

VILLAGE OF FORT RECOVERY
ORDINANCE NO. 2022 - 08

AN ORDINANCE ADOPTING THE RATES AND CHARGES FOR THE PRODUCTS AND SERVICES OF THE FORT RECOVERY **WASTEWATER AND STORM SEWER** SYSTEMS, HEREBY AMENDING ORDINANCE NO. 2020-02 AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Fort Recovery Village Council has determined it to be necessary to modify the charges and fees for use of the Fort Recovery Wastewater and Storm Sewer Systems 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 January 2023 billing period which will appear on the February 1, 2023 statements, and

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

SECTION ONE:

That Ordinance #2020-02 and any other legislation inconsistent herein be hereby amended to read as follows:

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

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. **2023-2024**

The monthly rates set forth below shall be effective January 18, 2023 (and will appear on the February 1, 2023 billing statements) through December 31, 2024.

<u>Gallons of Water Used:</u>	<u>Rate:</u>
Monthly Minimum – up to 2,000 gallons	\$10.00

All usage above the minimum 2,000 gallons shall be charged at a rate of \$3.50 per thousand gallons of water used.

b. **2025-2026**

The monthly rates set forth below shall be effective January 1, 2025 through December 31, 2026.

Gallons of Water Used:

Rate:

Monthly Minimum – up to 2,000 gallons

\$11.00

All usage above the minimum 2,000 gallons shall be charged at a rate of \$3.75 per thousand gallons of water used.

c. 2027 and After

The monthly rates set forth below shall be effective January 1, 2027 and remain effective thereafter unless and until changed by Village Council.

Gallons of Water Used:

Rate:

Monthly Minimum – up to 2,000 gallons

\$12.00

All usage above the minimum 2,000 gallons shall be charged at a rate of \$4.00 per thousand gallons of water used.

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 only have 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. 2023-2024

The monthly rates set forth below shall be effective January 18, 2023 (and will appear on the February 1, 2023 billing statements) through December 31, 2024.

Gallons of Water Used:

Two Users – One Meter:

Three Users – One Meter:

Monthly Minimum --
up to 4,000 gallons

\$20.00

Monthly Minimum -
Up to 6,000 gallons

\$30.00

All usage above the minimum gallons listed shall be charged at a rate of \$3.50 per thousand gallons of water used.

b. 2025-2026

The monthly rates set forth below shall be effective January 1, 2025 through December 31, 2026.

<u>Gallons of Water Used:</u>	<u>Two Users – One Meter:</u>	<u>Three Users – One Meter:</u>
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Monthly Minimum – up to 4,000 gallons	\$22.00	
Monthly Minimum - Up to 6,000 gallons		\$33.00

All usage above the minimum gallons listed shall be charged at a rate of \$3.75 per thousand gallons of water used.

c. 2027 and After

The monthly rates set forth below shall be effective January 1, 2027 and remain effective thereafter unless and until changed by Village Council.

<u>Gallons of Water Used:</u>	<u>Two Users – One Meter:</u>	<u>Three Users – One Meter:</u>
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Monthly Minimum – up to 4,000 gallons	\$24.00	
Monthly Minimum - Up to 6,000 gallons		\$36.00

All usage above the minimum gallons listed shall be charged at a rate of \$4.00 per thousand gallons of water used.

B. Industrial Usage Rates for the Village Wastewater System:

The following monthly rates shall apply to all Industrial structures.

a. 2023-2024

The monthly rates set forth below shall be effective January 18, 2023 (and will appear on the February 1, 2023 billing statements) through December 31, 2024.

<u>Gallons of Water Used:</u>	<u>Rate:</u>
Monthly Minimum – up to 2,000 gallons	\$10.00

All usage above the minimum 2,000 gallons shall be charged at a rate of \$4.00 per thousand gallons of water used.

b. 2025-2026

The monthly rates set forth below shall be effective January 1, 2025 through December 31, 2026.

<u>Gallons of Water Used:</u>	<u>Rate:</u>
Monthly Minimum – up to 2,000 gallons	\$11.00

All usage above the minimum 2,000 gallons shall be charged at a rate of \$4.25 per thousand gallons of water used.

c. 2027 and After

The monthly rates set forth below shall be effective January 1, 2027 and remain effective thereafter unless and until changed by Village Council.

