

RESOLUTION NO. R2010-18

**AN EMERGENCY RESOLUTION AMENDING RESOLUTION R2010-15,
AUTHORIZING AND DIRECTING
THE CITY MANAGER TO WAIVE THE PAYMENT
OF EXCESS CAPACITY AND INSTALLATION CHARGES
AND PERMIT FEES FOR THE SPRUCE STREET
WATER LINE AND SEWER IMPROVEMENTS PROJECT**

WHEREAS, the City of Gallipolis agreed to extend water and sewer services to Spruce Street Extension properties and the project has been delayed for many years due to a funding deficit; and

WHEREAS, the fee structure for water and sewer services has changed over that expanse of time; and

WHEREAS, the City has received grant funds for the Spruce Street Water Line and Sewer Improvements Project; and

WHEREAS, due to legal delays the City of Gallipolis is extending the time period for fees to be waived if property owners annex to the City of Gallipolis; and

WHEREAS, in accordance with Section 13 of the Charter of the City of Gallipolis, the City Manager has recommended in writing the passage of this Resolution as an emergency measure in order to provide for the immediate preservation of the peace, health, safety and welfare of the citizenry of the City of Gallipolis, and to provide for the usual daily operations of municipal government services.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Gallipolis, State of Ohio:

That Section 1 of Resolution No. R2010-15 which reads as follows:

SECTION 1: That the payment of excess capacity and installation charges and permit fees for the Spruce Street Water Line and Sewer Improvements Project by the property owners is hereby waived if the property is annexed to the City of Gallipolis within the construction period or if current Spruce Street City property owners make connections during the construction period.

BE, AND HEREBY IS, AMENDED to read as follows:

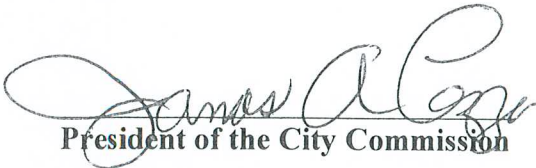
SECTION 1: That the payment of excess capacity and installation charges and permit fees for the Spruce Street Water Line and Sewer Improvements Project by the property owners is hereby waived if the annexation documents are properly executed and tap fees paid to the City of Gallipolis within sixty (60) days of the annexation documents presented to the residents or if current Spruce Street City property owners pay tap fees within sixty (60) days of completion of the project.

SECTION 2: This Resolution shall be in full force and effect immediately upon passage as an emergency measure.

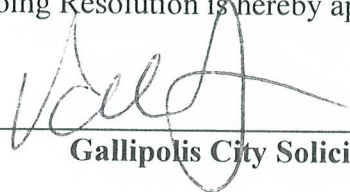
PASSED: September 21, 2010

ATTEST:


Clerk of the City Commission


President of the City Commission

The foregoing Resolution is hereby approved as to form.


Gallipolis City Solicitor