

ORDINANCE NO. 3 - 2015

AN ORDINANCE REPEALING ORDINANCE NO. 9-2004, AS AMENDED, AND REPEALING ORDINANCE NO. 10-2004, AS AMENDED, AND REENACTING, AMENDING, REARRANGING, REVISING, AND ENACTING FOR CODIFICATION PURPOSES ARTICLES ONE, THREE, AND FOUR OF PART NINE, STREETS AND UTILITIES, OF THE CODIFIED ORDINANCES OF MADISON VILLAGE, OHIO, CONCERNING THE RATES, RULES, REGULATIONS, CONDITIONS OF SERVICE AND GOVERNANCE OF THE VILLAGE WATER WORKS AND SANITARY SEWER SYSTEM UTILITIES.

WHEREAS, by Ordinance No. 9-2004, as amended, the Village enacted a comprehensive ordinance establishing the rates, rules, regulations, conditions of service, and governance of the Village's water works utility; and

WHEREAS, by Ordinance No. 10-2004, as amended, the Village enacted a comprehensive ordinance establishing the rates, rules, regulations, conditions of service, and governance of the Village's sanitary sewer utility; and

WHEREAS, the Council now desires to establish codified ordinances related to the water works and sanitary sewer utilities to unify and update the prior ordinances related to same; and

WHEREAS, the Council finds that the proposed new Part Nine, Streets and Utilities, of the Codified Ordinances of Madison Village, Ohio, Articles 1, 3, and 4 are in furtherance of the public health, safety, convenience, comfort, prosperity, general welfare, and further the good and orderly operation of the Village's public utilities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. That Ordinance No. 9-2004, as amended, is hereby repealed and all prior versions, amendments, revisions, and replacements to Ordinance No. 9-2004 of whatsoever nature shall be held for naught upon the effective date of this Ordinance, except as follows: the repeal and reenactment of any provisions of Ordinance No. 9-2004, as amended, shall not be construed to affect a right or liability accrued or incurred under

any legislative provision prior to the effective date of this enactment, or an action or proceeding for the enforcement of such right or liability.

SECTION 2. That Ordinance No. 10-2004, as amended, is hereby repealed and all prior versions, amendments, revisions, and replacements to Ordinance No. 10-2004 of whatsoever nature shall be held for naught upon the effective date of this Ordinance, except as follows: the repeal and reenactment of any provisions of Ordinance No. 10-2004, as amended, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of this enactment, or an action or proceeding for the enforcement of such right or liability.

SECTION 3. That the following ordinances of the Village of Madison, Ohio of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, articles and sections are hereby approved, adopted and enacted as the Codified Ordinances of Madison Village, Ohio, Part Nine – Streets and Utilities:

ARTICLE 1 PURPOSE AND INTENT

Section 1.1	Title
Section 1.2	Purpose and Intent
Section 1.3	Definitions

ARTICLE 3 WATER WORKS UTILITY

Section 3.1	Water Works System and Improvements
Section 3.2	Termination of Service
Section 3.3	Billing
Section 3.4	Rates and Deposits
Section 3.5	Water Capital Improvement Fund
Section 3.6	System Tap-In Fees
Section 3.7	Service Interruptions
Section 3.8	Inspection
Section 3.9	Village Not Liable
Section 3.10	Customer's Liability
Section 3.11	Public Use
Section 3.12	Extensions of the Water Works
Section 3.13	Appeals
Section 3.14	Severability

Appendix A – Madison Village Water Works Rate and Fee Schedule

ARTICLE 4 SANITARY SEWER SYSTEM

Section 4.1	Sanitary Sewer System and Improvements
Section 4.2	Billing
Section 4.3	Rates and Deposits

Section 4.4	Sewer Capital Improvement Fund
Section 4.5	System Tap-In Fees and Inspection Charges
Section 4.6	Village Not Liable
Section 4.7	Customer's Liability
Section 4.8	Public Use
Section 4.9	Extensions of the Sanitary Sewer System
Section 4.10	Illicit Discharge
Section 4.11	Accidental Release of Unacceptable Substances
Section 4.12	Surcharge for Extra Strength Discharge
Section 4.13	Illegal Connection Control
Section 4.14	Inspection
Section 4.15	Appeals
Section 4.16	Enforcement and Penalties
Section 4.17	Severability

Appendix B – Madison Village Sanitary Sewer Rate and Fee Schedule

SECTION 4. That the full, complete and accurate text of Articles 1, 3 and 4 of the Codified Ordinances of Madison Village, Ohio, Part Nine – Streets and Utilities is attached hereto as Exhibit “1” and incorporated herein as if fully re-written.

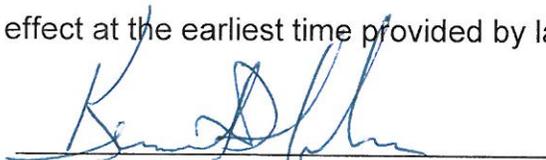
SECTION 5. That publication of these ordinances shall occur in book form containing the certification of the President of Council and Fiscal Officer of their correctness and same shall constitute the Codified Ordinances of Madison Village, Ohio, Part Nine – Streets and Utilities.

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this 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, including § 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance shall take effect at the earliest time provided by law.

PASSED:

3-2-2015



 Kenneth D. Takacs
 President of Council

Attested:



Kristie M. Crockett
Fiscal Officer / Clerk of Council

Approved:

Date: 3-2-15



Sam Britton, Jr.
Mayor