

**VILLAGE OF CHAUNCEY
ORDINANCE NO. 2017-4**

**AN ORDINANCE ESTABLISHING SEWER SERVICE RATES AND
ADMINISTRATION BY THE AUTHORITY GRANTED IN CHAPTER 729 OF THE
OHIO REVISED CODE**

WHEREAS, the Village of Chauncey provides sewage service to its residents and businesses; and,

WHEREAS, the Village sewage collection system and sewage treatment plant are in constant need of repair, maintenance and upgrading; and,

WHEREAS, the recent collapse of the sewer line under Converse Street on February 7, 2017 and it's subsequent emergency repair with funds transferred from the Water Fund to the Sewer Fund (see action filed at Case No. 17CI0081, Athens County Court of Common Pleas) because the Sewer Fund had insufficient funds for the necessary repair, dramatically informs that current sewage rates are too low to properly maintain the sewerage system and to repair or upgrade the system as it deteriorates with age; and,

WHEREAS, sewage rates have not been increased at a rate sufficient to fund the cost of repair and maintenance the sewerage system, resulting in an operational loss for the Village because of increased costs and expenses associated with the operation of the sewage treatment plant and collection system,

THEREFORE, BE IT ORDAINED by the Council of the Village of Chauncey, State of Ohio, as follows:

Section One: Rates: Effective on the first day of the month following the enactment of this Ordinance, the charge for sewage service on a monthly basis for each sewage connection shall be increased by 10%, from \$11.31 (current charge) to \$12.44 per 1,000 gallons of water usage or fraction thereof. The attached rate chart shows the progression of charges based on water meter readings.

Section Two: Minimum Monthly Charge: Each household or other consumer of water provided by the Village using 1000 gallons or less of water per month shall pay a minimum monthly sewage fee of \$12.44.

Section Three: Sewage Bills: All sewage usage charges billed are due and payable in full upon receipt. Sewage bills are deemed delinquent if not paid in full within 10 days after date of mailing. A 5% late fee shall be assessed on each delinquent account on the 11th day after due. Any delinquent sewage bill

shall be subject to water service shut off according to the same procedures set forth in Ordinance 2013-7 for delinquent water bills.

Section Four:

Collection and Assessment:

a) The titled owner of real property, tenant or occupier of property receiving sewage service shall be responsible jointly and severally for any unpaid sewage charges. When sewage charges are not paid when due, the Village Fiscal Officer may certify them, together with any penalties, to the County Auditor for collection as authorized by R.C. §729.49.

b) The Solicitor is authorized to take actions at law to collect delinquent sewage charges, as the Solicitor after consultation with the Mayor or Village Administrator deems appropriate.

Section Five:

Administration: The Village Administrator is authorized to implement this Ordinance in the exercise of sound discretion and may issue rules, regulations, notices and procedures as may be necessary and prudent to carry out the purposes and intent of this Ordinance and for it's administration as provided in R.C. §729.50 and 729.51.

Section Six:

Non-resident Customers: Rates for sewage service provided outside Village limits are not subject to this Ordinance. Such rates may be set at a reasonable amount by the Village Administrator but shall not be less than the rates charged to Village residents.

Section Seven:

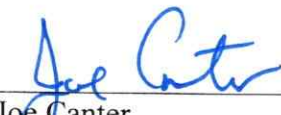
Repeal: The provisions of any prior Ordinance inconsistent with any provisions herewith are repealed.

Section Eight:

Emergency: This Ordinance being necessary for the health, welfare and safety of the Village residents who may be at risk for sewage line collapse, clogging, overflow and discharge of raw sewage into the environment, and for the fiscal well-being of the Village regarding providing continued and uninterrupted sewage collection and treatment service to the residents of the Village, this Ordinance is declared to be an emergency measure which takes full effect immediately upon passage.


ENACTED this 14th day of June, 2017.

ATTEST:



Joe Canter
Council President

ATTEST:



Leslie Nicholson
Fiscal Officer

APPROVED AS TO FORM:


Robert J. Shostak, Esq.
Solicitor

APPROVED:

 (acting mayor)
Robert Matthey
Mayor

First Reading: 05/16/17

Second Reading: 06/06/17

Third Reading: 06/14/17

CERTIFICATION OF VILLAGE CLERK
AS TO POSTING OF ORDINANCE

The foregoing is a true copy of the original Ordinance No. 2017-4

Publication of the Ordinance was made by posting a copy of the same in the following five locations within the Village, beginning on June 15, 2017 and concluding on June 30, 2017 (at least 15 days later):

LOCATION

DATE POSTED

Town Hall

06/15/17

Post Office

06/15/17

Library

06/15/17

Cee Dee Mart

06/15/17

T's Quick Stop

06/15/17

ATTEST:

Date: 06/06/17


Village Fiscal Officer

