

1 ORDINANCE NO. 2018-014

2
3 SPONSOR Ms. Shapiro

4
5 DATE January 29, 2018

COMMITTEE: Public Works

6
7 **An Ordinance establishing the unincorporated territory of Bath Township as a Service**
8 **Area in the Summit County Surface Water Management District pursuant to Section**
9 **942.03 of the Codified Ordinances of the County of Summit, and setting a rate of \$4.00 per**
10 **Equivalent Rate Unit per month for the Surface Water Management Service Charge for**
11 **the Bath Township Service Area, in accordance with Section 942.06 of the Codified**
12 **Ordinances, beginning July 1, 2018, in Council Districts 4 and 5, for the Engineer and**
13 **Council, and declaring an emergency.**

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15 WHEREAS, in 2017, this Council adopted Ordinance 2017-282, thereby establishing
16 Chapter 942 of the Codified Ordinances of the County of Summit, entitled "Surface Water
17 Management District;" and

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19 WHEREAS, the Bath Township Board of Trustees adopted Township Resolution 2017-
20 39 on December 4, 2017 requesting that the unincorporated territory of Bath Township become a
21 Service Area of the Surface Water Management District, as those terms are defined in Chapter
22 942; and

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24 WHEREAS, Section 942.03 of the Codified Ordinances requires this Council to adopt an
25 Ordinance to establish the unincorporated territory of Bath Township as a Service Area within
26 the Surface Water Management District; and

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28 WHEREAS, Section 942.06 of the Codified Ordinances establishes the rate of \$4.00 per
29 Equivalent Rate Unit ("ERU") per month as the Surface Water Management Service Charge to
30 be paid by property owners within the Surface Water Management District unless a different rate
31 is set by Council for a Service Area; and

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33 WHEREAS, this Council believes that the rate of \$4.00 per ERU per month as the
34 Surface Water Management Service Charge to be paid by property owners within the Bath
35 Township Service Area is appropriate; and

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37 WHEREAS, this Council has determined by reviewing all pertinent information that
38 accepting the unincorporated territory of Bath Township into the Summit County Surface Water
39 Management District, and establishing the Surface Water Management Service Charge, is
40 necessary and in the best interest of the County of Summit.

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42 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
43 of Ohio, that:

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45 SECTION 1

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47 The unincorporated territory of Bath Township is hereby established as the Bath
48 Township Service Area of the Summit County Surface Water Management District pursuant to
49 Section 942.03 of the Codified Ordinances of the County of Summit.
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4 SECTION 2

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6 Property owners in the Bath Township Service Area will be charged \$4.00 per Equivalent
7 Rate Unit ("ERU") per month as the Surface Water Management Service Charge in accordance
8 with Section 942.06 of the Codified Ordinances of the County of Summit.

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10 SECTION 3

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12 This Resolution is hereby declared an emergency in the interest of the health, safety and
13 welfare of the citizens of the County of Summit, and for the further reason that it immediately
14 allows Bath Township and the County of Summit to begin addressing surface water issues in
15 Bath Township.

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17 SECTION 4

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19 Provided this Resolution receives the affirmative vote of eight members, it shall take
20 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
21 effect and be in force at the earliest time provided by law.

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23 SECTION 5

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25 It is found and determined that all formal actions of this Council concerning and relating
26 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
27 deliberations of this Council and of any of its committees that resulted in such formal action,
28 were in meetings open to the public, in compliance with all legal requirements, including Section
29 121.22 of the Ohio Revised Code.

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31 INTRODUCED January 8, 2018

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34 ADOPTED January 29, 2018

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38 CLERK OF COUNCIL

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42 PRESIDENT OF COUNCIL

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44 APPROVED January 30, 2018

45 EXECUTIVE

January 30, 2018
ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite