

ORDINANCE NO. O-2009-41

AN ORDINANCE AMENDING SECTION 921.01(a) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WINDHAM TO ESTABLISH SEWER RATES FOR CUSTOMERS OF THE VILLAGE OF WINDHAM, REPEALING ALL PRIOR AND INCONSISTENT ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, Section 921.01 of the Codified Ordinances of the Village of Windham establishes a rate to be charged for accepting discharge of waste water into the Municipal Waste Water System; and

WHEREAS, the Finance Committee and the Council of the Village of Windham has recognized that an adjustment in the rates is necessary so as to meet the financial responsibilities of the Village to operate the waste water treatment 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SECTION 1: Section 921.01(a) **SEWER RATES** as it is presently enacted by the Village of Windham is hereby repealed.

SECTION 2: The following Section 921.01(a) is hereby enacted:

921.01 SEWER RATES.

- (a) Rate charges for sewer usage are established as follows:
- (1) Commencing on January 1, 2010 each consumer unit inside the village shall be billed monthly and shall be subject to a minimum charge corresponding to a wastewater volume of \$48.12 for and/or up to the first 2,000 gallons, and an additional \$3.49 for each thousand gallons thereafter.
 - (2) In the event of a water meter serving more than one consumer, each consumer unit shall be subject to a minimum charge and be allowed a discharge of 2,000 gallons per consumer unit before additional volume charges shall apply.
 - (3) A flat rate of \$56.81 shall be billed on each unmetered consumer unit.
 - (4) Commencing on January 1, 2011, the metered water rate as set forth in Section 921.01(a) 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 sewer treatment 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:

Lloyd Billman, Fiscal Officer

Robert Donham, II 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:

Thomas Reitz, Solicitor