

ORDINANCE NO 2013- 3669

AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE 2013-3641 TO READ THAT ALL RESIDENTIAL PROPERTY OWNERS OUTSIDE OF THE BOUNDARIES OF THE MUNICIPALITY THAT ARE AFFECTED BY THE EXPANSION OF THE HAYES AVENUE WATERLINE PROJECT MAY REQUEST A WATER TAP AND SHALL NOT BE SUBJECT TO AN ANNEXATION COVENANT FOR THE CITY OF FREMONT.

WHEREAS, previously an agreement was entered into between Ballville, Rice, Riley, and Sandusky Townships, the Sandusky County Commissioners, and the City of Fremont concerning rural water which specifically did not require annexation for residential property owners;

WHEREAS, the City of Fremont on June 20, 2013 passed ordinance 2013-3641 which required annexation for residential property owners affected by the Hayes Avenue waterline project. Fremont City Council understands the need to amend the ordinance to conform with the previous agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FREMONT, STATE OF OHIO,

SECTION 1: That Section 3 of Ordinance 2013-3641 which reads as follows:

“SECTION 3. Pursuant to the Memorandum of Understanding, Fremont City Council understands that the parties involved will not be annexing into the City of Fremont. Further, Fremont City Council accepts and understands that all parties that have signed the MOU will be eligible to receive Fremont city water without annexation.

The residential property owners that are located outside the boundaries of the Municipality that are affected by the expansion of the waterline project may request a water tap and will be subject to the annexation covenant for the city of Fremont.”

SHALL BE AMENDED TO READ AS FOLLOWS:

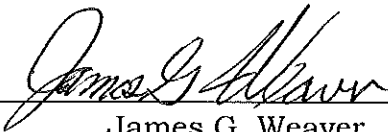
“SECTION 3. Pursuant to the Memorandum of Understanding, Fremont City Council understands that the parties involved will not be annexing into the City of Fremont. Further, Fremont City Council accepts and understands that all parties that have signed the MOU will be eligible to receive Fremont city water without annexation.

The residential property owners that are located outside the boundaries of the Municipality that are affected by the expansion of the waterline project may request a water tap and shall not be subject to the requirement for an annexation covenant for the City of Fremont.”

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 Section 121.22 of the Revised Code of Ohio.

SECTION 3. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to conform to the previous agreement executed with the Sandusky County Commissioners.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont



James G. Weaver
President of Council

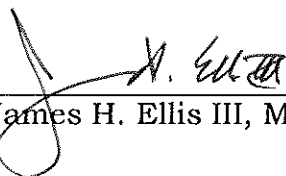
PASSED: 11-7-13

Effective date: 11-7-13

YEAS: 7 NAYS: 0



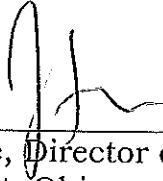
Elaine J. Huntley, City Council Clerk



James H. Ellis III, Mayor

ORD1816

Approved as to form:



James F. Melle, Director of Law
City of Fremont, Ohio