

# RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3838 FORM NO. 30043

Ordinance No. 2020-11

Passed December 1<sup>st</sup>, 20 20

## VILLAGE COUNCIL OF GREENWICH, OHIO ORDINANCE NO.: 2020-11

### AN ORDINANCE AMENDING SECTION 1042.02 OF THE CODIFIED MUNICIPAL CODE REVISING THE RATES FOR WATER SERVICE

WHEREAS, Section 715.08 of the Ohio Revised code provides that any municipal corporation may provide for a supply of water; and

WHEREAS, Section 717.01(G) of the Ohio Revised code provides that each municipal corporation may construct or acquire waterworks for supplying water to the municipal corporation and its inhabitants and extend the waterworks system outside of the municipal corporation limits; and

WHEREAS, the Village maintains a waterworks system for supplying water to the village and its inhabitants; and

WHEREAS, Section 743.04(A) of the Ohio Revised Code generally states that for the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation, including operating expenses and the costs of permanent improvements, the municipality may assess and collect a water rent or charge of sufficient amount and in such manner as the municipality determines to be most equitable from all tenements and premises supplied with water; and

WHEREAS, Section 735.273, paragraph 3 of the Ohio Revised Code provides that the rates for service and charges for municipally owned utilities shall be determined by the legislative authority of the village; and

WHEREAS, Section 743.02 of the Ohio Revised Code permits the Village to make such bylaws and regulations as deemed necessary for the safe, economical, and efficient management and protection of the water works of a municipal corporation. Such bylaws and regulations shall have the same validity as ordinances when not repugnant thereto or to the constitution or laws of the state; and

WHEREAS, Section 743.04 of the Ohio Revised Code provides that past due water charges shall become a lien on property; and

WHEREAS, village council provides for water rates and charges in Section 1042.02 of the Codified Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. That Section 1042.02 of the Codified Municipal Code shall be hereby amended as follows:

#### **1042.02 WATER RATES FOR SERVICE AND CHARGES.**

(a) ~~The minimum charge for water inside the Village is fifteen dollars and fifty cents (\$15.50)~~ **seventeen and 44/100 dollars (\$17.44)** for the first 2,000 gallons. (Ord. 900. Passed 8-18-98; Ord. 2010-07. Passed 7-20-10; Ord. 2013-04. Passed 4-16-13.)

(b) For water use over 2,000 gallons inside the Village, the charge shall be ~~four dollars and fifty cents (\$4.50)~~ **five and 06/100 dollars (\$5.06)** per 1,000 gallons. (Res. 7-82A. Passed 8-2-82; Ord. 2010-07. Passed 7-20-10.)

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(c) Effective with the October, 1995, billing, all outside users of water supplied by the Village will pay a rate twice that of inside users.

(Res. 95-8. Passed 8-21-95.)

(d) The charge for hauled water is ~~one dollar twenty cents (\$1.20)~~ one and 35/100 dollars (\$1.35) per 100 gallons.

(Res. 7-82A. Passed 8-2-82; Ord. 2010-07. Passed 7-20-10; Ord. 2013-04. Passed 4-16-13.)

(e) All multiple units receiving water through one meter shall be billed at the following rates:

(1) The minimum charge for water will be fourteen dollars and fifty cents (\$14.50) for 2,000 gallons per unit.

(2) Additional water will be billed at the rates already established.

(Res. 90-8. Passed 11-20-90; Ord. 1023. Passed 11-20-07; Ord. 2010-07. Passed 7-20-10; Ord. 2013-04. Passed 4-16-13.)

(f) All water meter connections shall be charged a minimum monthly fee of fifteen dollars and fifty cents (\$15.50) if shut off.

~~(g) An annual adjustment of three percent will be assessed each January 1 on and after 2014 to all water charge fees.~~

(Ord. 2013-04. Passed 4-16-13.)

**SECTION 2. REPEAL.** That any previous legislation, bylaws or rules, to the extent that there are inconsistent herewith, are hereby rescinded and repealed.

**SECTION 3. EFFECTIVE DATE.** That the amendments contained herein shall be effective **January 1, 2021**.

**SECTION 4. PUBLIC MEETING.** It is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 1<sup>st</sup> day of December, 2020.

## AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Wesley Hallee  
MAYOR

[Signature]  
FISCAL OFFICER

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Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: - ABSTAIN: -

First Reading:

November 4<sup>th</sup>, 2020

Second Reading:

November 17<sup>th</sup>, 2020

Third Reading:

December 1<sup>st</sup>, 2020

may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]

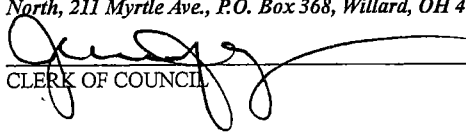
may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]

APPROVED AS TO FORM [See also 731.21(B)]:

  
VILLAGE SOLICITOR, Steve Palmer

## CERTIFICATE OF PUBLICATION RC 731.24

I hereby certify that a succinct summary of the above legislation was/will be published *once a week for two consecutive weeks* as required by RC 731.21 and 731.22(A) in the following newspaper(s) of general circulation: **Shopper's Helper North, 211 Myrtle Ave., P.O. Box 368, Willard, OH 44890, 419.935.0184.**

  
CLERK OF COUNCIL