

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2018-0010

Sponsored by: <b>County Executive Budish/Department of Public Works</b>	<b>An Ordinance</b> enacting Section 705.04 of the Cuyahoga County Code to establish sewer connection charges for the Cook and Columbia Phase V Sanitary Sewer Project; amending County Resolution No. 052209 dated 6/2/2005, which established the charges payable for connection to the County’s sewer facilities in County Sewer District No. 14; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Cook and Columbia Phase V Sanitary Sewer Project (the “Project”), a joint venture between several participating government agencies including, Cuyahoga County Department of Public Works, City of Olmsted Falls, Northeast Ohio Regional Sewer District and the Ohio Public Works Commission, has been under the planning and design phase for ten years; and

WHEREAS, on June 2, 2005, Cuyahoga County adopted Resolution No. 052209, establishing certain sewer connection charges for County Sewer District No. 14, which includes Cook Road, Columbia Road and Nobottom Road; and

WHEREAS, to alleviate the hardships imposed on the property owners caused by the prolonged planning and design phase of the Project, the County desires that all properties identified in Exhibit A should receive the benefit of the 2015 sewer connection charges set forth in Resolution No. 052209, dated June 2, 2005; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that sewer connections to the County’s sewer facilities can be provided to the affected property owners.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** Section 705.04 of the Cuyahoga County Code is hereby enacted to read as follows:

**Section 705.04 Sewer Connection Charges for Cook and Columbia Phase V Sanitary Sewer Project**

- A. All property owners converting from a septic system to a sanitary sewer main line, who connect to the Cook and Columbia Phase V Sanitary Sewer Project, shall pay the 2015 sewer connection charge, as set forth in Resolution No. 052209, dated June 2, 2005.
- B. Section 705.04 of the Cuyahoga County Code is intended to alleviate hardship only on property owners identified in Exhibit A who pay connection charges prior to March 31, 2019.
- C. All property owners connecting to the Cook and Columbia Phase V Sanitary Sewer Project shall benefit from the payment program for County Sewer District No. 14 set forth in Section 705.01, provided that the application to enter into the payment program is submitted to the County prior to March 31, 2019.
- D. Section 705.04 is applicable to the property owners that connect to the Cook and Columbia Phase V Sanitary Sewer Project constructed by the County on Cook Road, Columbia Road and Nobottom Road in Olmsted Township, as indicated in the drawing attached as Exhibit B.
- E. Cuyahoga County Resolution No. 052209, dated 6/2/2005, which established charges payable for connection to the County's sewer facilities in County Sewer District No. 14, is hereby amended to reflect that property owners connecting to the Cook and Columbia Phase V Sanitary Sewer Project that pay connection charges prior to March 31, 2019 are responsible to pay the sewer connection charges established for the 2015 fiscal year.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the 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.

On a motion by Mr. Tuma, seconded by Mr. Brady, the foregoing Ordinance was duly enacted.

Yeas: Conwell, Jones, Brown, Houser, Simon, Baker, Miller, Tuma, Gallagher, Schron and Brady

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

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Clerk of Council

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Date

First Reading/Referred to Committee: September 12, 2018

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC031

September 25, 2018