

# RECORD OF ORDINANCES

Ordinance No. 2023-O-06

Passed September 6, 2023  
YEAR

## VILLAGE COUNCIL OF NORTH FAIRFIELD, OHIO ORDINANCE No.: 2023-O-06

### WATER RATES

#### AN ORDINANCE AMENDING SECTION 6(A) OF ORD NO.: 2020-O-06 ADJUSTING QUARTERLY RESIDENTIAL WATER RATES

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 evaluated the current rates and the current expenses in addition to exploring and comparing the rates for water service in surrounding municipalities; 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 Ord No.: 2020-O-06; 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 Ord No.: 2020-O-06, Ord No.: 2021-O-07, and Ord No.: 2022-O-08; 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 Ord No.: 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~~ 49.07 per quarter per tap account for usage of 0-6000 gallons plus \$~~7.00~~ ~~7.28~~ ~~7.58~~ 8.19 per each additional 1000 gallons of usage in excess of 6000 gallons.

*Note: Amendment represents a 8% increase*

SECTION 2. REPEAL. That any and all legislation, along with 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, 2021-O-07 and 2022-O-08 are hereby repealed, rescinded, and replaced to the extent that they are inconsistent with the rates herein.

SECTION 3. EFFECTIVE DATE. That this ordinance shall take effect and be in full force beginning the 7<sup>th</sup> day of September, 2023 to be reflected on the first quarterly billing in 2024.

SECTION 4. RULES AND PROCEDURES. That the Rules and Procedures for the Municipally owned water utility previously established in Ord No.: 2020-O-06 shall remain in full effect.

SECTION 5. 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 / 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.

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PASSED AND ADOPTED on this 6 day of September, 2023.

## 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.

[Signature]  
MAYOR

[Signature]  
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: 5 NAYS: 0 ABSTAIN: 0

First Reading: August 21, 2023  
Second Reading: Dispensed [may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]  
Third Reading: Dispensed [may 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)]:

[Signature]  
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 No.:2023-O-05) for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) North Fairfield Fiscal Officer's 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 Electronic Bulletin Board Digital Display, North Fairfield, Ohio; and
- 5) North Fairfield official municipal website online.

[Signature]  
FISCAL OFFICER