

ORDINANCE NO.: 77 -2012  
INTRODUCED BY: Alexander

AN ORDINANCE ESTABLISHING A SPECIAL FUND TO BE  
DESIGNATED AS THE "SANITARY SEWER SURCHARGE  
REDUCTION/ELIMINATION FUND"; AND DECLARING AN  
EMERGENCY.

WHEREAS, pursuant to Ordinance No. 44-2012, adopted by this Council on June 26, 2012, the City adopted and implemented a sanitary sewer surcharge reduction and elimination policy and program which, *inter alia*, provides for reimbursement to affected property owners for the costs of their installation of backflow preventers and/or the reconfiguration of plumbing to reduce or eliminate sanitary surcharges into buildings and in an amount not to exceed \$1,500 per property; and

WHEREAS, there is a need to create a special fund to be designated as the "Sanitary Sewer Surcharge Reduction/Elimination Fund" within which to deposit monies received from the County of Cuyahoga from the annual sewer maintenance assessments collected from property owners in the City for the purpose of making the reimbursements set forth in the foregoing paragraph;

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio; that:

Section 1: Council hereby establishes a special fund designated as the "Sanitary Sewer Surcharge Reduction/Elimination Fund", pursuant to the provisions of Section 5705.12 of the Ohio Revised Code, for the purposes set forth in the preamble to this Ordinance.

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the 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.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that property owners can move forward with the installation and plumbing reconfiguration that is necessary to prevent sanitary surcharges into buildings at the earliest time; wherefore, this Ordinance shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_ Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_ David H. Roche  
President of Council