

ORDINANCE NO. 2018.020

AN ORDINANCE AUTHORIZING THE CONTINUED PROVISION OF FREE ELECTRIC, WATER AND SANITARY SEWER TO BOTH THE BLANCHESTER PUBLIC LIBRARY AND THE BLANCHESTER-MARION JOINT FIRE DISTRICT, AFFIRMING AND RATIFYING PAST PROVISION OF ELECTRIC, WATER AND SANITARY SEWER TO THE SAME

WHEREAS, Ohio Revised Code 743.27, provides “[t]he legislative authority of any municipal corporation owning and operating municipal water, sanitary sewer, or electric light plants, may provide by ordinance that the products of such plants, when used for municipal or public purposes, shall be furnished free of charge; and

WHEREAS, the Ohio Supreme Court, in the case *Swank v. Village of Shiloh*, 166 Ohio St. 415, found the authority applicable to a Village that purchases electricity from a power company and then distributes the same to all users within the Village; and

WHEREAS, the Village has historically authorized providing free electric, water and sanitary sewer to both the Village of Blanchester Public Library and the Blanchester-Marion Joint Fire District; and

WHEREAS, the Village Council finds both the Blanchester Public Library and the Blanchester-Marion Joint Fire District are public entities organized under the laws of the State of Ohio and both serving a public purpose; and

WHEREAS, the Village Council finds it necessary and appropriate to reaffirm its commitment to the continued provision of free electric, water and sanitary sewer to both the Blanchester Public Library and the Blanchester-Marion Joint Fire District, unless and until further action of the Council.

NOW THEREFORE, be it hereby **ORDAINED**, the following:

- Section 1. The Council finds that both the Village of Blanchester Public Library and the Blanchester-Marion Fire Department are public entities organized under the laws of the State of Ohio which have previously, and will in the future, continue to provide important services to the citizenry of the Village of Blanchester and each constitute municipal and/or public purposes.
- Section 2. The Council authorizes the Village of Blanchester Board of Public Affairs (“BPA”), within the BPA’s discretion, to continue to provide free electric, water and sanitary sewer to both the Blanchester Public Library and the Blanchester-Marion Joint Fire District unless and until further action of the Council.
- Section 3. The Council affirms and ratifies all previous provision of free electric, water and sanitary sewer by the BPA to both the Blanchester Public Library and the Blanchester-Marion Joint Fire District.

Chad Hollon moved the adoption and Lori Byrom seconded the motion and the roll being called upon its adoption the vote resulted as follows:

Mr. Bauer - Yea.
Ms. Byrom - Yea.
Mr. Gephart - Yea.
Mr. Hollon - Yea.
Mr. Hopkins - Yea.
Ms. Sutton - Yea.

Adopted this 10th day of May, 2018.


John M. Carman, Mayor


Attest: Jewelie Casteel, Fiscal Officer

Fiscal Officer’s Certificate:

The State of Ohio, County of Clinton, ss:

I, Jewelie Casteel, Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with the said original and that the same is a true and correct copy thereof, and has been posted as required by law. This Ordinance has been duly published by posting in the following places: Blanchester Municipal Building, 318 E. Main St.; First National Bank, 121 E. Main St.; Blanchester Post Office, 115 S. Wright St.; Save-A-Lot, 121 S. Broadway St.; and at the Blanchester Public Library, 110 N. Broadway St., each for a period of fifteen (15) days commencing on the 10th day of May, 2018.

Witness my signature this 10th day of May, 2018.


Fiscal Officer of the Village of Blanchester, Clinton County, Ohio

