

AUTHORIZING the Greater Cincinnati Water Works (“GCWW”) to expend funds up to the amount of \$30,000 from the GCWW non-personnel operating budget account no. 312x300x0000x7266 to install separate private water service lines for 2112, 2114, 2116, 2118, and 2122 St. Leo Place in the North Fairmount neighborhood so that each property may be individually billed instead of the current shared billing situation; and **DECLARING** such expenditure to serve a public purpose.

WHEREAS, the Fairwood Acres Condominium Association (“FACA”) consisting of six units, was created in 1981 by the recording of a Declaration of Condominium Ownership in Deed Book 4205, Page 322, as amended by a First Amendment recorded in Deed Book 4230, Page 6 of the Hamilton County Recorder’s Office; and

WHEREAS, the Greater Cincinnati Water Works (“GCWW”) previously provided water service to the six units within the FACA through a single service line, meter, and account which was billed to the FACA; and

WHEREAS, in 1989, the FACA elected to remove all six units from the FACA, and the condominium form of ownership as memorialized in the certification recorded in Official Record 5008, Page 413, the deed recorded in Official Record 5008, Page 327, and the subdivision plat recorded in Plat Book 317, Page 12 of the Hamilton County Recorder’s Office; and

WHEREAS, following the removal of the six units from the FACA and the condominium form of ownership, one unit owner established a separate service branch and account for GCWW water service, while the remaining five units, including 2112 St. Leo Place (Aud. ID 206-0013-0130), 2114 St. Leo Place (Aud. ID 206-0013-0129), 2116 St. Leo Place (Aud. ID 206-0013-0128), 2118 St. Leo Place (Aud. ID 206-0013-0127), and 2122 St. Leo Place (Aud. ID 206-0013-0126) (collectively the “Properties”) continued to share a single water service line, meter, and utility account for GCWW water service; and

WHEREAS, although the GCWW rules and regulations do not typically allow shared service line/account arrangements across parcels due to the difficulties caused when owners do not cooperate on bill payment, leak repair, or other matters related to the utility servicer, this situation arose due to the unique circumstance of the removal of the Properties from the FACA and the condominium form of ownership; and

WHEREAS, the current owners of the Properties have inherited a legacy arrangement that they had no role in creating and have since faced significant challenges with payment delinquencies when individual unit owners failed to contribute to shared water and sewer costs, leaving some owners to pay for their neighbors’ water and sewer usage or risk losing access to water; and

WHEREAS, the GCWW has made several attempts to work with the owner of the Properties to address the situation, however, even if some owners are willing to install a separate service branch, their reconfiguration of their water service line will cut off water access to neighboring property owners from the St. Leo Place water main; and

WHEREAS, the GCWW has determined that the installation of separate private water service lines for each of the Properties is necessary to enable independent billing and accountability for water and sewer bills, to remove the risk of loss of water service, and to preserve the health and safety of the owners and occupants of the Properties; and

WHEREAS, the installation of separate private water service lines for the Properties to the St. Leo water main will serve the public purpose of improving the Properties' access to water and improving the collection of utility costs from the owners of the Properties, thereby protecting public health and conserving the City's economic resources; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Greater Cincinnati Water Works ("GCWW") is authorized to expend up to \$30,000 from the GCWW non-personnel operating budget account no. 312x300x0000x7266 for the cost of installing private water service lines and meters for 2112 St. Leo Place (Aud. ID 206-0013-0130), 2114 St. Leo Place (Aud. ID 206-0013-0129), 2116 St. Leo Place (Aud. ID 206-0013-0128), 2118 St. Leo Place (Aud. ID 206-0013-0127), and 2122 St. Leo Place (Aud. ID 206-0013-0126) to connect each separate property to the St. Leo Place water main.

Section 2. That the expense of reconfiguring the private water service lines is hereby declared to serve a public purpose because providing each property with separate access to the St. Leo Place water main will protect the public health by guaranteeing access to water for the properties and will conserve the City's economic resources by improving the collection of water service charges at the properties.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk