

ORDINANCE NO. 2017-05

AN ORDINANCE ADOPTING THE RATES AND CHARGES FOR THE PRODUCTS AND SERVICES OF THE VILLAGE OF FORT RECOVERY **WASTEWATER AND STORM SEWER SYSTEMS**, AMENDING INCONSISTENT LEGISLATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Village Council has determined it necessary to modify the charges and fees for use of the Village of Fort Recovery Wastewater System (“Village Wastewater System”) and Storm Sewer System (“Village Storm Sewer System”) in order to meet current and future operating costs.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Fort Recovery, Mercer County, Ohio, that:

SECTION ONE

Ordinance 2010-08 and any other legislation inconsistent herewith shall be amended as follows:

A. Residential and Commercial Usage Rates for the Village Wastewater System

1. One User; One Meter

The following monthly rates shall apply to residential and commercial structures that contain only *one user and one meter*.

a. 2017-2018

The monthly rates set forth below shall be effective April 1, 2017 (and will appear on the May 1, 2017 billing statements) through December 31, 2018.

Gallons of Water Used	Rate
≤ 2,000	\$8.00
2,001-50,000	\$8.00 + \$2.50 per thousand gallons used above 2,000
≥ 50,001	\$8.00 + \$2.50 per thousand gallons used between 2,001-50,000 + \$2.25 per thousand gallons used above 50,000

b. 2019-2020

The monthly rates set forth below shall be effective January 1, 2019 through December 31, 2020.

Gallons of Water Used	Rate
≤ 2,000	\$8.50
2,001-50,000	\$8.50 + \$2.75 per thousand gallons used above 2,000
≥ 50,001	\$8.50 + \$2.75 per thousand gallons used between 2,001-50,000 + \$2.50 per thousand gallons used above 50,000

c. 2021 and After

The monthly rates set forth below shall take effect January 1, 2021 and remain effective thereafter unless and until changed by Village Council.

Gallons of Water Used	Rate
≤ 2,000	\$9.00
2,001-50,000	\$9.00 + \$3.00 per thousand gallons used above 2,000
≥ 50,001	\$9.00 + \$3.00 per thousand gallons used between 2,001-50,000 + \$2.75 per thousand gallons used above 50,000

2. More Than One User; One Meter

The following monthly rates shall apply to residential and commercial structures that contain *more than one user but have only one meter*. Per Ordinance 2006-13, all multi-user structures built after the effective date of that ordinance must have a separate water tap, meter, and shut-off for each user; therefore, each user in such structures will be billed in accordance with Section 1(A)(1) of this Ordinance.

a. 2017-2018

The monthly rates set forth below shall be effective April 1, 2017 (and will appear on the May 1, 2017 billing statements) through December 31, 2018.

Gallons of Water Used	Rate
≤ 4,000	\$16.00
4,001-50,000	\$16.00 + \$2.50 per thousand gallons used above 4,000
≥ 50,001	\$16.00 + \$2.50 per thousand gallons used between 4,001-50,000 + \$2.25 per thousand gallons used above 50,000

b. 2019-2020

The monthly rates set forth below shall be effective January 1, 2019 through December 31, 2020.

Gallons of Water Used	Rate
≤ 4,000	\$16.50
4,001-50,000	\$16.50 + \$2.75 per thousand gallons used above 4,000
≥ 50,001	\$16.50 + \$2.75 per thousand gallons used between 4,001-50,000 + \$2.50 per thousand gallons used above 50,000

c. 2021 and After

The monthly rates set forth below shall take effect January 1, 2021 and remain effective thereafter unless and until changed by Village Council.

