

ORDINANCE NO. 2010 - 07

AN ORDINANCE ADOPTING THE RATES AND CHARGES FOR THE PRODUCTS AND SERVICES OF THE FORT RECOVERY WATER SYSTEM, HEREBY AMENDING ORDINANCE NO. 2008-14, AND DECLARING AN EMERGENCY.

WHEREAS, the Fort Recovery Village Council has determined it to be necessary to modify and or clarify the charges and fees for use of the Fort Recovery Water System in order to meet current and future operating costs, and

WHEREAS, the Fort Recovery Village Council will make herein stated rate changes effective with the July, 2010 billing period which will appear on the August 1, 2010 statements, and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Fort Recovery, Mercer County, Ohio, three-fourths of all members elected thereto concurring that:

SECTION ONE:

That Ordinance 2008-14 and any other legislation inconsistent herein be hereby amended to read as follows:

The rates and charges be established as follows for the following described users:

Residential and Commercial Usage Rates:

The following monthly rates will apply for those residential and commercial structures that have only one user and one meter:

| <u>Minimum Charge includes the first 2,000 gallons of water</u> | <u>Village Residents Monthly minimum of:</u> |
|---|--|
| 5/8 inch meter service | \$ 17.50 |
| 3/4 inch meter service | \$ 21.50 |
| 1 inch meter service | \$ 27.50 |
| 1 1/2 inch meter service | \$ 37.50 |
| 2 inch meter service | \$ 51.50 |
| 3 inch meter service | \$ 105.00 |
| 4 inch meter service | \$ 250.00 |
| 6 inch meter service | \$ 420.00 |
| 8 inch meter service | \$ 840.00 |

All usage above the minimum 2,000 gallons shall be charged at a rate of six dollars and fifty cents (\$6.50) per thousand gallons for the first 50,000 gallons and \$5.50 per thousand gallons over 50,000 gallons used.

For those residential and commercial structures that contain more than one user while only having one meter the rates shall be as follows:

| | <u>Two Users – One Meter</u> | <u>Three Users – One Meter</u> |
|--------------------------|------------------------------|--------------------------------|
| 5/8 inch meter service | \$ 35.00 | \$ 52.50 |
| 3/4 inch meter service | \$ 43.00 | \$ 64.50 |
| 1 inch meter service | \$ 55.00 | \$ 82.50 |
| 1 1/2 inch meter service | \$ 75.00 | \$ 112.50 |
| 2 inch meter service | \$ 103.00 | \$ 154.50 |
| 3 inch meter service | \$ 210.00 | \$ 315.00 |
| 4 inch meter service | \$ 500.00 | \$ 750.00 |
| 6 inch meter service | \$ 840.00 | \$ 1,260.00 |
| 8 inch meter service | \$ 1,680.00 | \$ 2,520.00 |

Two Users - One Meter: Cost above to include the first 4,000 gallons of water used and \$6.50 per thousand gallons for the first 50,000 gallons and \$5.50 per thousand gallons of water used thereafter.

Three Users - One Meter: Cost above to include the first 6,000 gallons of water used and \$6.50 per thousand gallons for the first 50,000 gallons and \$5.50 per thousand gallons of water used thereafter.

This above fee schedule will apply to all applicable existing users in residential and commercial categories. Hereafter, as per Ordinance #2008-14, each unit in a multi-family structure is required to have its own water tap, meter and shut-off and therefore will fall in the One User – One Meter category.

Un-metered Fire Sprinkler Connections:

Any structure serviced by an un-metered service line for the purpose of providing fire protection by the use of a fire sprinkler system shall incur a monthly fee based on the following rates in accordance with the size of the service line serving the fire sprinkler system.

| <u>Connection Size (inches):</u> | <u>Monthly Rate:</u> |
|----------------------------------|----------------------|
| 2 inch or smaller | \$ 20.00 |
| 3 inch | \$ 30.00 |
| 4 inch | \$ 40.00 |
| 6 inch | \$ 60.00 |
| 8 inch | \$ 80.00 |
| 10 inch | \$ 100.00 |

Water Line Tap Fees:

The fee to be charged and paid by the property owner to tap into the water distribution system of the Village shall be based upon the size of the water tap to the property to be served and shall be according to the following schedule:

| <u>Tap Size (inches):</u> | <u>Fee Required:</u> |
|---------------------------|----------------------|
| 5/8 inch | \$ 250.00 |
| 3/4 inch | \$ 300.00 |
| 1 inch | \$ 350.00 |
| 1 1/2 inch | \$ 750.00 |
| 2 inch | \$ 900.00 |
| 4 inch | \$ 3,000.00 |
| 6 inch | \$ 5,000.00 |
| 8 inch | \$ 6,000.00 |
| 10 inch | \$ 8,000.00 |

