

Ordinance No. 913-2026

By Council Members Kazy and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

To correct the co-numbering of Section 129.296 of the Codified Ordinances of Cleveland, Ohio, 1976, by retaining Section No. 129.296 as the section number for the Department of Public Utilities’ Suburban Water Main Renewal Program enacted under Ordinance No. 1985-2017, passed December 4, 2017, and renumbering the section relating to the Department of Public Utilities’ accepting gifts or awards enacted under Ordinance No. 812-2024, passed October 24, 2024 to new Section 129.297 and re-affirming the expiration date for that section to be December 31, 2029.

WHEREAS, under Ordinance No. 1085-17, passed December 4, 2017, this Council enacted Section 129.296 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to the Department of Public Utilities’ Suburban Water Main Renewal Program; and

WHEREAS, under Ordinance No. 812-2024, passed October 24, 2024, this Council enacted a new codified ordinance section relating to the Department of Public Utilities’ authority for acceptance of gifts or awards, which through an inadvertent oversight the legislation identified the same section number as the Suburban Water Main Renewal Program enacted under Ordinance No. 1085-17; and

WHEREAS, Council’s intention when voting on Ordinance No. 812-2024 was to consider legislation to enact a new codified ordinance to allow the Director of the Department of Public Utilities to accept gifts or awards, expiring on December 31, 2029, which they passed on October 24, 2024, and did not realize at the time that the section number assigned to that topic was duplicative of the section number relating to the Suburban Water Main Renewal Program; and

WHEREAS, codified ordinance section numbering allows municipalities to organize passed laws so that they can be easily found by their employees and the public; and

WHEREAS, to correct the unintentional use of the same number for the two sections under Chapter 129, this Council wishes to renumber Section 129.296 enacted under Ordinance No. 812-2024 relating to acceptance of gifts or awards, to new Section 129.297 and to re-affirm its expiration date for that section as December 31, 2029; and to re-state that the codified ordinance section enacted under Ordinance No. 1085-17,

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passed December 4, 2017, relating to the Suburban Water Main Renewal Program shall remain as Section 129.296; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the codified ordinance section enacted under Ordinance No. 812-2024, passed December 4, 2024, relating to acceptance of gifts or awards is renumbered from 129.296 to “Section 129.297” and to re-affirm that the authority of new Section 129.297 granted through Ordinance No. 812-2024 shall be of no further force and effect on December 31, 2029. Section 129.297 shall read as follows:

Section 129.297 Acceptance of Gifts or Awards

(a) The Director of Public Utilities is authorized to accept gifts, sponsorships or awards of money, property, or services, with or without limitations imposed by the donor or public or private entity, that may be accepted or donated for the use and benefit of the Department of Public Utilities and its customers directly or indirectly. The Director is authorized to file all papers and execute all documents necessary to receive gifts, sponsorships and/or awards of money, property or services; and that gifts, sponsorships and/or awards of money are appropriated for these purposes.

(b) That the Director of Public Utilities shall notify this Council, through its Clerk, and the Chair of the Utilities Committee of any funds accepted under the authority of this section, upon receipt of each award.

Section 2. That the codified ordinance section enacted in Ordinance No. 1085-17, passed December 4, 2017, relating to the Suburban Water Main Renewal Program shall remain as “Section 129.296” and shall read as follows:

Section 129.296 Suburban Water Main Renewal Program

(a) The Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this section.

(b) The Director of Public Utilities is authorized to apply for and accept one or more Water Supply Revolving Loan Account (“WSRLA”) loans to provide additional funding for the Suburban Water Main Renewal Program.

(c) The Director of Public Utilities is authorized to enter into one or more loan agreements with the Ohio Environmental Protection Agency and the Ohio Water

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Development Authority for a WSRLA loan, and shall contain additional terms that are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities is further authorized to file all papers and execute all documents necessary to receive the funds under the WSRLA Agreements; and appropriate the loan funds for the purposes as set forth in the WSRLA Agreements.

(d) That on execution of the WSRLA Agreement, the Director of Public Utilities is authorized to repay the loan funds to the Ohio Environmental Protection Agency and the Ohio Water Development Authority under the terms and conditions of the WSRLA Agreements, from the operating revenues of the Division of Water.

(e) The Director of Public Utilities is authorized to provide funds to any contracting suburban community that is a signator to the Restated Water Service Agreement that, while following the City’s rules and regulations for the Suburban Water Main Renewal Program, properly replaces or rehabilitates such water distribution assets, which include water mains and all related appurtenances, and that perform any other capital improvements to the community’s existing water distribution system. The Director of Public Utilities is also authorized to enter into any agreements necessary to effect the reimbursement authorized under this section.

(f) The costs for the contracts shall be paid from funds appropriated for the Department of Public Utilities for this purpose and from the fund or funds which are credited from the sale of any waterwork revenue bond proceeds, if issued for this purpose.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

KR:nl
8-19-26

FOR: Director Keane

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READ FIRST TIME on AUGUST 19, 2026 **REPORTS**
and referred to DIRECTORS of Public Utilities, Finance and Law;
COMMITTEES on Utilities; Finance, Diversity, Equity and Inclusion.

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
UTILITIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION

FILED WITH COMMITTEE