

RESOLUTION NO. 2019- 31

OPPOSING PROPOSED STATE OF OHIO LEGISLATURE HB 163 WHICH PROPOSES PENALIZATION OF MUNICIPALITIES THAT CHARGE HIGHER WATER RATES OUTSIDE OF THEIR TERRITORY BY WITHHOLDING LOCAL GOVERNMENT FUNDS AND OTHER MONIES WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE, AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES, AND DECLARING AN EMERGENCY.

WHEREAS, Village Council has been advised of HB 163, currently under consideration in the Public Utilities Committee by the 133rd Ohio General Assembly; and

WHEREAS, the proposal to penalize local municipalities for setting different water rates outside of their territory, as deemed necessary by local governing bodies, is a clear attack on the home rule powers granted to municipal corporations by the Ohio Constitution; and

WHEREAS, this proposed language also includes a provision that would withhold payments from the Local Government Fund and rendering a municipality ineligible to receive state water and sewer development funds, thus substantially reducing the availability of applicable resources otherwise available for municipal gain; and

WHEREAS, the Village of Swanton strongly objects to this latest attack on municipal home rule under consideration by committee in the 133rd Ohio General Assembly; and

WHEREAS, local rates, Local Government Fund monies, and water and sewer development funds provide the ability to fund essential municipal services, promoting a positive quality of life that residents and businesses rely upon, and any forced reduction in this revenue, or ability to apply for said revenue, will have negative impact on residents and businesses; and

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Swanton, Fulton and Lucas Counties, Ohio, all members elected thereto concurring and as follows:

Section One. The 133rd Ohio General Assembly Public Utilities Committee should continue to allow local municipalities to set water and sewer rates for those residents that live outside of municipal boundaries, but have benefited from water and sewer improvements in order to ensure the integrity of Home Rule as defined by the Constitution of the State of Ohio and not hold hostage Local Government monies and other development opportunities in order to further this cause.

Section Two. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted 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 in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section Three. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the village peace, health and safety; wherefore this resolution shall be in full force and effective immediately upon passage.

Motion to Suspend the Rules and Declare an Emergency

Moved: Rochelle Second: Rose YEAS: 6 NAYS: 0

Vote on Passage

Moved: Rose Second: Westhoven YEAS: 6 NAYS: 0

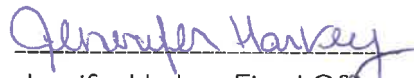
Date of Passage: October 28, 2019



Ann Roth, Mayor

Attest:

I, Jennifer Harkey, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Resolution 2019-31, passed on October 28, 2019



Jennifer Harkey, Fiscal Officer