

Sponsor: Brown / Elliott

ORDINANCE NO. 81-15

AN ORDINANCE ESTABLISHING AN SEWER SERVICE CHARGES FOR SEWER CUSTOMERS OF THE CITY OF JACKSON FOR THE YEAR 2016, EFFECTIVE JANUARY 1, 2016, AND DECLARING AN EMERGENCY.

WHEREAS, Section 927.05, as amended by Ord. 33-12 established sewer service charges upto and including 2015 and established annual sewer service charge increases of 3% for each year after 2016; and

WHEREAS, the legislative authority of the City of Jackson has found it necessary establish sewer service charges for the year 2016, beginning January 1, 2016, in an amount 3% greater than those charges for 2015, in order to continue the operation of the wastewater treatment plant in accordance with Ohio law and within the terms of the consent order to which the City is subject and that the increase is necessary for the protection of the health, safety and welfare of the City and its residents; and

WHEREAS, the current language in Chapter 927 does not establish sufficient rates for sewer service charges for the period of January 1, 2016 to December 31, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT THE FOLLOWING BE AN ORDINANCE GOVERNING SEWER SERVICE CHARGES FOR THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND THAT IT BE NUMBERED AS SECTION 927.051 AND BE PLACED WITHIN THE JACKSON CITY CODE, AS SET FORTH BELOW, AND DECLARING AN EMERGENCY.

927.051 SEWER RATES ADJUSTMENT FOR 2016

Beginning January 1, 2016 and through December 31, 2016, the effective sewer service charges shall be 103% of the sewer service charge rates previously established for the year 2015 as set forth in section 927.05(b)(1) & (2) of the Codified Ordinances of Jackson, Ohio.

This Ordinance is hereby declared to be an emergency Ordinance necessary so as to increase those rates in order to continue the operation of the wastewater treatment plant in accordance with Ohio law and within the terms of the consent order to which the City is subject and that the increase is necessary for the protection of the health, safety and welfare of the City and its residents. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

EXHIBIT A

927.05 SEWER RATES.

(a) Definitions.

- (1) “User charge” means that charge assessed users of the sewage system to recover the cost of operations, maintenance and replacement of the sewage collection and sewage treatment system, and the cost of rendering bills and collecting sewer service charges.
- (2) “Operation and maintenance costs” means the cost incurred in the act of keeping all facilities for collecting, pumping, treating and disposing of sewage, in a good state of repair and functioning properly, including the replacement of such facilities when necessary.
- (3) “Replacement” means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (4) “Debt service” means the funds used for the retirement of and interest on bonds and/or notes authorized and issued by the City to construct sewage system facilities.
- (5) “Sewer service charge” means the total charge levied against users of the sewage system for sewer service. The charge shall include user charges plus the cost of debt service.
- (6) “Commercial user” means any user of the sewage systems not specifically categorized as residential or industrial, and generally classified in the Standard Industrial Classification (SIC) Manual in Division F – Wholesale Trade; Division G – Retail Trade; Division H – Finance, Insurance and Real Estate; portion of Division I – Services; and Division J – Public Administration.
- (7) “Industrial user” means any nongovernmental user of the publicly owned treatment works identified in the SIC Manual of the U.S. Office of Management and Budget, as amended and supplemented, under the following division: Division A – Agriculture, Forestry and Fishing; Division B – Mining; Division D – Manufacturing; Division E – Transportation, Communication, Electric, Gas and Sanitary Service; and Division I – Services. A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.

(2) COMMODITY CHARGES (AS OF 10/1/2012, AND FORWARD):

FIRST 1,000,000 GALLONS PER MONTH:

<u>TOTAL</u>	<u>10/1/2012</u>	<u>1/1/2013</u>	<u>1/1/2014</u>	<u>1/1/2015</u>
/1000 GAL.	\$8.32	\$9.65	\$10.81	\$11.67

OVER 1,000,000 GALLONS PER MONTH:

<u>TOTAL</u>	<u>10/1/2012</u>	<u>1/1/2013</u>	<u>1/1/2014</u>	<u>1/1/2015</u>
/1000 GAL.	\$4.94	\$5.73	\$6.42	\$6.93

THE FOREGOING RATES ARE SUBJECT TO A THREE PERCENT (3%) INCREASE, TO BE INSTITUTED JANUARY 1ST OF EACH YEAR AFTER 2016; IN THE EVENT THE INCREASE IS NOT NEEDED, IT MAY BE WAIVED.

- (3) Annual review of charges. The sewer service charge and user charges shall be reviewed annually by the City in order to determine whether or not they are sufficient to defray the fixed charges, amortization costs, and annual cost of operation and maintenance of the sewage system. If the difference between the total revenue derived and the total annual cost is sufficient to justify an increase or decrease in the sewer service charge or user charges, the City will adjust the rate as required.

Every other year, grantees must review the wastewater contribution of users, total OM & R costs and the adequacy of user charges.

Each user shall be notified as least annually, in conjunction with a regular bill, of the rate and that portion of the sewer service charge which is attributable to operation, maintenance and replacement costs of wastewater treatment services.

- (4) Late payment charges. Payment of bills are due on the date listed on said bill. In the event the due date is on a weekend or holiday recognized by the City, then the due date shall be on the next business day.

A delinquent charge of ten percent (10%) of the total amount of a sewer charge shall be added to the charges hereinabove set forth if such amount is not paid on or before the due date of such bill.

other pollutant into the sewage system or for any other reason that it deems necessary and appropriate, such as excessively high rate of discharge.