<u>Gallons of Water Used:</u>	<u>Rate:</u>
Monthly Minimum – up to 2,000 gallons	\$12.00

All usage above the minimum 2,000 gallons shall be charged at a rate of \$4.50 per thousand gallons of water used.

C. Industrial Surcharge Rates:

A sanitary sewer surcharge will be added to industrial/commercial customers as per Ordinance 2010-11 – Wastewater Sewer Surcharge. It may also be required to obtain an Indirect Discharge Permit from the Ohio EPA under their guidelines and regulations.

D. Sewer Improvement Fund:

The sewer improvement fund is for the purpose of meeting expenses for repair and upgrading existing lines and treatment facilities and the rates charged for the user classifications are as follows:

Residential and Commercial:

One User – One Meter:	\$2.00 per month
Two Users – One Meter:	\$4.00 per month
Three Users – One Meter:	\$6.00 per month

Industrial:

To be negotiated depending upon volume and nature of sewage but no less than five dollars (\$5.00) per month.

E. Debt Retirement Fund:

The rates for the user classifications will be determined and adjusted as necessary by the Fort Recovery Village Council to adequately service the debt initiated for improvements to the sewage system as required by our approved Ohio EPA Separation Plan or to properly treat the wastewater as required by Ohio EPA laws.

The current rate of collection effective with the terms of this ordinance will be:

Residential and Commercial:

One User – One Meter:	\$11.00
Two Users – One Meter	\$22.00

Three Users – One Meter

\$33.00

Industrial:

To be negotiated depending upon volume and nature of sewage discharge but no less than twenty dollars (\$20.00) per month

F. Permits for Taping 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(F)(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(F)(1) of this ordinance shall be as follows:

a. 2023-2024

The tap fee rates set forth below shall be effective January 18, 2023 (and will appear on the February 1, 2023 billing statements) through December 31, 2024.

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

b. 2025-2026

The tap fee rates set forth below shall be effective January 1, 2025 through December 31, 2026.

Tap into the Village Wastewater System:	\$475.00
Tap into the Village Storm Sewer System:	\$475.00
Additional Tap into the Village Wastewater System:	\$475.00
Replacement Tap into the Village Storm Sewer System:	\$175.00

c. 2027 and after

The tap fee rates set forth below shall be effective January 1, 2027 and remain effective thereafter unless and until changed by Village Council.

Tap into the Village Wastewater System:	\$500.00
Tap into the Village Storm Sewer System:	\$500.00
Additional Tap into the Village Wastewater System:	\$500.00

Replacement Tap into the Village Storm Sewer System: \$200.00

G. Out-of-Corporation Users Fee:

Effective January 18, 2023 a \$25.00 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 \$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.

H. 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.

I. Meter Readings, Payments and Misc. 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 payment is returned for any reason, a thirty-dollar (\$30.00) fee or the Village's costs associated with the returned payment, 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:

It is hereby found and determined that all formal actions of the Village Council concerning and relating to the adoption of this legislation were adopted in an open meeting of the Village Council, and that all deliberations of the Village Council and/or any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including section 121 of the Ohio Revised Code.

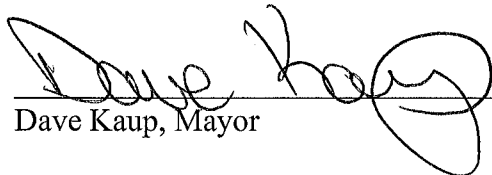
SECTION THREE:

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 19th day of December, 2022.

No. of Yes Votes 6


No. of No Votes 0


Dave Kaup, Mayor

ATTEST:


Roberta Staugler, Village Fiscal Officer

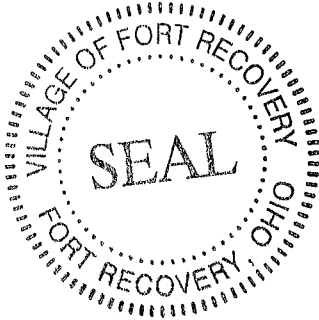
APPROVED:


Erin M. Abels, 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 December 19, 2022.



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, Park National Bank, Mercer Savings Bank, First Financial Bank, and the Fort Recovery Library. Publication was made on December 20, 2022



Roberta Staugler
Roberta Staugler, Clerk