

FHA-Oh 442-8
(12-19-66)

ORDINANCE NO. 221
225

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE
USE AND SERVICE OF THE MUNICIPAL SANITARY SEWER SYSTEM
OF THE MUNICIPALITY OF SPENCER,
MEDINA COUNTY, OHIO, AND TO DECLARE AN
EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE MUNICIPALITY OF
Spencer Medina COUNTY, OHIO:-

SECTION 1. There shall be and there is hereby established a
sewer service charge for the use of and for the service supplied by the
municipality sanitary sewer system of the Municipality of Spencer,
based upon the amount and rate of water consumed as follows:-

<u>RATE</u>	<u>SEWER SERVICE CHARGE</u>
First <u>3000</u> gal. or less or amount per month	\$ <u>6.00</u> per month (minimum monthly bill)
xNext _____ xgal.	x\$ _____ xper _____ xgal.
xNext _____ xgal.	x\$ _____ xper _____ xgal.
xNext _____ xgal.	x\$ _____ xper _____ xgal.
All over <u>3000</u> gal. per month	\$ <u>1.50</u> per <u>1000</u> gal.

In no case shall the minimum service charge be less than \$ 6.00
per month, which is necessary to retire the indebtedness, operating and
maintenance, and reserve necessary for maintaining the sanitary sewer
facility.

Customers of the sanitary sewer facility, who are not also customers
of the municipal water system, shall pay a minimum charge of \$ 6.00
per month.

or schools

Service to industrial establishments may be by contract if the
Municipality deems this to be in its best interest.

SECTION 2. Bills for the rates and charges are herein established by the Municipality and shall be sent monthly. All bills shall be payable on the 25th day of the month following the period of service and shall be paid at the office of the Bd. of Public Affairs of the Municipality. If any charge for the services of the system shall not be paid by the 25th day of the month in which it shall become due and payable, a charge of ten percent (10%) of the amount of the bill shall be added thereto and collected therewith. If any bills for the service of the sewer system shall remain unpaid after 30 days following the rendition of the bill therefor, the water supply for the lot, parcel of land or premise affected shall be cut off and shall not be turned on again except on payment in full of the delinquent charges therefor, in addition to the payment of a charge of \$15.00.

SECTION 3. Penalties for non-payment of bills will be provided for under Ordinance No. 213.

SECTION 4. Applications for sewer service shall be filed with the Municipal Clerk upon a form to be supplied by the Municipality. The application shall state the name of the applicant and the premises to be served. All applications filed after June 1, 1969 ~~the commencement of the operation of the system~~ shall be accompanied by a fee of \$ 300.00, payable to the Bd. of Public Affairs of the Municipality, for the connection charge.

SECTION 5. The owner of the premises served and the occupant thereof and the user of the sanitary sewer service shall be jointly and severally liable for the sewer service provided said premises. A deposit of \$ 18.00 shall be required from all tenants. The deposit shall be applied to any bill for sewer service delinquent more than 30 days. Upon the disconnection of the sewer service, any balance of such deposit shall be returned to the applicant without interest.

SECTION 6. It is hereby made the duty of the Bd. of Public Affairs to render bills for sewer service and all other charges in connection therewith and to collect all moneys due therefrom.

SECTION 7. All sewer charges levied pursuant to the ordinance constitute a lien upon the premises charged therewith and if the same are not paid within 60 days after due date, the charges shall be certified to the records of the Auditor, Medina County who shall place the same on the tax duplicate and the charges or penalties allowed by law shall be collectible as other municipal taxes.

SECTION 8. All revenues and moneys derived from the operation of the sewer system shall be paid to and held by the Village Clerk-Treasurer separate and apart from all other funds of the Municipality and all of said sums and all other funds and moneys incident to the operation of said system, as may be delivered to the Clerk-Treasurer, shall be deposited in a separate fund designated the "Sanitary Sewer Fund Account" and said Clerk-Treasurer shall administer said fund in every respect in a manner provided by the Ohio Revised Code and all other laws pertaining thereto.

SECTION 9. The Bd. of Public Affairs shall establish a proper system of accounts and shall keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relative to the sewer system and at regular annual intervals the Municipal Council shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewer system.

SECTION 10. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed in so far as the conflicting portions thereof are concerned.

SECTION 11. This Ordinance shall be published in the _____, ~~xxx newspaper xxx general circulation published in the~~ Municipal ~~xxx~~ _____ or posted and shall be in full force and effect upon its passage and publication, as provided by law, and is hereby declared to be an emergency measure necessary for the **
PASSED AND ADOPTED by the Municipal Council of Spencer,
Ohio on November 13, 1969 and approved by me on November 13, 1969.

Donald L. Brouse
Mayor of Village of Spencer,
Ohio

(SEAL)

ATTEST:

Mayford L. Taylor
Clerk

** preservation of the public health, safety and welfare of the Village and for the further reason it is necessary to immediately proceed with the financing and construction of said system.