

# CITY OF OBERLIN, OHIO

## ORDINANCE No. 18-59 AC CMS

AN ORDINANCE AMENDING ORDINANCE NO. 18-34 AC CMS TO UPDATE THE REFERENCE TO THE ORDINANCE ESTABLISHING CHAPTER 916 OF THE OBERLIN CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 18-33 adopted by Oberlin City Council on June 4, 2018, enacted new Chapter 916 of the Oberlin Codified Ordinances establishing a Municipal Storm Water Utility; and

WHEREAS, as a part of new Chapter 916, Ordinance No. 18-34 adopted by City Council on June 4, 2018 established the base rate for the municipal storm water utility charge; and,

WHEREAS, Ordinance No. 18-34 AC CMS made references to Ordinance No. 18-33 AC CMS; and,

WHEREAS, subsequent to the adoption of Ordinance No. 18-34 AC CMS Council passed Ordinance No. 18-56 AC CMS which repealed Ordinance No. 18-33 AC CMS and established new Chapter 916, Municipal Storm Water Utility; and,

WHEREAS, it is necessary to amend Ordinance No. 18-34 AC CMS to reference Ordinance No. 18-56 AC CMS in place of Ordinance No. 18-33 AC CMS.

NOW, THEREFORE BE IT ORDAINED, by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That Ordinance No. 18-34 AC CMS be and is hereby amended to read as is set forth on Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or 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, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: to assure that references in the codified ordinances of the City of Oberlin are correct and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading: August 20, 2018 (A)(E)

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
BELINDA ANDERSON, MMC  
CLERK OF COUNCIL

  
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BRYAN L. BURGESS  
PRESIDENT OF COUNCIL

POSTED: 08/21/2018

EFFECTIVE DATE: 08/20/2018

EXHIBIT A

WHEREAS, Ordinance 18-56 Municipal Storm Water Utility adopted by Oberlin City Council amended the Municipal Code of the City of Oberlin, Ohio by adding a new Chapter 916 Municipal Storm Water Utility to the Municipal Code; and

WHEREAS, Ordinance 18-56 enacting Chapter 916 of the Oberlin Codified Ordinances provides for the funding of the operation, maintenance, and improvement of the stormwater system to ensure that the City of Oberlin meets the requirements of the National Pollution Discharge Elimination System Phase II, Municipal Stormwater Utility Division Program, as mandated by the Federal Water Pollution Control Act and the Ohio Water Pollution Control Act for small Municipal Separate Storm Sewer Systems; and

WHEREAS, Section 916.08 paragraph (8) established under Ordinance No. 18-56 AC CMS specifies that: "City Council shall, by Ordinance, establish the base rate for the municipal stormwater utility service charge. The base rate shall be calculated to provide revenues to fund the expenditures of stormwater management and to provide for the operation, maintenance, and capital improvements of the stormwater system"; and

NOW, THEREFORE BE IT ORDAINED, by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. In accordance with Ordinance 18-56 AC CMS, Section 916.08 paragraph (8) the base rate for the stormwater service charge shall hereby be:

Year	Equivalent Residential Unit Rate per Month
2019	\$4.25/ERU/month
2020	\$4.39/ERU/month
2021	\$5.41/ERU/month
2022	\$6.28/ERU/month
2023	\$6.61/ERU/month

SECTION 2. Starting in 2024 the previous year's rate shall be in force and effect until such time as Oberlin City Council establishes a new or revised rate.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or 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, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance shall take effect at the earliest possible date allowed by law.