

1 ORDINANCE NO. 2018-248

2  
3 SPONSORS Ms. Shapiro and Mr. Soyars

4  
5 DATE June 25, 2018 COMMITTEE Rules

6  
7 **An Ordinance amending Section 923.05 of the Codified Ordinances of the County of**  
8 **Summit, entitled “Tap-In Fee,” and enacting Section 923.06A, entitled “The Clinton**  
9 **Sanitary Sewer Improvement Project Voluntary Connection Program,” to establish a**  
10 **sanitary sewer tap-in fee and a voluntary connection program expressly for the Clinton**  
11 **Sanitary Sewer Improvement Project Service Area, for the Executive’s Department of**  
12 **Sanitary Sewer Services, and declaring an emergency.**

13  
14 WHEREAS, this Council previously adopted Resolution No. 2018-107, which  
15 authorized the County Executive to execute an Intergovernmental Agreement (“Agreement”), a  
16 copy of which is attached hereto as Exhibit A and incorporated herein as if fully rewritten, with  
17 the Village of Clinton (“Village”), wherein the County would construct the Clinton Sanitary  
18 Sewer Improvement Project Q-832 (“Project”) to remedy the pollution resulting from failing  
19 septic systems located within the service area set forth in the Agreement (“Service Area”); and

20  
21 WHEREAS, pursuant to Section 3(D) of the Agreement, the County has agreed to create  
22 a specific tap-in fee for the properties in the Service Area that connect to the sanitary sewer  
23 system installed during the Project but did not participate in the full special assessment as set  
24 forth in Sections 3(A)(3) and 3(D) of the Agreement; and

25  
26 WHEREAS, Section 4(C) of the Agreement states that the County shall adopt an  
27 ordinance prior to commencement of construction of the Project that will establish a Voluntary  
28 Connection Program (“Program”) for residents within the Service Area who voluntarily choose  
29 to tie into the County’s Sanitary Sewer System (“System”) within two years of the completion of  
30 construction of the Project; and

31  
32 WHEREAS, it is necessary to amend Section 923.05 of the Codified Ordinances of the  
33 County of Summit, entitled “Tap-In Fee,” and enact Section 923.06A, entitled “The Clinton  
34 Sanitary Sewer Improvement Project Voluntary Connection Program,” to establish a sanitary  
35 sewer tap-in fee and a voluntary connection program in order to fulfill the County’s contractual  
36 obligations listed in Sections 3(D) and 4(C) of the Agreement and to make connecting to the  
37 System more affordable to residents located within the Service Area; and

38  
39 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
40 that it is necessary and in the best interest of the County to amend Section 923.02 and enact  
41 923.06A of the Codified Ordinances for the aforementioned reasons;

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

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Voice Vote: 9-0 - YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Schmidt, Soyars, Walters  
ABSENT: Rodgers, Wilhite

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2 PAGE TWO

3  
4 SECTION 1

5  
6 Section 923.05 of the Codified Ordinances of the County of Summit, entitled "Tap-In  
7 Fee" is hereby amended as set forth in Exhibit B, which is attached hereto and incorporated  
8 herein as if fully rewritten.

9  
10 SECTION 2

11  
12 Section 923.06A, entitled "Village of Clinton Sanitary Sewer Improvement Project  
13 Voluntary Connection Program is hereby enacted as set forth in Exhibit B, which is attached  
14 hereto and incorporated herein as if fully rewritten.

15  
16 SECTION 3

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18 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
19 welfare of the residents of the County of Summit, and for the further reason to immediately  
20 amend Section 923.05 and enact Section 923.06A of the Codified Ordinances to authorize the  
21 creation of a sanitary sewer tap-in fee and a voluntary connection program specifically for the  
22 Clinton Sanitary Sewer Improvement Project Service Area in order for the construction of the  
23 Project to commence as soon as possible.

24  
25 SECTION 4

26  
27 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
28 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
29 effect and be in force at the earliest time provided by law.

30  
31 SECTION 5

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33 It is found and determined that all formal actions of the Council concerning and relating  
34 to the adoption of the Ordinance were adopted in an open meeting of this Council, and that all  
35 deliberations of this Council and of any of its committees that resulted in such formal action,  
36 were in meetings open to the public, in compliance with all legal requirements, including Section  
37 121.22 of the Ohio Revised Code.

38  
39 INTRODUCED June 18, 2018

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41 ADOPTED June 25, 2018

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44 CLERK OF COUNCIL

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47 PRESIDENT OF COUNCIL

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49 APPROVED June 26, 2018

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51   
52 EXECUTIVE

ENACTED EFFECTIVE June 26, 2018