

**ORDINANCE NO. O-2011-4**

**AN ORDINANCE REPEALING SECTION 923.03(c) OF THE VILLAGE OF WINDHAM UTILITY CODE AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Windham enacted Ordinance 2010-34 in order to adjust the rates for water purchased from the municipality; and

**WHEREAS**, the Council of the Village of Windham intended to repeal Section 923.03(c) at the time it enacted Ordinance 2010-34 because the revisions contained in Ordinance 2010-34 provide the same discounted price to all citizens of the Village of Windham which is set forth for senior citizens only in Section 923.03(c); and

**WHEREAS**, the Council of the Village of Windham desires to rectify the oversight of not repealing Section 923.03(c).

**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 Section 923.03(c) as it is presently enacted is hereby repealed, effective January 1, 2011.

SECTION 2. 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 on January 1, 2011, for the reason that it is necessary to have uniform and consistent rates for water customers at the beginning of the billing cycle which is in effect on January 1, 2011.

PASSED AS AN EMERGENCY ON this 25th day of January, 2011.

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

ATTEST:

APPROVED:

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Lloyd Billman, Fiscal Officer

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Robert Donham, Mayor

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:

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Thomas Reitz, Solicitor