

AN ORDINANCE AMENDING EXHIBIT "B" OF ORDINANCE NO. 5-1991 AS AMENDED BY ORDINANCE NO. 38-1993, ORDINANCE NO. 28-1994 AND ORDINANCE NO. 63-1996 PROVIDING NEW RATES FOR THE SEWER USER CHARGE SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, this Council passed Ordinance No. 5-1991 on January 17, 1991; and

WHEREAS, this Council further amended Ordinance No. 5-1991 by Ordinance No. 3-1993 passed by this Council on February 2, 1993; and

WHEREAS, this Council further amended Ordinance No. 5-1991 by Ordinance No. 38-1993 passed by this Council on July 5, 1993; and

WHEREAS, this Council further amended Ordinance No. 5-1991 by Ordinance No. 28-1994 passed by this Council on July 5, 1994; and

WHEREAS, this Council further amended Ordinance No. 5-1991 by Ordinance No. 63-1996 passed by this Council on August 20, 1996; and

WHEREAS, this Council has monitored the operation of the user charge system for the sewer district as established in Ordinance No. 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 the 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 \$30.95 per mcf for transportation and treatment expenses which, together with the proposed charge of \$22.03 per mcf for the expenses associated with the Village's operation of the sewer system in Richfield, would mean a total charge per mcf of \$52.98 in 2005.

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

SECTION 1. That Ordinance No. 5-1991, as amended by Ordinance No. 3-1993, Ordinance No. 38-1993, Ordinance No. 28-1994 and Ordinance No. 63-1996 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 April 1, 2005 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 be as follows:

- (i) \$52.98 per MCF in 2005, which consists of \$30.95 per MCF charged by the Northeast Ohio Regional Sewer District for transportation and treatment services and \$22.03 per MCF charged by the Village of Richfield for the cost of operating and maintaining the sewer system.
- (ii) \$60.93 per MCF in 2006, which consists of \$32.60 per MCF charged by the Northeast Ohio Regional Sewer District for transportation and treatment services and \$28.33 per MCF charged by the Village of Richfield for the cost of operating and maintaining the sewer system.

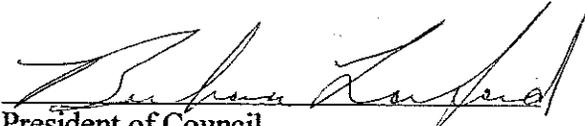
This user charge rate shall be subject to adjustment as necessary based upon annual audits of sewer revenue fund expenses and changes in rates for transportation and treatment expenses from the Northeast Ohio Regional Sewer District (NEORS D).

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

SECTION 3. That all other provision of Ordinance No. 5-1991, Ordinance No. 3-1993, Ordinance No. 38-1993, Ordinance No. 28-1994 and Ordinance No. 63-1996 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 the 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: 4/5/2005



President of Council



Mayor

Dated: 4/11/05

ATTEST:



Clerk of Council