

ORDINANCE NO. 531-2011

AN ORDINANCE REVISING ORDINANCE NO. 472-2005
ESTABLISHING THE RATES TO BE CHARGED FOR THE
SERVICES OF THE MUNICIPAL SEWERAGE SYSTEM
IN THE VILLAGE OF PANDORA, OHIO,
ADOPTING RULES AND REGULATIONS

WHEREAS, the Village of Pandora, Ohio, owns and operates as a Municipal Utility a sewerage system for the treatment and disposal of sewerage; and,

WHEREAS, there is more than adequate revenue in the "Sewerage Revenue Fund" to pay for the efficient operation and maintenance of the sewerage system, and the debt service requirements of the existing indebtedness. Therefore, the current sewerage rates may be adjusted to reflect this surplus as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Pandora, County of Putnam, State of Ohio, a majority of the members thereto concurring:

SECTION I. SEWERAGE SERVICE CHARGE:

A. The herein rates and charges for said sewerage system are based on metered water consumption, which metered rates shall correspond with the metered water rates established by the Village of Pandora, Ohio, for services of the sewerage system of the village, are hereafter set forth:

B. The following rates for the services of the sewerage system are hereby established for metered water users:

| <u>Water Consumption</u> | <u>Sewerage Rate</u> |
|---|---------------------------|
| Base Rate | \$ 20.00 per month |
| For the first 10,000 gallons of water used per month Effective January 1, 2012 | \$ 3.00 per 1,000 gallons |
| All over 10,000 gallons of water used per month Effective January 1, 2012 | \$ 2.00 per 1,000 gallons |

The above quoted water consumption and sewerage rate charges shall be based on a per meter basis.

C. All unmetered water users shall be charged a monthly sewerage rate of \$45.00 per month, effective January 1, 2012.

SECTION II. SEWERAGE REVENUE FUND PROVISION: That the funds received from the collection of the rates and charges shall be deposited as received with the Fiscal Officer who shall keep the same in a separate fund designated "Sewerage Revenue Fund". Subject to the provisions of any ordinance or Indenture of Mortgage authorizing the issuance of, and securing, Mortgage Revenue Bonds for the system, monies in said fund shall be used for the payment of the cost and expense of operation, maintenance, repair and management of the system and for payment of debt and other charges on bonds issued for improvements of, and extensions to, the sewerage system, and any surplus in said fund over and above the requirements hereinbefore mentioned may be used for enlargement of, and replacements to, the system and parts thereof.

SECTION III. RESIDENCY OF CONSUMER: All consumers of services of the municipal sewerage system of the Village of Pandora, Ohio, subsequent to the enactment of this Ordinance, must be situated within the village except as provided by below. Services of the Municipal Sewerage System of the Village of Pandora, Ohio, to premises situated outside the corporate limits of the Village of Pandora, Ohio, shall only apply to those consumers who were non-residents prior to the enactment of Ordinance No. 307-90, Village of Pandora, Ohio.

SECTION IV. BASE RATE CHARGE FOR MULTI-UNIT CONSUMERS: All consumers, other than single family residential and nursing home units, with two or more units in one building, shall be charged at least the base rate per month for each unit. Except for units which are strictly single family residential units, nursing home units, or units which are strictly non-residential users, where a unit has combined residential and/or water service for the business entity for the convenience of the business entity customers and/or operator, then the business entity is considered to be a separate unit from the residential unit and shall be charged separately from the residential unit. These rates shall be minimum rates and the meter rates provided for in Section I herein shall apply. Each manufactured home situated in a manufactured home park as a consumer of sewerage services of the municipal sewerage system of the Village of Pandora, Ohio, shall be considered to be a separate unit. Only one bill shall be sent to the owner of the manufactured home park for all consumers of the sewerage services of the municipal sewerage system within said manufactured home park.

SECTION V. SEWER LATERAL INSTALLATION OR DISCONNECTION:

A. The consumer shall be responsible for the proper installation of sewerage lateral lines to the main sewerage lines. In all cases, the consumer shall be charged for the actual cost of the installation of sewerage lateral lines to the main sewerage lines except for the cost of installation of that section of sewer lateral lines situated on village property. The actual cost shall be defined as the charge for materials and or labor.

B. All connections to the main sewerage lines of the village by consumers shall be made by the employees of the village upon application of the consumer or his agent after payment of the following tap-in fee charges:

1. Residential properties and commercial properties shall be charged \$600.00 for each building.

2. Trailer courts, apartments, motels, hotels, and any other multi-unit consumer entity shall be charged a tap-in fee of \$600.00 for the area comprising such trailer court, apartment complex, motel, hotel and any other multi-user facility, plus the additional tap-in charge of \$70.00 for each trailer lot, apartment, motel room, hotel room, or family unit with more than seven units. Said tap-in charge shall be paid in advance to the issuance of the tap-in permit.

3. Any party desiring sewer service extending from the Rocket Ridge lift station shall be a one time access fee of \$500.00 per acre of the subdivided area.

4. The tap-in fee for all other prospective consumers shall be negotiated between the consumer and the village.

SECTION VI. DELINQUENCY PROVISION:

A. If the consumer has not paid his sewerage bill within 15 days following billing, a \$5.00 penalty shall be added to the sewerage service charge.

B. The village may seek collection from delinquent consumers for past due sewerage service charges pursuant to the provisions of Ohio Revised Code Section 729.49.

C. Where sewerage services are provided to a consumer who is a Lessee, the Lessor and the Lessee shall be jointly and severally liable for the payment of the sewerage service charges.

SECTION VII. RELIEF FOR INDIVIDUAL CIRCUMSTANCES: The Village Council and the Village Administrator shall have the authority to grant relief in individual circumstances concerning rates, penalties and other items pertaining to sewerage service where circumstances are peculiar to the consumer.

SECTION VIII. INVALIDITY: Should any section of this Ordinance be determined to be invalid, the remaining section or sections shall remain in full force and effect, except to the extent that such remaining sections are wholly dependent upon the validity of the sections declared to be invalid.

SECTION IX. That it is found and determined that all formal actions of this Council concerning or relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.


SECTION X. This Ordinance shall take effect January 1, 2012.

ADOPTED: Dec. 13, 2011

ATTEST:


Lana S. Burry, Fiscal Officer

APPROVED:


John C. Schlumbohm, Mayor