

North Canton City Council
Water, Sewer, and Rubbish Committee.

ORDINANCE 39 - 2021

An ordinance amending Chapter 935, Water Lines and Hydrants, of the Codified Ordinances of the City of North Canton specifically Section 935.08, Sale of Water or Sanitary Sewer Service Outside City Boundaries to change the review process for applications for water or sewer service for locations outside City boundaries.

WHEREAS, the City of North Canton, in the interest of promoting its municipal waterworks system, wishes to simplify the process for homes and businesses outside of the City limits to connect to existing City-owned water lines; and

WHEREAS, the City, in a review of its Boards and Commissions, has determined that it is in the best interest of the City to dissolve the North Canton Water Board which previously performed the functions outlined in Section 935.08 of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 935, Water Lines and Hydrants, of the Codified Ordinance of the City of North Canton, specifically Section 935.08, Sale of Water or Sanitary Sewer Service Outside City Boundaries, be, and is hereby amended in its entirety to read as follows:

SECTION 935.08 SALE OF WATER OR SANITARY SEWER SERVICE OUTSIDE CITY BOUNDARIES

(a) All applications for water or sewer service for locations outside City boundaries shall be reviewed by the Department of Engineering and/or the Department of Water Distribution.

(a) All application for water or sewer service for locations outside City boundaries require an agreement between the City and the legal owner or owners of the property seeking water or sewer service, whereby the owner or owners shall, upon request, promptly sign a recordable annexation petition, creating a covenant running with the land and enforceable against all successors and assigns prior to connecting.

(b) The Department of Administration, in seeking new water customers, may negotiate any of the following points with potential customers provided however that any discounts, reductions, or waivers must be approved by a voice vote of City Council prior to the signing of any agreement thereto.

- (1) Reductions or waivers for the cost to place water and sanitary sewer lines, associated costs, and tap in fees;
- (2) Waiver of the necessity of an agreement between the City and applicant whereby the the legal owner or owners of the property seeking water or sewer service shall, upon request, promptly sign a recordable annexation petition, creating a covenant running with the land and enforceable against all successors and assigns; and
- (3) Other applicable and negotiable considerations that may be in the City's best interest.

(c) Unless a separate, binding agreement is currently in place, all locations outside City boundaries presently receiving City water or sewer service, shall comply with the provisions of this ordinance.

Section 2. That the Clerk of Council and Mayor of the City of North Canton be, and are hereby, authorized to make such amendments as may be needed to the Codified Ordinances of the City of North Canton to accurately reflect this ordinance upon approval of such amended pages by a voice vote of Council.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 14th day of June, 2021.

Attest: Benjamin R. Young
Benjamin R. Young, Clerk of Council

Stephan B. Wilder Signed on: June 14, 2021
Stephan B. Wilder, Mayor