

**ORDINANCE NO. 2023-4**

**AN ORDINANCE AMENDING CHAPTER 921 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “SEWERS GENERALLY”; SPECIFICALLY SECTION 921.08, TITLED “SANITARY SEWER FLAT RATES, AND DECLARING AN EMERGENCY.”**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOWICK, COUNTY OF LAKE, STATE OF OHIO:

Section 1. Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled “Sewers Generally;” specifically Section 921.08, Titled “Sanitary Sewer Rental Rates,” is hereby amended to read and provide as follows:

**921.08 SANITARY SEWER RENTAL RATES.**

(a) There is hereby established a charge for the use of the sanitary sewerage system upon all lots, lands and premises served by a connection with the sanitary sewerage system of the City which charge shall be in addition to any revenues received by a levy of taxes or assessments on the tax duplicate for sewer purposes.

(b) (1) Every person, firm or corporation whose lots, lands or premises are served by a connection with the sanitary sewerage system of the City shall pay for discharging sewage, industrial wastes, waste or other liquids either directly or indirectly into the sanitary sewerage system, a sewer rental charge based upon the quantity of metered water used in or upon such lots, lands, or premises and such charge shall be determined as follows: Each 100 cubic feet of water, or part thereof, measured through any one water meter, at the use charge rate of five dollars and .429 cents (\$5.429) and the minimum quarterly billing for such use charge rate shall be forty-three dollars and forty-three cents (\$43.43) per 800 cubic feet of water, or part thereof per quarter.

(2) The Finance Director shall review the status of the Sanitary Sewer Fund after December 31, 2008 and ~~after December 31~~ every year thereafter, and meet with the City Council Finance Committee to determine whether the then current rate should be increased. The Finance Committee, by a majority vote, shall recommend to City Council whether to increase the then current rate. ~~If the Finance Committee recommends that the then current rate shall be increased, then City Council, by motion, may increase the rate for the calendar year in which the vote occurs in an amount not to exceed ten percent (10%).~~

(c) Such charge shall apply whether such water is derived from a source other than the City water supply or all or any part of such water is furnished to the premises without charge.

(d) The term “sewage” means water or water-borne wastes, and “industrial wastes” means the liquid wastes resulting from any commercial, manufacturing or industrial operations or processes in which water-borne or liquid wastes enter the system of sewerage or any portion thereof of the City from any premises having a connection therewith or thereto.

(e) If the whole or any part of the water on which a sewer rental charge is based is shown by a measuring device approved by the Director of Public Service not to have passed into the system of sewerage of the City, then the charge shall be based upon the

actual amount of water passing into such system. Nothing contained in this section shall be held to authorize or require the payment of any sewer rental charge by any tax supported department of the City.

(f) The Director of Finance shall make such rules and regulations as may be deemed necessary for the enforcement of the provisions hereof, for the proper determination and collection of the rates and charges herein provided, and for the safe, economical and efficient management and protection of the public sewerage system. Such rules and regulations shall have the same force and effect as ordinances when not repugnant thereto or to the Constitution or laws of the State.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 123 of the Codified Ordinances of the City of Willowick.

Section 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick; wherefore, this Ordinance shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: \_\_\_\_\_, 2023

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Robert Patton, Council President

Submitted to the Mayor: \_\_\_\_\_, 2023

\_\_\_\_\_  
Michael J. Vanni, Mayor

Approved by the Mayor: \_\_\_\_\_, 2023

ATTEST: \_\_\_\_\_  
Angela Trend, Clerk of Council