

ORDINANCE 2018 – 108

AUTHORIZING A WATER SERVICE LINE REPLACEMENT PROGRAM FOR PROPERTIES WITH LEAD SERVICE LINES IN PARTNERSHIP WITH THE CITY OF CINCINNATI

WHEREAS, the Cities of Mason and Cincinnati entered into a Retail Water Service Agreement dated February 25, 2002 to retain Cincinnati to operate and maintain the City of Mason's water distribution system, water treatment plant and associated infrastructure and to use the utility and Cincinnati's water facilities to distribute water to Mason's citizens and Mason's water utility customers in satisfying Mason's obligation as a water utility; and

WHEREAS, the City of Mason owns the water utility pursuant to the terms of the Retail Water Service Agreement and for the benefit of, and service to, the City of Mason; and

WHEREAS, the City of Mason has determined that the public health and safety is endangered by the ingestion of drinking water that contains lead and properties continue to have lead service lines increasing the risk of lead content in the water; and

WHEREAS, the City of Cincinnati has adopted of Lead Service Line Replacement Program for the water utility service area; and

WHEREAS, City of Mason finds that the complete replacement of lead service lines is essential to protect the public safety and health and is authorized under Ohio Revised Code §715.261 in order to eliminate the public health risk and to correct a hazardous condition caused by the use of lead service line:

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the City Manager is authorized to enter into a Memorandum of Understanding to the existing Retail Water Service Agreement to participate in the Water Lead Service Line Replacement Program and other available programs offered by the City of Cincinnati for properties within the City of Mason with lead service lines.

Section 2. That the City of Mason, with the property owner's written authorization, shall make a written return to the County Auditor of the action taken under the Water Service Line Replacement Program for the lead service line replacement including material, labor and other charges. The amounts, when authorized, shall be entered upon the tax duplicate, shall be a lien upon the lands from the date of the entry, and shall be collected as other taxes and returned to the City of Mason.

Section 3. That Finance Director will remit payments due to the City of Cincinnati that are collected and received through special assessments under the Water Service Line Replacement Program and other related programs.

Section 4. The City Manager is authorized to make amendments to the Memorandum of Understanding to the Retail Water Service Agreement to provide for Mason residents to participate in the City of Cincinnati's Water Lead Service Line Replacement Program and other related programs.

Section 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 10th day of September, 2018.

Mayor

Attest:

Clerk of Council

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