Gallons of Water Used	Rate
≤ 4,000	\$17.00
4,001-50,000	\$17.00 + \$3.00 per thousand gallons used above 4,000
≥ 50,001	\$17.00 + \$3.00 per thousand gallons used between 4,001-50,000 + \$2.75 per thousand gallons used above 50,000

B. Industrial Usage Rates for the Village Wastewater System

Industrial usage rates will be determined on a case by case basis and will depend on the volume and nature of sewage being discharged to the Village; however, in no case shall the industrial usage rates be less than the rates for residential and commercial users. In addition, a sanitary sewer surcharge may be assessed against an industrial user in accordance with Ordinance 2010-11. An industrial user also may be required to obtain an Indirect Discharge Permit from Ohio EPA under their rules and regulations.

C. Sewer Improvement Fund

The purpose of the Sewer Improvement Fund is to help pay for maintenance, repair, and upgrades to the Village Wastewater and Storm Sewer Systems. The following rates shall be charged to users of the Village Wastewater System:

1. 2017-2020

The monthly rates set forth below shall be effective April 1, 2017 (and will appear on the May 1, 2017 billing statements) through December 31, 2020.

Type of User	Rate
Residential – One User, One Meter	\$1.00 per month
Residential – Two Users, One Meter	\$2.00 per month
Industrial	To be determined on a case by case basis, but in no event less than \$3.00 per month

2. 2021 and After

The monthly rates set forth below shall take effect January 1, 2021 and remain effective thereafter unless and until changed by Village Council.

Type of User	Rate
Residential – One User, One Meter	\$1.50 per month
Residential – Two Users, One Meter	\$2.50 per month
Industrial	To be determined on a case by case basis depending on the volume and nature of the sewage discharged, but in no event less than \$3.50 per month

D. Debt Retirement Fund

The purpose of the Debt Retirement Fund is to service the debt incurred to make necessary improvements to the Village Wastewater and Storm Sewer Systems. The following rates shall be charged to users of the Village Wastewater System:

Type of User	Rate
Residential – One User, One Meter	\$11.00 per month
Residential – Two Users, One Meter	\$22.00 per month
Industrial	To be determined on a case by case basis depending on the volume and nature of the sewage discharged, but in no event less than \$20.00 per month

E. Permits for Tapping into the Village Wastewater and Storm Sewer Systems

1. Permit Required

No person shall connect, or cause to be connected, either directly or indirectly, any building or other structure, with the Village Wastewater or Storm Sewer Systems for the purpose of discharging sanitary sewage, industrial sewage, or storm water drainage therefrom without first securing a permit for such purpose from the Village. Prior to the issuance of such permit, the permit applicant must pay a permit fee in accordance with Section 1(E)(2) of this ordinance, as well as any other charges authorized by Village law.

2. Permit Fee

The fees to be charged for the permit described in Section 1(E)(1) of this ordinance shall be as follows:

Action	Permit Fee
Tap into the Village Wastewater System	\$450.00
Tap into the Village Storm Sewer System	\$450.00
Additional Tap into the Village Wastewater System	\$450.00
Replacement Tap into the Village Storm Sewer System	\$150.00

F. Out-of-Corporation Wastewater System Users Fee

Effective April 1, 2017 (to appear on the May 1, 2017 billing statements) through December 31, 2018, a \$20.00 fee shall be charged per month to all out-of-corporation users of the Village Wastewater System (“Out of Corp Users”). If an Out of Corp User also has a Village Water System connection, the fee shall be \$40.00 per month.

From January 1, 2019 through December 31, 2020, a \$22.50 fee shall be charged per month to all Out of Corp Users. If an Out of Corp User also has a Village Water System connection, the fee shall be \$45.00 per month.

Effective January 1, 2021, and remaining effective thereafter unless and until changed by Village Council, a \$25.00 fee shall be charged per month to all Out of Corp Users. If an Out of Corp User also has a Village Water System, the fee shall be \$50.00 per month.

