



## Legislation Details (With Text)

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**File created:** 10/16/2018      **In control:** City Council Regular Meeting

**On agenda:**      **Final action:** 11/12/2018

**Title:** Acceptance for First Reading - An Ordinance to correct and amend Sections 102-26 and 102-124 of Chapter 102 Utilities, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to repeal and delete all references to the "Maine Formula," fire service fee and quarterly billing thereof, and to repeal conflicting ordinances

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**Attachments:** 1. 111218 Agenda Summary.pdf, 2. Ordinance.pdf, 3. 102218 Agenda Summary.pdf, 4. 102218 Resolution (Draft).pdf, 5. Resolution (Draft).pdf

Date	Ver.	Action By	Action	Result
11/12/2018	2	City Council Regular Meeting	Accepted for Second Reading and Adoption by Resolution	Pass
10/22/2018	1	City Council Regular Meeting	Accepted for First Reading by Resolution	Pass

Acceptance for First Reading - An Ordinance to correct and amend Sections 102-26 and 102-124 of Chapter 102 Utilities, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to repeal and delete all references to the "Maine Formula," fire service fee and quarterly billing thereof, and to repeal conflicting ordinances

**Whereas**, the City Council of the City of Rochester Hills desires to correct and amend Chapter 102 Utilities of the Code of Ordinances to repeal and delete references to the "Maine Formula," fire service fee and quarterly billing thereof;

**Whereas**, prior to 2000, the City paid a fire service fee;

**Whereas**, by Resolution No. 1999-0447, the City elected to phase out the fire service fee at a rate of twenty-five percent (25%) per year each year for four (4) years;

**Whereas**, on or about April 19, 2000, the City accordingly amended Section 6-09.04 of the City Code of Ordinances to provide, among other things, "Note: the fire service fee shall be phased out over four years, beginning in 2001, and shall be offset by a \$0.02 per 100 cubic feet increase in the commodity rate each year over those four years" (the "Note");

**Whereas**, in accordance with Resolution 1999-0447 and the 2000 amendment to Section 6-09.04 of the City Code, the City phased out the fire service fee over the course of four years, beginning in 2001;

**Whereas**, in November, 2009, after the City had fully phased out the fire service fee, the City amended Section 102-124 of the City Code (formerly Section 6-09.04) to, among other things, remove the Note;

**Whereas**, due to a clerical error, the corresponding provisions of the City Code numbered 102-124(b) ("Fire service fee") and 102-124(c) ("Quarterly billing") were also not removed in 2009 even though those provisions should have been removed along with the Note;

**Whereas**, due to a clerical error, the City Code also contains an obsolete definition for the "Maine Formula," a term that is no longer used or referred to in Chapter 102; and

**Whereas**, the City Council desires to adopt this remedial ordinance to repeal and delete the definition of the “Maine Formula,” and delete subsections 102-124(b) and 102-124-(c) of the City Code to correct the clerical errors and conform Section 102-124 the City Code to its historical intent and practice.

**Therefore, It Is Resolved**, that the City Council accepts for first reading an ordinance to correct and amend Sections 102-26 and 102-124 of Chapter 102 Utilities of the Code of Ordinances to repeal and delete references to the Maine Formula, fire service fee and quarterly billing thereof.