

ORDINANCE NO. 2023-WA2

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 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 water purchased from 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 2023-03 on March 29, 2023; and

WHEREAS, subsequent to passage of Ordinance 2023-03 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 Section 923.03(a)(1)(2) as they are presently enacted is hereby repealed effective May 1, 2023.

SECTION 2. Section 923.03(a)(1)(2) 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 2023-03 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"

923.03 RATES.

- (a) Rate charges for water usage are established as follows:
- (1) Charges for metered water up to 8,000 gallons sold to locations inside the Village commencing on May 1, 2023 shall be \$1.28 for the first one hundred gallons and an additional \$1.28 for each fraction of one hundred gallons thereafter for usage each month.
 - (2) Charges for metered water above the first 8,000 gallons sold to locations inside the Village commencing on May 1, 2023 shall be \$1.53 for the first one hundred gallons over 8,000.00 gallons and an additional \$1.53 for each fraction of one hundred gallons of additional usage thereafter each month.