

ORDINANCE NO. 1-09.31 amends Ordinance 1-09.15 establishing for calendar year 2010, the user charges for each lot, parcel of land, or premises having a connection to, and discharging to, the Village's Sanitary Sewer System and the surcharge rates for users who discharge higher than normal domestic strength waste into the Village Sanitary Sewer System.

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HARTVILLE, STARK COUNTY, OHIO**

**Section 1. Findings and Determinations.** This Council finds and determines the following matters:

- (a) It is necessary for the Village to establish a user charge (the "User Charge") for the use of its Sanitary Sewer System (the "Sewer System") for each lot, parcel of land, or premises having a connection to and discharging sanitary sewerage, industrial waste, water, or other liquids, either directly or indirectly, into the Sewer System.
- (b) It is necessary for the User Charge to be sufficient to cover administrative, operation, maintenance, and replacement costs as well as debt service charges to cover repayments of loans and other capital improvement costs.
- (c) To maintain the financial stability of the Sewer System, it is necessary for the Village to impose a surcharge (the "Surcharge"), computed annually based on costs from the previous year, for those users discharging higher than normal domestic strength waste into the Sewer System.
- (d) All formal actions of this Council relating to the enactment of this Ordinance were taken in an open meeting of this Council, and all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22, Ohio Revised Code.

**Section 2. Imposition of User Charge.** The Village of Hartville establishes a User Charge for the use of the Sewer System for each lot, parcel of land, or premises having a connection to and discharging sanitary sewage, industrial waste, water, or other liquids either directly or indirectly, into the Sewer System.

**Section 3. Costs Components of User Charge.** The User Charge will consist of a user charge to cover administrative, operation, maintenance, and replacement costs; and a separate debt service charge to cover repayment of loans and other capital improvement costs.

**Section 4. Commencement of Billing.** Each property owner using the Sewer System will be billed the monthly User Charge. For new users, the monthly billing of the User Charge will begin when the sewer line tap-in fees are paid, and the sewer line is installed, inspected, and operational.

**Section 5. Calculation of User Charge.** The User Charge for unmetered users is developed based on an "Equivalent Dwelling Unit" (EDU) method with the single-family residence as one EDU. All other users shall be determined by volume as related to a single-family

equivalent using acceptable engineering practices. The flow value of an EDU is determined to be 200 gallons per day (6000 gallons per month).

**Section 6. Rates for Unmetered Users.** The User Charge rates for unmetered user are as follows:

| Classification<br>Base Rate                     | Monthly Rates     | Employee Rate @<br>6 or more unless<br>noted. |
|---|-------------------|---|
| 1. Single Family Residence/per unit<br>33.67    |                   |   |
| 2. Apartment/per unit<br>33.67                  |                   |   |
| 3. Auto Dealers/Repair Garages<br>58.93         |                   | 3.37  |
| 4. Automobile Service Stations<br>58.93         |                   | 3.37  |
| 5. Automobile Washes<br>Do it yourself<br>58.93 | 29.47 per bay     | 3.37  |
| Automated/Full Service<br>58.93                 | 117.86 (2 x base) | 3.37  |
| 6. Banks/Offices/Multiple Units<br>58.93        |                   | 3.37  |
| 7. Bed & Breakfast<br>58.93                     |                   | 3.37  |
| 8. Churches<br>58.93                            |                   |   |
| 9. Coin-Operated Laundries<br>58.93             | 13.42 per machine | 3.37  |
| 10. Dealers/Repair w/wash bay<br>58.93          | 29.47 per bay     | 3.37  |
| 11. Fire Station/Truck Bays<br>58.93            | 29.47 per bay     | 3.37  |
| 12. Funeral Homes<br>58.93                      |                   | 5.06  |
| 13. Industrial/Manufacturing<br>58.93           |                   | 3.37  |
| 14. Medical/Dental Offices<br>58.93             |                   | 5.06  |
| 15. Nursing Homes<br>58.93                      | 16.84 per bed     | 3.37  |
| 16. Parks & Recreation<br>58.93                 | 3.37 /acre        | 3.37  |
| Clubhouse<br>58.93                              |                   |   |
| Pool-Public<br>58.93                            |                   | 5.06  |
| Golf Course<br>58.93                            |                   | 3.37  |
| 17. Restaurants & Food Sales<br>58.93           |                   |   |
| Toilet/Urinal                                   | 42.09             |   |
| Dishwasher                                      | 25.25             |   |
| Sink  | 16.84             |   |
| Slop sink                                       | 11.22             |   |
| 18. Retail/Dry Goods Stores<br>58.93            |                   | 3.37  |
| 19. Stores, Food Sales/Process<br>58.93         |                   | 3.37  |
| 20. Schools/Preschools no Cafeteria<br>58.93    | 1.69 per student  | 3.37  |
| 21. Schools/Preschools w/Cafeteria<br>58.93     | 3.37 per student  | 3.37  |
| 22. Salons/Barbers/Groomers<br>58.93            |                   | 5.06  |
| 23. Warehouses/Employees<br>58.93               |                   | 3.37  |

**Section 7. Rates for Commercial Metered Users.** The User Charge for users with meters installed for water consumption is equivalent to 1/6 of an EDU. The monthly rate is \$5.61 per 1000 gallons.

**Section 8. Surcharge for Certain Users.** A surcharge is imposed for those users discharging higher than normal domestic strength waste. The surcharge is calculated annually based on the following actual costs of treating the extra-strength waste from the previous year:

1. BOD in excess of 350 parts per millions
2. Suspended solids in excess of 250 parts per million
3. COD in excess of 500 parts per million

The monthly rate is as follows:

1. CBOD - \$0.82/pound
2. BOD - \$0.73/pound
3. Suspended Solids - \$0.52/pound
4. COD - \$0.38/pound

**Section 9. Billing Procedures.** For the purpose of billing, each of the following procedures applies:

1. All customers billed per capita will be billed in accordance with a census provided by the customer, subject to audit by the Board of Trustees of Public Affairs.
2. The number of pupils in a school during any month will be the number certified by the superintendent as in regular daily attendance during the month of September last preceding the month of service to be billed.

**Section 10. Repeal of Inconsistent Ordinances.** Because it is inconsistent with this Ordinance, Ordinance No. 1-08.08, enacted May 6, 2008, is repealed as of the effective date of this Ordinance, except that the repeal does not affect:

- (a) The validity of, or liability for, any User Charge or Surcharge imposed before the effective date of this Ordinance; or
- (b) The validity of any authorization given by this Council with respect to any User Charge or Surcharge before the effective date of this Ordinance, and any such authorization is ratified and confirmed by the Council.

**Section 11. Effective Date.** This Ordinance will take effect and be in full force at the earliest period allowed by law.

Dated: DECEMBER 15, 2009

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Mayor

Attest:

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Fiscal Officer