

ORDINANCE NO. O2018-53

**AN EMERGENCY ORDINANCE REPEALING ORDINANCE NO. O2011-55 AND
ESTABLISHING SECTION 921.09
OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO,
PROVIDING CITY OF GALLIPOLIS WATER CUSTOMERS WITH
A WATER LEAK INSURANCE PROGRAM**

WHEREAS, the City Commission of the City of Gallipolis desires to provide water customers with a Water Leak Insurance Program for coverage for excessive amount of fees due to water leaks; and

WHEREAS, the City Manager has recommended in writing the passage of this Ordinance as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety and property and in order to provide for the usual operations of the municipal departments.

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

SECTION 1: That Section 921.09, Water Leak Insurance Program, of the Codified Ordinances of the City of Gallipolis shall be established to read as follows:

921.09 WATER LEAK INSURANCE PROGRAM

- (a) There is hereby established a Water Leak Insurance Program for the benefit of the customers of the Gallipolis City Water Department to be used to pay for the excess amount of fees due to water leakage.
- (b) The terms of the Water Leak Insurance Program are as follows:
 - (1) Coverage is two dollars (\$2.00) per month per customer account.
 - (2) The leak insurance will cover up to and including seven hundred and fifty dollars (\$750.00) per calendar year, per meter, and per customer any amount over the average monthly bill. After this amount is reached, the customer will be responsible for the balance of the bill.
 - (3) Insurance is valid only if the Gallipolis City Water Department is notified when the leak is identified and again after the leak is repaired.
 - (4) To figure the amount to be paid if a water leak occurs, the customer's bill will be averaged for the twelve months preceding. This average will be deducted from the leak amount. The remaining balance of water and sewer will be considered a leak and the leak amount will be paid for through the Water Leak Insurance Program once the repairs are finished and inspected. If the sewer is not used as a result of the water leak, then the sewer bill will not be charged. The amount available for payment each calendar year is seven hundred and fifty dollars (\$750.00) per customer account.
 - (5) The monthly fee of two dollars (\$2.00) will be added to each monthly bill for all new service signed for after the effective date of this ordinance. The insurance will be in effect from January 1st to December 31st. Insurance for new customers, if they decide to participate, will begin when they apply for service. There will be a twenty (20) day waiting period for the insurance to be in effect.
 - (6) Customers desiring to opt-out of this program must sign a Gallipolis City Water Department form containing their positive statement of intent to opt-out of the Water leak Insurance Program.

ORDINANCE O2018-52

**AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH
THE GALLIA COUNTY COMMISSIONERS
FOR PAYMENT OF LEGAL SERVICES TO THE CITY'S INDIGENT CITIZENS**

WHEREAS, the City recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with serious offenses and loss of liberty offenses in its Municipal Court; and

WHEREAS, the City in furtherance of the execution of its legal responsibilities, desires that the legal services be delivered to the City's indigent citizens and others so situated; and

WHEREAS, the City Manager has recommended in writing the passage of this Ordinance as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety and property and in order to provide for the usual operations of the municipal departments.

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

SECTION 1: That the City Manager be, and hereby is, authorized to enter into agreement with the Gallia County Commissioners for payment of legal services to the City's indigent citizens according to said Agreement for a term of January 1, 2019 to December 31, 2019.

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

PASSED: November 27, 2018

ATTEST:

Annette M. Landers
Clerk of City Commission
Annette M. Landers

Michael C. Fulks
President of City Commission
Michael C. Fulks

The foregoing Ordinance is hereby approved as to form.

AS
Gallipolis City Solicitor
Adam R. Salisbury