

AN ORDINANCE AUTHORIZING PROPERTY OWNERS ADJACENT TO THE TOWNSEND ROAD SANITARY SEWER TO TIE INTO THE VILLAGE'S SANITARY SEWER ON THAT ROAD AND ESTABLISHING A TAP-IN FEE AND DECLARING AN EMERGENCY

WHEREAS, in connection with the creation of Sewer District No. 6, the Village required a developer to construct, at the developer's cost, a sanitary sewer in Townsend Road; and

WHEREAS, this Council has constructed a sanitary sewer system of which Sanitary Sewer District No. 6 is a part of the system at a considerable expense to the taxpayers of the Village of Richfield; and

WHEREAS, this Council wishes to allow those property owners adjacent to the Townsend Road sanitary sewer the ability to tie into the Village's sanitary sewer system in that road; and

WHEREAS, tie-ins are required for new properties and for existing houses within two hundred (200) feet of the sewer with failed septic tanks when mandated by the Summit County Board of Health; and

WHEREAS, this Council, in an attempt to equalize the burden of the cost of the construction of the entire sewage system in the Village between the present users and new users of the system, wishes to impose a tap-in or connection fee to those property owners who must connect to the sanitary sewer on Townsend Road; and

WHEREAS, this Council, by Ordinance No. 5-1991, has established a tap-in fee using a five-factor formula; and

WHEREAS, in accordance with the tap-in fee formula established in Exhibit "A" of Ordinance No. 5-1991, as amended, this Council wishes to charge a tap-in fee using an average of the assessments in Sewer District Nos. 1, 2 and 3 to property owners on Townsend Road who must tap into the Village's sanitary sewer system.

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

SECTION 1. That this Council does hereby authorize those property owners who abut on Townsend Road to tap into the Village's sanitary sewer system on Townsend Road.

SECTION 2. As a condition to the issuance of a tap-in permit, the Service Director shall review the property owner's plans to tap into the sewer, approve the licensed contractor who will perform the tap, and shall require a payment in accordance with the five factor

formula contained in Exhibits "A" and "B-2" of Ordinance No. 5-1991, as amended, using an average of the assessments in Sewer District Nos. 1, 2 and 3.

SECTION 3. 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 in order to establish tap-in conditions for property owners who wish to tap into the Townsend Road sanitary sewer; 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: June 19, 2001

Michael J. Lyons
President of Council

Ronald W. Larsen
Mayor

Dated: 6/20/01

ATTEST:
Carol Gibson
Clerk of Council