

SPONSOR: Brown/Adams

ORDINANCE NO. 10-11

AN ORDINANCE CORRECTING ORDINANCE NO. 102-09, AMENDING JACKSON CODIFIED ORDINANCE SECTION 927.05(c)(3) – SEWER RATES - SURCHARGES, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 102-09 was duly adopted by this Council in November of 2009; and

WHEREAS, through a scrivener's error, the surcharge for Pounds of Excess BOD per day was incorrectly set forth in the Ordinance; and

WHEREAS, Jackson City Council desires to correct the previous Ordinance to correctly set forth the correct amount.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section One. Ordinance No. 102-09 is hereby modified and corrected, and the Jackson Codified Ordinance Section 927.05(c)(3) is hereby amended as set forth in Exhibit "A", retroactive to November of 2009.

Section Two. The Clerk of Council shall assure that this Ordinance is posted in all the City's Ordinance books.

Section Three. This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, in that it is necessary to adopt this amended codified ordinance section to implement the standards procedures in the City and to update the Codified Ordinance. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section Four. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Five.

In is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Date: _____

4/11/11


PRESIDENT OF COUNCIL


CLERK OF COUNCIL

Approved:

Date: _____

4-13-11


MAYOR

EXHIBIT "A"

927.05 SEWER RATES.

(c) Surcharges.

(3) When either or both the total suspended solids and the BOD of a water or waste accepted for admission to the system exceeds the values of their constituents for normal sewage, the excess concentration in either or both, as the case may be, shall be subject to a daily surcharge as follows:

- A. Pounds of excess suspended solids per day x \$0.237/lb = suspended solids surcharge.
- B. Pounds of excess BOD per day x \$0.1963/lb = BOD surcharge.