

ORDINANCE NO. 530-2011

AN ORDINANCE REVISING ORDINANCE NO. 471-2005  
ESTABLISHING RATES TO BE CHARGED FOR THE PRODUCE  
AND THE SERVICES OF THE MUNICIPAL WATERWORKS  
SYSTEM IN THE VILLAGE OF PANDORA, OHIO, AND  
ADOPTING RULES AND REGULATIONS

WHEREAS, the Village of Pandora owns and operates as a Municipal Utility a waterworks system for the treatment and distribution of water; and,

WHEREAS, the existing water rates, rules and regulations are inadequate to pay and provide for the cost of the operation of the maintenance of the waterworks system, and to provide additional revenues for the proper operation of said system; and,

WHEREAS, it is necessary to stabilize the water revenue of the Village so as to provide sufficient funds to pay the cost of the current operation and maintenance of the water system and for future capital expenditures of said water system.

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. WATER SERVICE CHARGE:

A. That in order to pay the expense of conducting and managing the waterworks system of the Village of Pandora, to finance the purchase of additional equipment as needed to provide for the proper operation of said system, the rates and charges for the product and services of the waterworks system of the Village hereinafter set forth.

B. The following rates for the product and services of the waterworks system are hereby established for metered water consumers:

	<u>Premises Located Inside Corporation Limits of the Village</u>	<u>Premises Located Outside Corporation Limits of the Village</u>
Base Rate	\$9.00 per month	\$18.00 per month
For the first 50,000 gallons/mo. Effective January 1, 2012	\$3.00 per 1,000 gallons or part thereof	\$ 3.75 per 1,000 gallons or part thereof
For the next 50,000 gallons/mo. Effective January 1, 2012	\$2.00 per 1,000 gallons or part thereof	\$2.50 per 1,000 gallons or part thereof
All over 100,000 gallons/mo. Effective January 1, 2012	\$1.50 per 1,000 gallons or part thereof	\$2.00 per 1,000 gallons or part thereof

C. All premises located inside the corporate limits of the Village, whose water usage is not metered or measured, shall be charged a base monthly rate of \$20.00 per month effective January 1, 2012. said charge is levied as a water availability charge.

SECTION II. WATER 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 as the "water Revenue Fund". Subject to the provisions of any Ordinance or Indenture of 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 the payment of debt and other charges on bonds issued for

improvements of, extensions to, the system, and any surplus in said fund over and above all requirements hereinbefore mentioned may be used for enlargements of, and replacements to, the system and parts thereof.

SECTION III. RESIDENCY: All consumers of water products and services of the municipal waterworks system of the Village of Pandora, Ohio, must be situated within the village except as provided below. Sales of the water products and services of the municipal waterworks system of the village of Pandora, Ohio, to premises located outside the corporate limits of said village, shall only apply to those consumers who were non-resident consumers of the said waterworks products and services prior to the enactment of Ordinance No. 275-88, Village of Pandora, Ohio. Sales of water products and services of the municipal waterworks system to premises located outside the corporate limits shall be pursuant to Section I and Section V of this Ordinance.

SECTION IV. INSTALLATION CHARGES:

A. Commercial consumers shall be charged the cost of the water meter for all new meter installations. The village shall furnish water meters to all other consumers for new meter installations. In all cases the consumers shall be responsible for the proper installation of the water meter. Consumers shall not be charged for that section of the lateral water line and other water service materials that are situated on village property. Consumers shall not be charged for that section of the lateral water line and other water service materials extending from the curb stop. Consumers who are situated on the opposite side of the street or alley from the main water line shall not be charged for the lateral water line and other water service materials from the curb stop to the village property line with the consumer.

B. All consumers of the municipal waterworks system shall install an additional connection to the main water lines of the village to be made with said connection be made with connections by the employees of the village upon application of the consumer or his agent after paying the following charges:

¾-inch water line	\$ 475.00
1-inch water line	\$ 600.00

Over one (1) inch water line charge is to be established by negotiations between the owner and the Village Administrator.

These tap-in fee charges are imposed on the consumer of water products and services as a privilege for using the main village line.

C. In addition to the charges provided in this section, the consumer shall also bear the actual cost of the water connection to said property. All of the said charges shall be paid by the consumer to the Fiscal Officer of the Village of Pandora in advance of connection with the village water system.

SECTION V. MULTI-UNIT CONSUMERS: All consumers, other than single family residential and nursing home unit consumers with two or more units in one building that are not metered separately, shall be charged \$9.25 per month for each unit. Except for units which are strictly single family residential units, nursing home units which are strictly non-residential consumers, where a unit has a combined residential and business purposes, and where there are separate restroom facilities 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. These rates shall be minimum rates and the meter rates as provided for in Section I herein shall apply. Each manufactured home situated in a manufactured home park as a consumer of water products and services of the municipal waterworks system of the Village of Pandora, Ohio, shall be considered a separate unit. Only one bill shall be sent to the owner of the manufactured home park for all consumers of water products and services of the municipal waterworks system within said manufactured home park.

