

AN ORDINANCE TO REVISE AND AMEND SECTION 923.03 OF THE VILLAGE OF WINDHAM UTILITY CODE TO ADJUST WATER RATES FOR THE PURCHASE OF WATER FROM THE VILLAGE AND DECLARING AN EMERGENCY

WHEREAS, the Mayor of the Village of Windham and the Village Administrator have identified the need to revise and amend sections of the Utility Code to provide for the adjustment in the rates charged for water purchased from the municipality; and

WHEREAS, the Finance Committee of the Village of Windham has reviewed the proposed change and has recommended to this Council that the revision should be enacted; and

WHEREAS, upon consideration of the recommended changes, the Council of the Village of Windham has determined that the utility code of the Village should be amended.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Windham, Portage County and State of Ohio, two thirds or more of the members thereto concurring that:

SECTION 1. Section 923.03(a) as it is presently enacted is hereby repealed effective February 28, 2011.

SECTION 2. Section 923.03(a) of the Village of Windham Utility Code as is set forth in the attached Exhibit "A" is hereby enacted effective February 28, 2011, and will be used in the meter readings to take place during the week of March 21, 2011.

SECTION 3. 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.

SECTION 4. This Ordinance is declared to be an emergency measure needed to maintain the financial stability of the Village Utility Department, effective immediately upon its passage by the Council and approval by the Mayor, for the reason that it is necessary to have the adjusted rates in place at the beginning of a billing cycle beginning on February 28, 2011.

First Reading: February 22, 2011

PASSED IN COUNCIL AS AN EMERGENCY this 1st day of March, 2011.

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

ATTEST:

APPROVED:

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

Lloyd Billman, Fiscal Officer

APPROVED AS TO FORM:

Thomas Reitz, Solicitor

EXHIBIT "A"

923.03 RATES.

- (a) Rate charges for water usage are as follows:
 - (1) Charges for metered water sold to locations inside the Village commencing on February 28, 2011 shall be \$11.00 for and/or up to the first 1,000 gallons, and an additional \$11.00 for each fraction of one thousand gallons thereafter.
 - (2) Each unmetered consumer unit shall be billed a flat rate equivalent of 12,000 gallons of usage.
 - (3) Commencing on January 1, 2012, the metered water rate as set forth in Section 923.03(a)(1) shall be increased by five percent (5%) annually.