

Village of Mantua, Ohio
ORDINANCE 2013-17

**AN ORDINANCE AMENDING VILLAGE OF MANTUA CODIFIED
ORDINANCE SECTION 921.08(b) RELATING TO THE FIVE DOLLAR
QUARTERLY SERVICE FEE COLLECTED PURSUANT TO THAT SECTION,
AND DECLARING AN EMERGENCY.**

WHEREAS, this Council had previously passed Ordinance 2009-47, amending Village of Mantua Codified Ordinances section 921.08(b) to allocate \$3.00 of the quarterly water meter service charge to the Storm Sewer Improvements and Maintenance Fund; and

WHEREAS, the State Auditor's Office representative has advised the Village that it is impermissible to use funds derived from sources related to the supply of municipal water for storm sewer purposes; and

WHEREAS, this Council has determined that an amendment to Village of Mantua Codified Ordinances Section 921.08(b) is necessary to address this issue.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, two thirds (2/3) of the members elected thereto concurring, that:

SECTION 1: Existing Section 921.08(b) of the Mantua Codified Ordinances is hereby repealed.

SECTION 2: Section 921.08(b) of the Mantua Codified Ordinances is hereby enacted as follows:

Each dwelling, structure, unit, building for business or commercial enterprise, or location for industrial operation, and any other location where a municipal water meter is installed, shall pay a service charge in the amount of five dollars (\$5.00) per billing quarter. Said service charge shall be billed with and due at the same time as the regular quarterly water and sewer billings. In the event the service charge is not paid when due, it shall be subject to the delinquency charges set forth in Section 941.21 of these Codified Ordinances. The payments received as the result of this service charge shall be placed in the Water Capital Improvement Fund to be used as permitted by law and as directed by the Mantua Village Council.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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: This Ordinance is hereby declared to be an emergency measure, in

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order to correct an error identified by the Auditor of State's representative at the earliest possible time, and shall become effective immediately upon its passage by two-thirds or more of the members elected to the Mantua Village Council.

Passed in Council this 19th day of March, 2013.

ATTEST:

Linda Clark, Mayor

Jenny August, Clerk of Council

I, Jenny August, Clerk of the Village of Mantua, Ohio, hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on the ____ day of _____, 2013.

Jenny August, Mantua Village
Clerk-Treasurer

Approval as to legal form by:

Michele Stuck, Village Solicitor