

AN ORDINANCE AMENDING EXHIBIT "B" OF ORDINANCE 5-1991 AS AMENDED BY ORDINANCE 38-1993 AND ORDINANCE 28-1994 PROVIDING NEW RATES FOR THE USER CHARGE SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, this Council passed Ordinance 5-1991 on January 17, 1991; and

WHEREAS, this Council further amended Ordinance 5-1991 by Ordinance 3-1993 passed by this Council on February 2, 1993; and

WHEREAS, this Council further amended Ordinance 5-1991 by Ordinance 38-1993 passed by this Council on July 6, 1993; and

WHEREAS, this Council further amended Ordinance 5-1991 by Ordinance 28-1994 passed by this Council on July 5, 1994; and

WHEREAS, this Council has monitored the operation of the user charge system for the sewer district as established in Ordinance 5-1991; and

WHEREAS, this Council has received input concerning the operation of the user charge system from the Village's Consulting Engineer, Service Director and Finance Director; and

WHEREAS, this Council believes that the sewer user charge should be adjusted to reflect the increase in costs to the Village of servicing the sewer; and

WHEREAS, this Council further believes that the sewer user charge should be adjusted to reflect the increases in rates billed to the Village by Northeast Ohio Regional Sewer District, which have gone up significantly in the past several years; and

WHEREAS, the Northeast Ohio Regional Sewer District currently charges a rate of \$21.00 per mcf for transportation and treatment expenses which, together with the proposed charge of \$17.00 per mcf by Richfield, would mean a total charge per mcf of \$38.00.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That Ordinance 5-1991, as amended by Ordinance 3-1993, Ordinance 38-1993 and Ordinance 28-1994, be further amended to read as follows:

(a) Section 2 of Exhibit "B" be amended by amending subsection (f) which will read as follows:

(f) Commencing October 1, 1996 and until further change by the legislative authority of the Village of Richfield, the formulas as

contained in paragraph 2(b) shall be suspended and in their place the user charge per MCF shall equal (1) the rate for transportation and treatment expenses from NEORSD plus (2) \$17.00. This user charge rate shall be subject to adjustment as necessary based upon annual audit of sewer revenue fund expenses and changes in rates for transportation and treatment expenses from NEORSD.

SECTION 2. That all provisions inconsistent herewith be, and the same hereby are, repealed.


SECTION 3. That all other provisions of Ordinance 5-1991, Ordinance 3-1993, Ordinance 38-1993 and Ordinance 28-1994 shall remain in force.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary to preserve the integrity of the Sewer Use Fund; wherefore, provided this Ordinance receives this affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: August 20, 1996



President of Council



Mayor

Dated: 8/20/96

ATTEST:



Clerk of Council