RESOLUTION NO. 22-16

A RESOLUTION ASSESSING COST OF WATER AND WASTEWATER CHARGES AND DECLARING AN EMERGENCY

Whereas, the Village of New Lexington, its Administrator, and its Water Department have acted in accordance with Ohio Revised Code §743.04 and the laws of the State of Ohio in assessing and billing water charges for water within the Village of New Lexington water supply system, and have acted in accordance with Ohio Revised Code §729.49 and the laws of the State of Ohio in assessing and billing wastewater charges for wastewater with the Village of New Lexington wastewater system;

Whereas, certain water charges have not been paid when due; and

Whereas, said certain unpaid water charges have arisen pursuant to a service contract made directly with an owner who occupies the property served; and

Whereas, certain wastewater charges have not been paid when due;

NOW THEREFORE BE IT, AND IT IS HEREBY RESOLVED:

1. The Village of New Lexington, by its Council, finds that the Village of New Lexington, its Administrator, and its Water Department have assessed charges for water and have assessed charges for wastewater, and have assessed charges for storm sewer, after billing and notifying the owners, lessees, agents, or tenants of the property on which each of said water and/or wastewater and/or storm sewer charges originated, and have reported those water charges and/or wastewater charges not paid when due, all as provided by law, as follows:

Account ID	Owner	Service Address	Parcel ID	Water	Sewer	Storm Sewer	Total Due
01728-002	TAS Brothers, LLC	130 W. Broadway	270020030000	$ 113.38	$138.19	$ 4.72	$256.29
00616-001	Brian Ratliff	539 Mill St	270006600000	$ 265.32	$212.71	$ 10.57	$488.60
							$744.89

2. The amounts shown above are hereby assessed on the properties shown and such assessments shall be in lien on the property served from the date placed on the list and duplicate, and shall be certified for collection on the 2023 tax year duplicate in the same manner as general taxes, except that, notwithstanding §323.15 of the Revised Code, a county treasurer shall accept a payment in such amount when separately tendered as payment for the full amount of such unpaid water rents or charges and associated penalties, and the lien shall be released immediately upon payment in full of the certified amount, all as provided in the Ohio Revised Code.

3. Further, it is hereby certified that the above shown water assessments have arisen pursuant to a service contract for water made directly with an owner who occupies the property served.

4. Emergency Clause: This resolution is hereby declared an emergency measure necessary for the immediate preservation of the peace, health, safety, and welfare of the Village of New Lexington and the members thereof, and for the purpose of paying the expenses of conducting and managing the Village's waterworks and wastewater system, including operating expenses and the costs of compliance and improvements to the County Auditor for certification for collection on the earliest possible tax year duplicate. Therefore, this Resolution shall go into immediate effect upon its passage.

Passed: 6-21-22

Approved: _____
Mayor

Attest: Lisa Spohn
Council Clerk

_____
Council President

APROVED: _____
John D. Bethel, Council

Janie DePinto
Janie DePinto, Council

_____
Jeff Danison, Council

_____
James Welsh, Council

_____
Susan Boyle, Council

Susan Goodfellow
Susan Goodfellow, Council

Debbie Hooper
Debbie Hooper, Council