

County Council of Cuyahoga County, Ohio

Ordinance No. O2023-0010

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| Sponsored by: County Executive Ronayne/Department of Public Works/Division of County Engineer | An Ordinance amending Chapter 705 of the County Code to provide a uniform procedure for collection of charges for connecting to the County's water and sewer facilities throughout County Sewer District 14; and declaring the necessity that this Ordinance become immediately effective. |
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WHEREAS, pursuant to Ordinance O2014-0011, dated April 22, 2014, the County established payment procedures for collection charges for connection to the County's water and sewer facilities in County Sewer District 14 and Cook, McKenzie and Sterns Roads; and

WHEREAS, the County now desires to update those procedures to create a uniform procedure for collection of charges for connecting to the County's water and sewer facilities throughout County Sewer District 14; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

SECTION 1. Section 705.01 is hereby amended to read as follows (deletions are stricken, additions are bold and underlined):

Section 705.01 Payment Procedures for County Sewer District No. 14

- A. A property owner who connects any building, structure or other facility, either directly or indirectly, to the County's water and sewer facilities in County's Sewer District No. 14 shall pay the County a connection charge by electing one of the following payment options:
1. Pay the full amount of the connection charge; or
 2. Enter into a payment program for a period not to exceed ~~ten (10)~~ **twenty (20)** years.

- B. ~~The ten (10) year~~ A payment plan shall be based on the applicable connection charge schedule, plus ~~an~~ applicable interest at a rate of not less than 3.00%, as determined by the Director of Public Works. ~~The ten year~~ A payment plan and collection of funds will be established in accordance with Section 6117.02 of the Ohio Revised Code, and the Department of Public Works may require any additional assurances for payment, including the procurement and recording of a mortgage loan document, ~~if deemed appropriate.~~
- C. Section 705.01 is intended to establish a payment plan for water and sewer connection charges payable by ~~all property~~ individual homeowners located in County Sewer District No. 14 that connect to new or existing County water and sewer facilities. The payment plan authorized by this Section 705.01 is not available to commercial property owners or developers of industrial, commercial or residential property.
- D. Cuyahoga County Resolution Nos. 052208 and 052209, each dated 6/2/2005, which established charges payable for connection to the County's water and sewer facilities in County Sewer District No. 14, are hereby amended to reflect a repayment period not to exceed ~~ten (10)~~ twenty (20) years for all connection charges payable by property owners connecting to water and sewer facilities in County Sewer District No. 14.

SECTION 2. Section 705.02 of the County Code is deleted in its entirety and replaced with the following:

Section 705.02 Reserved

SECTION 3. 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 4. 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 Ms. Conwell, the foregoing Ordinance was duly adopted.

Yeas: Stephens, Simon, Kelly, Miller, Sweeney, Tuma, Gallagher, Schron, Conwell, Turner and Jones

Nays: None

County Council Vice-President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: April 25, 2023
Committee(s) Assigned: Public Works, Procurement & Contracting

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