

ORDINANCE NO. 11-2018

TITLE: UTILITY BILLING REVIEW BOARD

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON AMENDING ORDINANCE NO. 68-2010, “UTILITY BILLING REVIEW BOARD,” BARBERTON CODIFIED ORDINANCE CHAPTER 1040.10, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That Section 1040.10 of the Barberton Codified Ordinances, “Utility Billing Review Board,” (Ordinance No. 68-2010), shall be amended by showing deletions using a ~~strike through~~ and additions as shown in **bold print**, and which now reads as follows:

1040.10 UTILITY BILLING REVIEW BOARD.

(a) There is hereby established a Utility Billing Review Board which shall consist of four persons appointed by the Mayor. Any administrative decision made by any person charged with the enforcement of water, sewer, stormwater, or **refuse and** recycling collection may be appealed to the Board by any person claiming to be adversely affected by such decision. Where there are unnecessary hardships, due to lack of adequate income, the Board shall have the power, in a specific case, to authorize an adjustment for water, sewer, stormwater, **refuse and** recycling so that the public health, safety and general welfare may be secured and so that substantial justice may be done.

(b) All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon every question; if any member is absent or fails to vote, it shall indicate such fact. The Board shall adopt, from time to time, such rules and regulations as it deems necessary to implement the provisions of this section.

(c) The members of the Board shall be residents of the City of Barberton, shall serve without compensation from the City, and shall not hold any other public office with the City.

(d) A member shall be appointed for an initial term of one (1) year; a member shall be appointed for an initial term of two (2) years; and a member shall be appointed for an initial term of three (3) years, with two options of renewal. Vacancies for unexpired terms shall be filled within sixty (60) days and in the same manner as original appointments are made.

(e) A non-voting representative of the City’s Utility Billing Department shall serve as the Secretary to the Board who shall establish the Agenda and keep the minutes.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to be implemented as soon as possible, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2018

Clerk of Council

President of Council

Approved _____ 2018

Mayor