

## Ordinance 06-2014

### AN ORDINANCE TO AMEND SECTION 1042.05 OF THE CODIFIED ORDINANCES REGARDING THE SEWER TAP-IN FEE, AND TO DECLARE AN EMERGENCY

WHEREAS, the Council passed Ordinance 198 on January 14, 1976 governing the sewer tap-in fee which has been codified and is contained in Chapter 1042 (Sewers) of Title Four (Utilities) of Part Ten (Streets, Utilities and Public Services Code) of the Codified Ordinances of Minerva Park; and

WHEREAS, it is necessary and appropriate to revisit and update the fees from time to time and move such fees to a Minerva Park Fee Schedule; and

WHEREAS, Council hereby finds and determines that the current fee structure is inadequate;

NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. Section 1042.05 is hereby repealed and amended in its entirety to read as follows:


#### 1042.01 TAP-IN FEE.

- (a) For the purpose of providing funds to help finance and to more equitably distribute the cost of construction of necessary additions to the sewerage system, it is hereby determined and declared to be necessary to provide for the establishment, exaction and regulation of a sanitary sewerage system capacity and connection charge, as hereinafter determined. Such charges are to be an addition to any and all other fees which may be imposed with respect to the Village sewerage system.
- (b) The funds received from the collection of such charges shall be credited to the Sewer Revenue Fund from which Council may make appropriations for the payment of the cost and expense of the engineering, construction, management and repair of the sanitary sewerage system, regulator chambers, storm standby tanks and pumping stations and for the payment of the cost and expense of replacement, extensions to or enlargement of the same and for the payment of principal and interest on any debt incurred for the construction of such sewerage system, regulator chambers, storm standby tanks and pumping stations, and for the payment to the City of Columbus of its portion of the charge, pursuant to the Sanitary Sewer Agreement between the Village and the City of Columbus.
- (c) A sanitary sewerage system capacity charge shall be exacted whenever:
  - (1) Application is made for the issuance of a sewer permit to provide sanitary sewer service to a new structure; and
  - (2) An existing structure is enlarged or its use changed, which necessitates a larger water tap.
- (d) The charge exacted pursuant to this section shall be a fee in accordance with the fee schedule adopted and approved by Village Council.

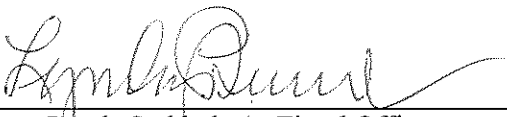
Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

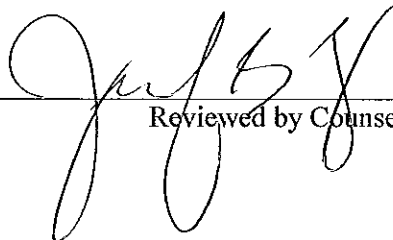
Section 3. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

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 Village and for the further reason that it is advisable to have updated fees in full force and effect in advance of acceptance of any new annexations and/or approval of any zoning measures for new developments within the Village; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

  
Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: May 19, 2014  
Second Reading: May 24, 2014  
Third Reading: June 2, 2014  
Passed: June 2, 2014

  
Attest Lynda Sudderberg, Fiscal Officer,  
Village of Minerva Park

  
Reviewed by Counsel