

Record of Ordinances

Ordinance No.: 2009-23

Passed: July 13, 2009

ORDINANCE TO AMEND ORDINANCE 2009-21 TO PROVIDE SANITARY SEWER SERVICES AND TO ESTABLISH RATES

WHEREAS; there is federal stimulus money available to be used in the project; and,

WHEREAS, the Village of West Lafayette, Ohio is willing and able to receive and treat residential sanitary sewage from the Village of Fresno, Ohio and some surrounding residences; and,

WHEREAS, the stimulus money will pay for connecting lines as needed,

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of West Lafayette, State of Ohio as follows:

SECTION I. The Village of West Lafayette, Ohio will receive and treat sanitary sewer waste which complies with State and Federal Environmental Protection rules and regulations together with all other local State and Federal regulations and which is in accordance with the Village of West Lafayette, Ohio's permit.

SECTION II. The Village of West Lafayette, Ohio will not be responsible for payment and/or construction of any delivery lines for said project and the delivery system will be connected to the Village's lines at the intersection of State Route 93 and U.S. 36 at the Coshocton County Commissioners expense. The Village of West Lafayette, Ohio will assist with any necessary paperwork required to obtain the stimulus money for the project.

SECTION III. The Village of West Lafayette, Ohio will charge a fee for receipt and treatment of the sanitary sewage of Three and 25/100 (\$3.25) Dollars per each thousand (1,000) gallons of sewage received and treated as reflected by a master meter and as per Ordinance #2008-38 and such future revisions. In the event the council for the Village of West Lafayette, Ohio raises the water and/or sewage rate charges for the citizens of West Lafayette, Ohio, the contract rate with the commissioners will increase in the same percentage. The Commissioners will pay for purchase, installation, maintenance, and calibration of the master meter. The Commissioners will pay the sewer bill monthly. The master meter will be maintained and calibrated in accordance with the manufacturer's specifications. The Village of West Lafayette, Ohio reserves the right to terminate service for non-payment of service and to charge a reconnect fee.

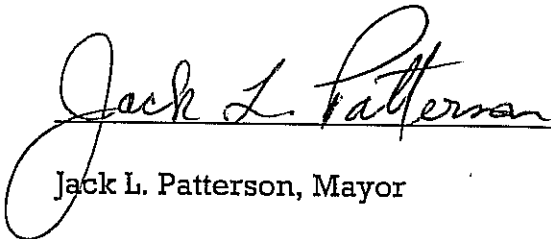
SECTION IV. The Village of West Lafayette, Ohio reserves the right to raise the rates at such time as the Village of West Lafayette, Ohio rates change and as Ordinance #2008-38 may be amended. The Commissioners will pay such increased rates as established by the Council of the Village of West Lafayette, Ohio.

SECTION V. It is understood that the foregoing rates will not apply to Pearl Valley Cheese Company in the event it elects to be serviced for receipt and treatment of sanitary sewer

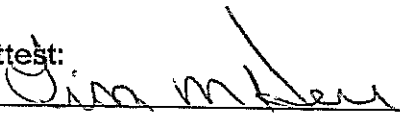
waste into the Village of West Lafayette, Ohio's system. These rates will be negotiated at a later date. The rates will not apply to any other non-residential entity.

SECTION VI. That this Ordinance shall be and is hereby declared to be an emergency measure for reason that the stimulus money package with plans must be submitted by the commissioners as soon as possible, and therefore this ordinance shall be in full force and effect immediately upon passage, signing by the Mayor, and posting.

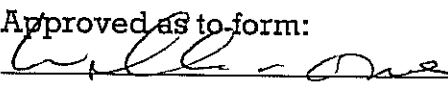
Passed this 13th day of July, 2009.



Jack L. Patterson, Mayor

Attest:


Lisa Derr, Fiscal Officer

Approved as to form:


William M. Owens, Solicitor for the Village
of West Lafayette, Ohio