

TEMPORARY ORDINANCE NO. 7-10

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH THE BUSTR FINANCIAL RESPONSIBILITY FUNDS FOR WATER POLLUTION CONTROL AND THE FUEL DEPOT, DECLARING AN EMERGENCY, AUTHORIZING THE AUDITOR TO AMEND THE CERTIFICATE WITH THE COUNTY AUDITOR, UPDATE RECEIPTS, APPROPRIATE AND TRANSFER FUNDS, AND REPEAL ORDINANCE 5-09

WHEREAS, the City currently participates in the Petroleum Underground Storage Tank Financial Assurance Fund created by 3737.91(A); and

WHEREAS, OAC 1301:7-9-05 requires the City establish a financial responsibility fund pursuant to 1301:7-9-05(v) for proof of financial responsibility for the \$11,000.00 deductible per tank; and

WHEREAS, the City creates the new fund for the sole purpose of taking corrective action and for compensating third parties for bodily injury or property damage caused by accidental releases arising from the operation of petroleum underground storage tanks; and

WHEREAS, the City fully funds the underground storage tank Financial Assurance Funds for \$33,000.00 reflecting two General Fund underground tanks and one Waste Water underground tank;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lancaster, Ohio, that:

SECTION 1. That the BUSTR Financial Assurance Fund is created for the sole purpose of taking corrective action and for compensating third parties for bodily injury or property damage caused by accidental releases arising from the operation of petroleum underground storage tanks.

SECTION 2. That the Lancaster City Auditor appropriate from unappropriated 101.000.5919 Transfers for \$11,000.00.

SECTION 3. That the Lancaster City Auditor process a Fund to Fund transfer 101.000.5919 Transfers to 812.101.4985 Transfer General.

SECTION 4. That the City of Lancaster Auditor update receipts for 812.101.4985 for \$11,000.00.

SECTION 5. That from funds unanticipated to come into the BUSTR Fund, there be and hereby is appropriated \$11,000.00 into 812.101.5234.

SECTION 6. That Ordinance 5-09 is repealed in its entirety.

SECTION 7. That this ordinance is declared to be an emergency to meet the requests of the orders of the State Fire Marshall and to comply with OAC 1301:7-9-05.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Date Approved: _____

Clerk: _____

President of Council

Offered by: _____

Mayor

Second by: _____

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2010 and _____, 2010 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council