

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 4-11

Passed February 14, 20 11

1/5/11-gmk  
(Ordinance, Rules & Claims)

## Ordinance No. 4-11

An ordinance amending Chapter 935 Water Lines and Hydrants, specifically 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT of the Codified Ordinance of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Chapter 935 Water Lines and Hydrants, specifically 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT of the Codified Ordinance of the City of North Canton, be, and the same is hereby amended to read as follows:

"SECTION 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT.

- (a) The Superintendent of Permits and Inspection shall refuse permission to any nonresident of the City who wishes to use the water or sewer service of the City and will not sign the standard agreement with the City to abide by the conditions of the agreement.
- (b) The agreement to be signed with the City of North Canton by nonresidents as it applies to connection to the North Canton Water System be amended to provide that the nonresident agree upon request by the City of North Canton to annex the nonresident's property to the City of North Canton as irrevocable attorney in fact to sign an annexation petition upon behalf of the nonresident; and that the nonresident sign a document in recordable form making these provisions a covenant running with the land enforceable against the successors and assigns of the nonresident.
- (c) Any nonresident presently receiving water service from the City shall, upon notice from the City, immediately comply with the provisions in the nonresident agreement. Failure to comply with said agreement may result in the water service being terminated sixty (60) days from the date of the notice.
- (d) Any nonresident who refuses annexation to the City when requested by City shall be barred from connecting to City's water service.
- (e) That there shall be a charge of seventy-five (\$75.00) dollars Recorder's fee for all nonresident agreements.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

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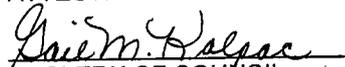
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely implementation of fee increases for waterlines and hydrants; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH  
Passed: 2/14/11

  
MAYOR

SIGNED: 2-14, 2011

ATTEST:

  
CLERK OF COUNCIL

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