#### SECTION VI. DELINQUENCY:

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

B. Should the water service charges not be paid within 45 days following the billing, the water service may be discontinued. Should water service have been discontinued because of the consumer being delinquent in paying his water service bill, the consumer shall be billed the cost of labor and materials in installing a water shut-off and \$50.00 water turn on fee. The consumer must pay all delinquent water service charges and the \$50.00 turn on fee prior to the restoration of service.

C. The Village may seek collection from delinquent consumers for past due water service charges pursuant to the provisions of the Ohio Revised Code Section 743.04.

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

#### SECTION VII. EXTENDED WATER DISCONTINUANCE:

A. Any consumer desiring extended water discontinuance may be entitled to such status by first paying a \$25.00 turn off fee. Water service shall resume upon said consumer first paying a \$25.00 turn on fee, and by becoming current on any delinquent water bills, if any.

B. Extended water discontinuation shall be defined as water service being discontinued to a consumer for a period of at least twelve (12) continuous months. All consumers who have complied with the provisions for extended water service discontinuance shall nonetheless be charged the base monthly water rate.

#### SECTION VIII. TEMPORARY WATER DISCONTINUANCE:

A. Consumers desiring a temporary water service discontinuance shall be charged \$10.00 turn off fee. Water service shall be resumed upon said consumer paying a \$10.00 turn on fee, and by becoming current on any delinquent water bills, if any.

B. Temporary water discontinuance shall be defined as water service discontinuance for a period of less than one (1) year. All water users who have complied with the provisions for temporary water service discontinuance shall nonetheless be charged the base monthly water rate.

C. Consumers desiring a resumption of water service shall be charged a \$15.00 turn on fee should the consumer desire the water to be resumed other than during normal business hours. Normal business hours are defined as being 7:30 AM to 4:30 PM, Monday through Friday, except for holidays.

#### SECTION IX. MAINTENANCE AND PROHIBITIONS:

A. The consumer is responsible for proper care for all water service equipment situated on the consumer's property. The consumer shall also be responsible for the proper care of the water meter. The water consumer shall fully comply with the Ohio Environmental Protection Agency Back Flow Prevention Regulations and shall satisfactorily install and maintain Ohio Environmental Protection Agency approved back flow protection devices and assemblies which shall include at least two shut off valves and at least four test cocks.

B. The Village Administrator and/or village employees are authorized to make inspections, at the time of the installation or whenever deemed necessary, of the water meters, to make sure they are properly installed and operating according to specifications.

C. The Mayor shall have the authority declare a water emergency when in his opinion the available water resources to the consumers of products and services of the municipal water works system of the Village of Pandora, Ohio is severely diminished and presents an immediate hazard to the health, well being, and the safety of the residents of the Village of Pandora, Ohio. Therefore, during the term of a water emergency, it shall be a violation of this Ordinance for consumers to consume water products and services for permanent underground water sprinkler systems. Failure to comply with this section of this Ordinance is punishable by a fine of up to \$25.00 for the first offense and a fine of \$50.00 for each subsequent offense.

D. The village Council shall review provisions of this Ordinance concerning consumer charges, rules and regulations on at least an annual basis.

SECTION X. 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 XI. PERMANENT UNDERGROUND SPRINKLER SYSTEM PROVISIONS:

A. A permanent underground sprinkler system shall be defined as a system whereby a consumer of water products and services of the municipal water system of the Village of Pandora, Ohio has installed a system of pipes, connections, and sprinklers for the main purpose of watering lawn areas and garden areas to supplement the natural moisture accumulations. A permanent underground water sprinkler system shall not include temporary above ground hose connections made to spigots at the consumer's residence or permanent building to provide for sprinkled water on a temporary basis.

B. All consumers of water products and services of the municipal water works system in the Village of Pandora, Ohio, for purposes of permanent underground water sprinkler system must be situated within the village.

C. In addition to the charges provided for in Section IV of this ordinance, the consumer shall also bear the actual cost of the additional water connection to his property for purposes of supplying water products for permanent underground water sprinkler systems. All of the said charges shall be paid by the consumer to the Fiscal Officer of the Village of Pandora in advance of the connection with the village water system.

D. All consumers of water product services for underground water sprinkler systems shall be charged a water service charge in the same manner provided by Section I and Section V of this Ordinance.

SECTION XII. 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.

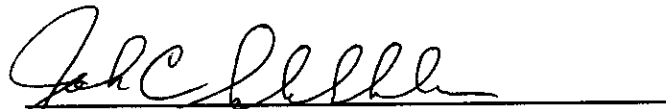
SECTION XIII. This ordinance shall take effect January 1, 2012.

ADOPTED: Dec. 13, 2011

ATTEST:

APPROVED:

  
Lana S. Burry, Fiscal Officer

  
John C. Schlumbohm, Mayor