

1st reading 12-11-2024
P&Z action ~~12-17-2024~~
2nd reading 1-8-2025
3rd reading _____
Voted On _____
Ayes _____ Nays _____
PASSED _____ DEFEATED _____

ORDINANCE NO. 2024-32

**AN ORDINANCE
AUTHORIZING THE CERTAIN PARCELS OF PROPERTY
IN ORANGE VILLAGE WHICH ARE OWNED BY
SEVERAL OWNERS TO OBTAIN SANITARY SEWER
TREATMENT SERVICES FROM THE CITY OF BEDFORD
HEIGHTS VIA THE CITY OF WARRENSVILLE
HEIGHTS, REQUIRING THAT THE PROPERTY OWNERS
MAINTAIN ALL SEWER FACILITIES CONSTRUCTED
PURSUANT TO THIS AUTHORITY, AND REQUIRING
THE PAYMENT OF ALL COSTS AND EXPENSES
INCURRED BY THE VILLAGE IN INSPECTING AND
PERMITTING THE PROPOSED SEWER IMPROVEMENT.**

WHEREAS, this Council has been approached by the owners of certain properties in Orange Village, asking to install sanitary sewers on certain private property in the Village in order to access the Bedford Heights Sanitary Sewer Treatment Plan, by means proceeding south and west to the municipal corporate boundary between Orange Village and the City of Warrensville Heights, tying into the Warrensville Heights Sewer System, then proceeding to the City of Bedford Heights and utilizing the treatment plant of the City of Bedford Heights, in accordance with plans and specifications on file with the Village Building Commissioner; and

WHEREAS, the properties eventually to be serviced by the proposed new sewer would be Permanent Parcel Numbers 901-03-021, 901-03-026, 901-03-039, 901-04-13, 901-04-14 (the "Properties"), depicted in Exhibit A; and

WHEREAS, the proposed project would extend sanitary sewer services into Orange Village, which activity may only be permitted with the consent of Council; and

WHEREAS, Council is willing to permit the proposed project, in the best interests of the residents of Orange Village, provided certain conditions are satisfied as provided for herein; and

WHEREAS, this Ordinance has been referred to the Orange Village Planning and Zoning Commission for a report and recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That each of the owners of the Properties be and are hereby authorized to construct and maintain a sanitary sewer and related facilities to provide sanitary sewer service to the subject property, in accordance with the plans and specifications on file with the Village Building Commissioner (which are incorporated herein by reference). All costs of such construction shall be borne by the owner of the property on which the facilities are constructed.

SECTION 2. That, as a condition of being permitted to install sewers in the Village the owners of the Properties, at the time of the improvement of their Properties by the installation of sanitary sewers, shall reimburse Orange Village for all of the Village's costs and expenses (including but not limited to engineering review, inspections and legal fees by the Village and/or by Cuyahoga County) incurred as a result of the installation of sewers as authorized herein.

SECTION 3. That the owners of the Properties at the time of the improvement of the Properties shall defend and indemnify Orange Village, its officials, employees, successors and assigns, from and against all claims and costs related to the installation and maintenance of said sewer.

SECTION 4. That the actions of this Council concerning and relating to the passage of this legislation 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 Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 5. That this Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: FEB. 5, 2024⁵

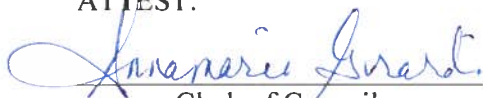


Council President


Submitted to the Mayor for approval on this 5th day of FEBRUARY, 2024⁵

Approved by the Mayor this 5th day of FEBRUARY, 2024⁵

ATTEST:



Clerk of Council



Mayor

