

ORDINANCE NO 23-8-1

AN ORDINANCE FOR COMPENSATION FROM DAMAGE TO VILLAGE PROPERTY FOR THE VILLAGE OF WAYNESFIELD, OHIO, AND TO DECLARE AN EMERGENCY

WHEREAS, the Village recognizes there are times when an incident occurs and the result of the incident is damage to Village property; and

WHEREAS, the Village feels that when damage occurs to its property, the costs of repairing or replacing said property should be reimbursed at the current replacement value to include all equipment, labor, specialized personnel and any other costs associated with an incident by the at-fault party/parties; and

WHEREAS, this ordinance will protect the health, welfare and safety of the public and its interests.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Waynesfield, County of Auglaize, State of Ohio, a majority of its elected members concurring:

SECTION ONE: When an incident occurs that results in damage to Village property, real or tangible, the at-fault party/parties shall receive an itemized bill to reimburse the Village of Waynesfield for all costs of repairing or replacing said damaged property, said cost to include, but not limited to, equipment usage, labor costs, specialized personnel and any other costs associated with the incident.

SECTION TWO: The at-fault party/parties shall be determined by the Village Administrator or an official report by law enforcement. As attached in exhibit A.

SECTION THREE: The costs shall be determined at the current rates at the time of the incident and shall be paid within 30 days from the date of the invoice.

SECTION FOUR: Failure to pay the invoice within 30 days shall result in a 10% penalty added to the invoice and an additional 10% penalty shall be added every 30 days thereafter. The penalty may be waived only after the at fault party/parties make a request, in writing, to the Village Council and a majority of the council votes in the affirmative by passing a resolution agreeing to waive the penalty.

SECTION FIVE: After six (6) months of non-payment, the Village may commence legal action against the at fault party/parties.

SECTION SIX: It is found and determined that all formal actions of this Council concerning and relating to the adoption of the Ordinance were adopted in an open meeting of this Council and that all deliberations of the council and any of its committees that resulted in such actions were in meetings open to the public, in compliance with all legal requirements including R.C. 121.22.

SECTION SEVEN: That this Ordinance shall be an emergency necessary for the general health, safety and welfare of the Village and shall take effect and be in full force at the earliest period allowed by law

VOTE:

BALL - yes

HUTSON - yes

MILLER - yes

NICKLES - yes

WALTI - yes

FOX - yes

Attested: Sarah Montgomery
Fiscal Officer Sarah Montgomery


Mayor Rodney Luma

American Municipal Utilities



Your Community Utility Partner

VILLAGE OF WAYNESFIELD

300 NORTH WESTMINSTER ST.

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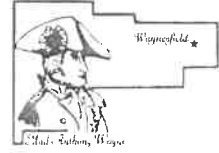


EXHIBIT A

VILLAGE COSTS FOR DAMAGE REIMBURSEMENT

Village Employee	\$65/hour per employee
American Municipal Power Employee	\$150/hour per employee
Paid Mutual Aid Employee	Cost to be determined by mutual aid jurisdiction
Village Equipment	\$100 per hour per piece of equipment
Material	Current market costs, will be on itemized invoice