

AN ORDINANCE AMENDING ORDINANCE 58-2015 TO ALLOW ACCESS TO THE APPLE RIDGE WATERLINE AND ESTABLISHING A WATER TAP-IN FEE FOR 3414 BROADVIEW ROAD, AND DECLARING AN EMERGENCY

WHEREAS, this Council passed ordinance 58-2015 on August 18, 2015 that established a water tap-in fee of \$43.17 per lineal foot of frontage for property owners on Broadview Road west of Apple Ridge; and

WHEREAS, the water tap-in fee established by this Council applied to the properties located at 3300 Broadview Road through 3388 Broadview Road; and

WHEREAS, Dress Homes is constructing a new home on a parcel of land (PPN: 50-02238) located at 3414 Broadview Road; and

WHEREAS, the purchaser of the property desires to tap-in into the Apple Ridge waterline and has requested permission from the Village to allow access to the waterline; and

WHEREAS, the purchaser of the property secured a water permit from the City of Cleveland, Division of Water, but the property falls outside of the approved district as established by Ordinance 58-2015 and requires the purchaser to obtain Council approval to tap-in into the waterline; and

WHEREAS, the Village approved the site plan for the new home construction, which shows the proposed water connection, a copy of which is attached and expressly incorporated herein as Exhibit "A;" and

WHEREAS, 3414 Broadview Road is west of Apple Ridge and adjoins the property located at 3388 Broadview Road, which was allowed access to the waterline and paid the same tap-in fee established by Ordinance 58-2015; and

WHEREAS, this Council determines that the public health, safety, and welfare is served by allowing 3414 Broadview Road access to Apple Ridge waterline.

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

SECTION 1. Ordinance 58-2015 is amended to include 3414 Broadview in the Broadview/Apple Ridge water district and allow said property access to the Apple Ridge waterline.

SECTION 2. A water tap-in fee of \$43.17 per lineal foot of frontage is established for the property located 3414 Broadview Road. The assessment shall be determined by using the frontage of the property along Broadview Road.

SECTION 3. All ordinances or parts thereof in effect at the time of passage of this ordinance that are in conflict with the foregoing provisions are hereby repealed to the extent of the conflict.

SECTION 4. It is found and determined that all formal actions of this Council concerning and 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 legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. 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 allow access to the waterline as the purchaser of the home intends to close and move into the home toward the end of November 2020; 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: 11-4-2020



President of Council



Mayor

Dated: 11/10/2020

ATTEST:


Clerk of Council