

Village of Mantua, Ohio
ORDINANCE 2021-02

AN ORDINANCE AMENDING CHAPTER 921 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE VILLAGE OF MANTUA, RELATING TO CONTROL AND OPERATION OF THE VILLAGE OF MANTUA WATER UTILITY, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance numbers 2019-49 and 2020-54, the ownership, operation and maintenance of the Village of Mantua Water treatment and distribution system has been assumed by Portage County effective January 4, 2021; and

WHEREAS, this transfer of operational authority has rendered most provisions of Chapter 921 of the Streets, Utilities and Public Services Code of the Village of Mantua moot and of no effect; and

WHEREAS, said Chapter 921 must be amended in order to recognize this change.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, two-thirds or more of the members elected thereto concurring, that;

SECTION 1: Existing Chapter 921 of the Mantua Codified Ordinances is hereby repealed.

SECTION 2: Chapter 921 of the Mantua Codified Ordinances is hereby enacted as set forth in "Exhibit A", attached hereto and incorporated herein by reference.

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 an emergency measure, effective immediately upon proper passage by the Mantua Village Council, in order to avoid conflict with the Portage County Water Resources Rules and Regulations now governing the water system within the Village.

PASSED IN Council this 19th day of January, 2021.

ATTEST:

Linda Clark, Mayor

Jenny August, Clerk-Treasurer

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I hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on this the ____ day of January, 2021.

Jenny August, Clerk-Treasurer

Approval as to legal form by:

Michele Stuck, Village Solicitor

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"EXHIBIT A"

CHAPTER 921
Water

- 921.01 Transfer of Utility Ownership and Operation**
921.02 Drilling water wells prohibited.

921.01 TRANSFER OF UTILITY OWNERSHIP AND OPERATION

Effective January 4, 2021, the ownership, operation and maintenance of the Village of Mantua water treatment and distribution system has been assumed by Portage County. All matters relating to connection to, service by and rates charged for water service within the Village of Mantua shall henceforth be governed by the Portage County Water Resources Rules and Regulations and the Mantua Village, County Of Portage Water and Sanitary Sewer Systems Transfer Agreement authorized by Village of Mantua Ordinance numbers 2019-49 and 2020-54.

921.02 DRILLING WATER WELLS PROHIBITED.

(a) The drilling of private water wells by individuals and/or business entities, other than for purposes of the operation of the potable water system within the Village, creates a substantial health and safety risk because of the danger of cross-connections and/or contamination to the potable water supply and system within the Village.

(b) It is, therefore, in the best interest of the Village to prohibit the drilling of water wells by individuals, partnerships, corporations, agencies, organizations and other entities.

(c) Any individual, partnership, corporation, agency or other entity shall be, and hereby is, prohibited from drilling well water within the municipal corporation limit of the Village, other than as required for purposes of the operation of the potable water system within the Village.

(d) The prohibitions of this section shall not apply to:

- (1) Political subdivisions [as defined in Ohio R.C.. 2744.01(F)] owning property within the Village, where such well is only sought to be drilled on that property for agricultural or irrigation purposes, and where no water extracted therefrom shall enter the sanitary or storm sewer systems of the Village.
- (2) Residential lots or parcels of land within the Village where no Village water supply is located within one hundred (100) feet of any boundary of such lot or parcel. Should a municipal water supply become available within 100 feet of such lot or parcel, the owner thereof shall cause connection to be made to the municipal supply and the well abandoned within 60 days of such availability.

(e) Whoever violates the provisions of this section shall be subject to a fine of five hundred dollars (\$500.00) and may be enjoined against the drilling or installing of a water well in a court of competent jurisdiction. For purposes of this section, each day of continuation of a violation shall be deemed a separate offense.