To ensure the long-term operation of the Village Wastewater and Water Systems, connections to persons living outside the corporation limits shall no longer be permitted unless there is no annexation point between the person requesting a connection (the “Out of Corp Resident”) and the Village, and said connection is in the best interest of all parties involved. If such circumstances exist, the Out of Corp Resident must enter into a written agreement with the Village, therein promising to annex to the Village when an annexation point exists. These agreements shall run with the land, and shall be recorded in the Official Records of the Mercer County Recorder at the expense of the Out of Corp Resident.

G. Water / Sewer Deposits

A tenant in a rental unit or person living in the mobile home park (located at 117 E. Broadway Street) seeking new wastewater and/or water service must pay a seventy-five dollar (\$75.00) deposit (per

account). Anyone found to be delinquent for past wastewater and/or water service, or deemed to be a repayment risk based on credit history, must pay a one hundred dollar (\$100.00) deposit to have service listed in his/her name.

H. Meter Readings, Payments, and Miscellaneous Fees

The fees for use of the Village Wastewater System will be based on a monthly meter reading of the water usage for said property. Meters will be read as near the same date of the month as possible. Bills will be mailed on approximately the first day of the month. Payments are due no later than the sixteenth (16th) day of the month, or they will be subject to a one-time ten percent (10%) late fee added to the net amount of each past due bill. The due date will be extended to the first business day after the 16th if said date falls on a Sunday or holiday. Payments not made by the 25th of the month will be subject to a shut-off notice. Any accounts remaining delinquent after the 30th of the month shall be subject to having the service turned off until the account is paid in full.

If a service is turned off, a twenty dollar (\$ 20.00) shut off fee and a twenty dollar (\$ 20.00) turn on fee will be charged to the account holder.

If a check is returned for any reason, a twenty dollar (\$20.00) fee or the Village's costs associated with the returned check, whichever is greater, will be charged to the account holder.

If a delinquent account goes unpaid for sixty (60) days, the Village reserves the right to certify the delinquent amount to the Auditor of Mercer County who will place the outstanding balance on the Real Estate Tax Duplicate, with interest and penalties as permitted by law, and will collect as other Municipal Property Taxes are collected.

The Village reserves the right to withhold service to any property or previous account holder that has any delinquent amounts owing for wastewater or water service until such amounts are paid in full.

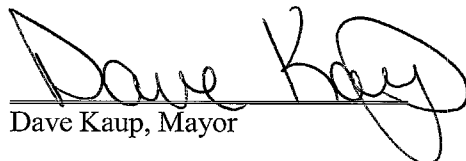
SECTION TWO

This Ordinance is necessary for the preservation of the health, safety, and welfare of the residents of the Village of Fort Recovery, Ohio, and implementation is necessary beginning with the April 2017 billing cycle in order to maintain the sound financial condition of the Village Wastewater and Storm Sewer Systems. Therefore, this Ordinance shall go into effect immediately upon its passage and approval by the Mayor.

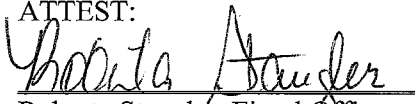
Passed this 20th day of March, 2017

No. of Yes Votes 6

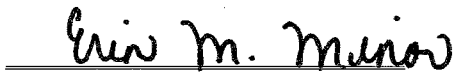
No. of No Votes 0


Dave Kaup, Mayor

ATTEST:


Roberta Staugler, Fiscal Officer

APPROVED AS TO FORM:


Erin M. Minor, Village Solicitor



Certificate

I, Roberta Staugler, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Village of Fort Recovery Council held on March 20, 2017.



Roberta Staugler
Roberta Staugler, Clerk

Certificate

I, Roberta Staugler, hereby certify that there is no newspaper printed in the Village of Fort Recovery and that publication of the foregoing ordinance was made by posting true copies thereof at five of the most public places in the Village, as determined by the Village of Fort Recovery Council. Those places are as follows: Village of Fort Recovery Council Chambers, Second National Bank, Mercer Savings Bank, First Financial Bank, and the Fort Recovery Library.



Roberta Staugler
Roberta Staugler, Clerk