

# RECORD OF ORDINANCES

Ordinance No. 2022-0-08 Passed November 7, 2022  
YEAR

VILLAGE COUNCIL OF NORTH FAIRFIELD, OHIO  
ORDINANCE No.: 2022-O-08

AN ORDINANCE AMENDING SECTION 6(A) OF ORDINANCE NO.: 2020-006  
ADJUSTING QUARTERLY RESIDENTIAL WATER RATES AND  
DECLARING AN EMERGENCY

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 permits the village to 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, 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, at the request of council, the Fiscal Officer has researched rates for water service in surrounding villages; and

WHEREAS, after consideration of the fiscal health of the village water utility, the Fiscal Officer has recommended an increase in the water utility rates for service; and

WHEREAS, village council has weighed the recommendation of the Fiscal Officer and the current fiscal health of the water utility against its desire to maintain affordability to its water utility customers and has determined that it is necessary to update the rates for service and charges for its municipally owned water utilities and establish rules and procedures; and

WHEREAS, Rules and Procedures for the Municipally owned water utility were most recently established in **Ordinance 2020-O-06 passed June 29, 2020**; and

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WHEREAS, the rates for service and charges for the Municipally owned water utility was last determined by the legislative authority in **Ordinance 2020-O-06, and amended by Ordinance 2021-O-07**; and

WHEREAS, Council chooses to amend the previous Water Ordinance rather than pass new legislation.

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

**SECTION 1.** That Section 6(A) of Ordinance 2020-O-06 is hereby amended as follows:

***SECTION 6. QUARTERLY WATER RATES.** Quarterly rates for service and charges for municipal water service shall be as follows:*

*A. **RESIDENTIAL RATE.** Minimum Rate of ~~\$42.00~~ ~~43.68~~ **45.43** per quarter per tap account for usage of ~~0-6000~~ gallons plus ~~\$7.00~~ ~~7.28~~ **7.58** per each additional 1000 gallons of usage in excess of 6000 gallons.*

**SECTION 2. REPEAL.** That Ordinances No.: 98-14, 97-13 and 95-7, along with Ordinances No.: 2013-O-07, 2012-O-06, 2010-O-07, 2010-O-03, 2008-O-04, 2020-O-06 and **2021-O-07** are hereby repealed, rescinded, and replaced to the extent that they are inconsistent with the amendments herein.

**SECTION 3. RULES AND PROCEDURES.** That the Rules and Procedures for the Municipally owned water utility previously established in **Ordinance 2020-O-06 passed June 29, 2020** shall remain in full effect.

**SECTION 4. DISPENSE WITH THREE READINGS.** That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 705.15 and 731.17(A)(2)]

**SECTION 5. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT.** That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): ***To be effective for the next billing cycle.***

**SECTION 6. PUBLIC MEETING.** That it is found and determined that all formal actions of this public body concerning or relating to the passage of this Resolution /

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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 7 day of November 7, 2022.

## 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.

  
MAYOR

  
FISCAL OFFICER

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

YEAS: 6 NAYS: 0 ABSTAIN: 0

First Reading: October 17, 22

Second Reading: Dispensed

Third Reading: [may] Dispensed

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

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

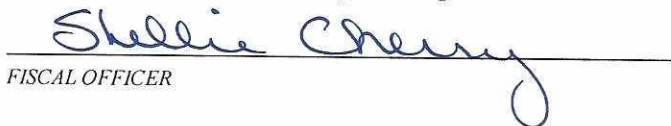
  
VILLAGE SOLICITOR, Steve Palmer

## CERTIFICATE OF POSTING

(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority (See Ord 2019-O-12) for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Fiscal Officer Office, 3 East Main St., North Fairfield, Ohio; and
- 2) North Fairfield Village Hall, 3 East Main St., North Fairfield, Ohio.; and
- 3) North Fairfield Public Library, 5 East Main St., North Fairfield, Ohio; and
- 4) North Fairfield Post Office, 1 North Main St., North Fairfield, Ohio; and 5) Electronically online at official Village website

  
FISCAL OFFICER