

ORDINANCE NO. 2023-SE2

AN ORDINANCE TO REVISE AND AMEND SECTION 921.01 OF THE VILLAGE OF WINDHAM UTILITY CODE TO ADJUST SEWER RATES FOR THE DISCHARGE OF WASTEWATER TO THE VILLAGE AND DECLARING AN EMERGENCY.

WHEREAS, the Committee of the Whole Council of the Village of Windham, has identified the need to revise and amend sections of the Utility Code to provide for an adjustment in the rates charged for wastewater discharged to the municipality; and

WHEREAS, the Committee of the Whole 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 and accomplished the amendment by the passage of Ordinance 2023-02 on March 29, 2023; and

WHEREAS, subsequent to passage of Ordinance 2023-02 it was determined that the rates set forth in that legislation are in error, and as a result further revision as is set forth in this legislation is needed.

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 Section 921.01(a)(1) as it is presently enacted is hereby repealed effective May 1, 2023.

SECTION 2. Section 921.01(a)(1) of the Village of Windham Utility Code as is set forth in the attached Exhibit "A" is hereby enacted effective May 1, 2023.

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 effective immediately on passage and execution by the Mayor, in order to advance the health, safety and general welfare of the Village of Windham, and to take effect before the effective date of Ordinance 2023-02 which contains erroneous rates.

PASSED IN COUNCIL on first reading this 25th day of April, 2023.

Vote of Council: Ayes: 6
 Nays: 0

ATTEST:
Katrina Washington, Fiscal Officer

APPROVED:
Scott Garrett, Mayor

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

Katrina Washington, Fiscal Officer

APPROVED AS TO FORM:
Thomas Reitz, Solicitor

EXHIBIT "A"

921.01 SEWER RATES.

- (a) Rate charges for sewer usage are established as follows:
- (1) (i) Commencing on May 1, 2023, each consumer unit inside the Village shall be billed monthly and shall be subject to a minimum charge of \$1.46 corresponding to a wastewater volume of one hundred gallons, and an addition \$1.46 for each fraction of one hundred gallons up to the discharge of 8,000 gallons. The volume of wastewater volume shall be established by the volume of water purchased from the Village for the location identified by the wastewater account during the same time period.
 - (ii) The charge each month to each consumer unit inside the Village for discharge of wastewater over 8,000 gallons shall be \$1.79 for each fraction of one hundred gallons.

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