

ORDINANCE 09-10

AN ORDINANCE CREATING CHAPTER 50 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD, OHIO (VILLAGE WATERWORKS SYSTEM), AND ENACTING SECTIONS PERTAINING TO THE CHARGES FOR WATER AND WATER SERVICE PROVIDED BY THE VILLAGE OF ROCKFORD, REPEALING ANY CONFLICTING LEGISLATION, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is necessary to establish charges for water in a fair and consistent manner which collects revenue adequate for the operation, maintenance, and replacement fund for the operation of the water system.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO THAT

SECTION ONE: The Village Administrator is hereby authorized and directed to manage and control the waterworks system in said Village in a safe, economical, and efficient manner provided by law.

SECTION TWO: The said Village Administrator is further authorized and directed to make such by-laws and regulations as may be deemed necessary for the safe, economical, and efficient management and protection of said waterworks system, subject to the laws of the State of Ohio and the ordinances and resolutions of the Village of Rockford, Ohio.

SECTION THREE: That Section 50.01 of the codified ordinances of the Village of Rockford, Ohio is enacted to read as follows:

Section 50.01 Charges for water and water service shall be charged and paid monthly at the office of Fiscal Officer at the same time as the charges for wastewater service are paid and shall be included on the same invoice as the charge for wastewater services for the same period.

Section 50.02 Definition of classes of users of the water service for the Village of Rockford:

- A. RESIDENTAL CLASS shall include all single or multiple unit accounts.
- B. COMMERCIAL CLASS shall include all non-residential accounts
- C. BULK WATER USERS shall include bulk water customers of who fill their tanks with village water.

The Village Administrator shall have the authority to determine the class of each user.

Section. 50.03. Charges for water service for the Village of Rockford, Ohio

- A. RESIDENTIAL CLASS: Minimum rate of \$31.00 for up to first 2,000 gallons and then \$3.50 per thousand for each additional 1,000 gallons.
- B. COMMERCIAL CLASS: Minimum rate of \$31.00 for up to the first 2,000 gallons and then 2.60 per each additional 1,000 gallons.
- C. BULK WATER USERS: the rate shall be \$15.00 per \$1,000 gallons

In the event that any condominium or apartments are serviced by one water meter, the monthly water service charge shall be determined by multiplying the number of units by the applicable minimum metered rate. It is the duty and responsibility of the landlord or owner of such multiple unit premises to notify the Fiscal Officer of the number of units vacant during any month. By way of example, an apartment house or condominium containing 10 units, each such individual unit shall be subject to an individual water service charge and should all occupied living units combined use under 20,000 gallons total for the month, the charge for the premises would be 10 times the minimum charge of \$31.00 or \$310.00 for the month. Any usage over the first 20,000 gallons would be charged an additional \$2.60 per 1,000 gallons.

This above fee schedule will apply to all applicable existing meters in residential and commercial categories. Hereafter each unit in a multifamily structure is required to have its own water tap, meter, and shut off.

Out of Corporation Users: Effective rates will be charged per month to all current out of corporation users of water. It is hereby declared that based upon the long term operation of the Village Water System that connections will no longer be allowed to those users outside the corporation limits, unless determined by the County Auditor's Map Department that there is no annexation point and said connection is in the best interest of all parties involved, with said agreement being name between the User and the Village Administrator. The User must hereby agree in writing in said circumstance to annex to the Village of Rockford, Ohio should there ever be a legal annexation point to the serviced property in the future. This agreement shall contain a clause setting forth that such agreement shall be attached to any annexation petition and shall serve as signature to said petition. These agreements shall be in a form of a covenant and shall run with the land and upon its execution shall be recorded in the Official Records of the Mercer County Recorder at the expense of the person serviced.

Section 50.04. Yearly Review of rates

The Council of the Village of Rockford, at the first meeting of June each year, may raise the water rates in accordance with the Consumer Price Increase of the preceding year. This may be done by motion and majority vote of Council. The increase will take effect for the June usage which is billed July 1.

Section .50.05. Non-payment penalties

A 10% penalty shall be added to all bills not paid by the 15th day of the month in which payment is due. If said bill remains unpaid on the 30th of the month, water services shall be discontinued. A \$25.00 disconnect fee will be added to the amount due.

Section 50.06 Payment responsibility: For rental and non-owner occupied properties service bill shall be the responsibility of the tenant. Failure to pay will result in court action. Owner of the property may request billing to remain his/her name.

To receive service, the customer must complete a utility application available at the Village Hall.

Section 50.10 Deposit of funds: All funds collected for water service shall be deposited into a separate and distinct fund known as the water fund, and said monies shall be used for the payment of costs and expenses incurred for the management, maintenance, enlargement, operation, and repair of the waterworks system and for no other purpose.

Section Four: Ordinance 11-21-02 and 06-08, and all other conflicting legislation be and the same are hereby repealed.

Section Five: This ordinance shall take effect and be in full force beginning the 1st day of January, 2011.

Passed this 21st day of December, 2010.

President of Council – Todd McKee

Fiscal Officer – Lisa Kuhn

Mayor – Amy Joseph