

AN ORDINANCE CONFIRMING THE GENERAL PLANS WITH
AMENDMENTS AND CORRECTIONS FOR SANITARY SEWER
DISTRICT NO. THREE AND DECLARING AN EMERGENCY.

WHEREAS, this Council caused published notice to be given as required by R.C. 727.46 that the general plans for the sewerage of Sewer District No. Three have been prepared and were on file in the office of the Clerk of Council for examination and inspection by parties interested; and

WHEREAS, written objections to such plans were filed and this Council has considered those objections pursuant to R.C. 727.47; and

WHEREAS, Council is of the opinion that such plans and amendments and corrections prepared by the engineer for the Village, and as heretofore filed and objected to should be adopted and confirmed together with amendments and corrections;

Now, Therefore, Be It Ordained by the Council of the Village of Richfield, Summit County, Ohio:

Section 1: Council hereby adopts and approves the general plans heretofore prepared by the engineer together with the amendments and corrections shown thereon, and on file with the Clerk of Council for the sewerage of Sewer District No. Three heretofore established by Ordinance No. 12 passed on August 12, 1985.

Section 2: The boundary of Sewer District No. 3 in accordance with the objections and amendments shall be as follows:

Commencing at the intersection of the centerlines of Everett Road and Brecksville Road, also known as County Road 17, thence westerly along the centerline of Everett Road a distance of 400 feet to a point; thence northerly along a line parallel to and 400 feet westerly of the centerline of Brecksville Road for its entire length to the northerly limits of the Village of Richfield, and also the northern limits of Summit County, to a point; thence easterly along the northerly limits of the Village of Richfield to the centerline of Brecksville Road a distance of 400 feet; thence continuing easterly along said line to a point 400 feet east of the centerline of Brecksville Road; thence southerly along a line parallel to and 400 feet easterly of the centerline of Brecksville Road to a point 400 feet north of the centerline of Congress Parkway; thence easterly along a line 400 feet north of and parallel to the centerline of Congress Parkway a distance of 2,000 feet, more or less, to a point; thence southerly along a line parallel to the centerline of Brecksville Road a distance of 800 feet; thence westerly along a line 400 feet south of and parallel to the centerline of Congress Parkway to a point 400 feet east of the centerline of Brecksville Road;

thence southerly along a line parallel to and 400 feet easterly of the centerline of Brecksville Road to the centerline of Everett Road; thence westerly along said centerline a distance of 400 feet to the original place of beginning.

The Sewer District shall encompass all properties within the described boundary located within the Village of Richfield. It shall also include all properties fronting Brecksville Road contained within the above description. Single family dwellings falling within the prescribed Sewer District, however, having the principle place of residence more than 200 feet from any available sewer, shall fall within the applicable guidelines as set forth by the appropriate Section(s) of the Ohio Revised Code. Commercial and industrial properties falling within the previously described Sewer District, having private treatment facilities, shall be required to connect to the sewer as it becomes available to that property.

Section 3: The Council has the power to make such a change in boundary pursuant to R.C. Sections 727.47 and 727.48.

Section 4: Council confirms Section 5 of Ordinance 12-1985, passed August 12, 1985, as follows:

Sewer Districts 1 and 2 created pursuant to Ordinance Nos. 27-1977 and 38-1978 passed on June 8, 1977 and on June 20, 1978 and approved by Ordinance 83-1978 passed on January 2, 1979, all of which are set forth in Codified Ordinances Sections 921.02, 921.03 and 921.04, are amended so that the description of Sewer Districts 1 and 2 are revised in accordance with the portion or portions of this Sewer District No. 3, or as it may finally be amended or corrected.

Section 5: The general plan together with the amendments and objections shall be certified by the Clerk as the plan adopted and shall be filed in the office of the Clerk.

Section 6: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements.

Section 7: This Ordinance is determined to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety for the reason to provide sewerage services and provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall

take effect and be in force from and after its approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest date provided by law.

Passed:

9/3/85

William J. Nagel
President of Council

E. June Archer
Mayor

Dated: 9-3-85

Attest:

Theresa M. Kley
Clerk of Council