The above tap-in fees are for service to one residential, commercial or industrial user. For structures with more than one unit, each unit shall have its own service tap and an additional two hundred dollars (\$200.00) will be added for each additional unit served. Tap sizes two inches (2”) and smaller shall include a corporation stop, curb stop and curb box, meter with fittings and a remote reading register and service tubing from the water main to the curb stop. The tap-in fee for tap sizes in excess of two inches (2”) shall be only for the tap into the main line. All tapping materials, valves, pipe and meter shall be furnished by the applicant or reimbursed to the Village if said materials are supplied by the Village. All necessary excavation work required for any tap shall be the responsibility of the property owner/applicant. All tap-ins must meet the rules and regulations governing the Fort Recovery Water Supply System.

Water Tower Improvement Fund:

A surcharge of one dollar and fifty cents (\$1.50) per month per service billing shall be charged for the purpose of funding a water tower improvement fund to be utilized for maintenance and/or replacement of the existing water towers. Two User – One Meter accounts will pay three dollars (\$3.00) per month and Three User – One Meter will pay four dollars and fifty cents (\$4.50) per month.

Debt Retirement Fund:

The rates for the user classifications will be determined and adjusted by the Fort Recovery Village Council and passed by Resolution as necessary to adequately service any debt initiated for improvements to the water system as required for proper treatment and delivery of said water service or any costs associated with improvements required by the Ohio EPA. There are no Debt Retirement Fees being assessed at this time.

Out-of-Corporation Users Fee:

A seventeen dollar and fifty cent (\$17.50) fee will be charged per month to all current out-of-corporation users of water. Should said user have both water and sewage connections, this rate shall be thirty five dollar (\$35.00) total per month, thus providing seventeen dollars and fifty cents (\$17.50) for each of the water and sewage funds. It is also hereby declared that based on the long-term operation of the Village water and sewage systems that connections will no longer be allowed to those users outside the corporation limits, unless as determined by the County Auditor's Map Department that there is no annexation point and said connection is in the best interest of all parties involved, with said agreement being made between the User and the Village Administrator. The User must hereby agree in writing in said circumstance to annex to the Village of Fort Recovery should there ever be a legal annexation point to the serviced property in the future. This agreement shall contain a clause setting forth that such agreement shall be attached to any annexation petition and shall serve as a signature to said petition. These agreements shall be in the form of a covenant and shall run with the land and upon its execution shall be recorded in the Official Records of the Mercer County Recorder at the expense of the person serviced.

Water / Sewer Deposits Required:

An initial deposit for new water and/or sewer service to any applicant in a rental unit or for all units within the mobile home park located at 117 E. Broadway Street shall be fifty dollars (\$50.00) per account. Anyone that was found to be delinquent for past water and sewer service or deemed to be a repayment risk based on previous credit history shall be required to pay a one hundred (\$100.00) deposit as determined by the billing clerk and the Village Administrator in order to have service listed in their name.

Meter Readings, Payments and Misc. Fees:

Water service meters will be read monthly and as near the same date of the month as possible and be mailed on approximately the first day of each month. Payments are due no later than the 16th day of each month or they will be subject to a one-time 10% late fee added to the net amount of each past due utility bill. This 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 have said service turned off until the account is paid in full.

Should a meter be shut-off for any reason, a ten dollar (\$10.00) shut-off and a ten dollar (\$10.00) turn-on fee will be incurred by the account holder.

Should the Village have a check payment for water/sewer services returned from the Bank for insufficient funds, closed account or any other reason, a fee of \$15.00 or actual costs, whichever is higher, will be charged to the account for each incident.

Should a delinquent account go unpaid for sixty days, the Village reserves the right to certify said delinquent amount to the Auditor of Mercer County, Ohio, who shall place the same on the Real Estate Tax Duplicate, with interest and penalties as allowed by law, and be collected as other Municipal Taxes are collected.

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

SECTION TWO:

That 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 July, 2010 billing cycle in order to maintain the sound financial condition of the water systems, and therefore, shall go into effect immediately upon its passage and approval by the Mayor.

Passed this _____ day of July, 2010.

Roger M. Broerman, Mayor

ATTEST:

Roberta Staugler, Fiscal Officer

APPROVED:

David Wm. Bruns, Village Attorney