORM:

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Thomas Reitz, Solicitor