

# AGENDA

## WADSWORTH CITY COUNCIL

*Tuesday January 6, 2026 at 6:30 p.m.*

*City Council Chambers*

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Proclamation - *Wadsworth High School Football Team*
6. Election of Clerk of Council & Deputy Clerk of Council
7. Approval of President of Council's Committee and Commission Assignments
8. Election of President Pro-Tem
9. Election of Vice Pro-Tem
10. Approval: The Rules of Council 2026-2027
11. Approval Minutes - Regular City Council December 16, 2025
12. Visitors
13. Correspondence
14. Committee & Commission Update
15. Reading of Legislation

**RESOLUTION NO. 25-20 (2<sup>nd</sup> RDG) A RESOLUTION REQUESTING ADVANCE PAYMENTS OF MONEY THAT MAY BE IN THE MEDINA COUNTY TREASURY TO THE ACCOUNT OF THE CITY OF WADSWORTH AS PROVIDED FOR IN SECTION 321.34 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Parish
- Discussed at Committee of The Whole Dec. 16, 2025

**ORDINANCE NO. 25-218 (2<sup>nd</sup> RDG) AN ORDINANCE TO AMEND SECTION 52.01 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH WITH REGARD TO ELECTRIC SERVICE RATES AND TO DECLARE AN EMERGENCY**

- Sponsored by Council Member Tom Stugmyer
- Discussed at Public Service December 9, 2025

**ORDINANCE NO. 25-219 (2<sup>nd</sup> RDG) AN ORDINANCE TO AMEND SECTION 54.23 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH WITH REGARD TO WATER SERVICE RATES AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Tom Stugmyer
- Discussed at Public Service December 9, 2025

**ORDINANCE NO. 25-220 (2<sup>nd</sup> RDG) AN ORDINANCE TO AMEND SECTIONS 53.35, 53.37 AND 53.38 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO INCREASE SEWER RATES AND DECLARE AN EMERGENCY**

- Sponsored by Council Member Tom Stugmyer
- Discussed at Public Service December 9, 2025

16. Other Business
17. Adjournment

**RESOLUTION NO. 25-20**

Sponsored by Council Member \_\_\_\_\_

**A RESOLUTION REQUESTING ADVANCE PAYMENTS OF MONEY THAT MAY BE IN THE MEDINA COUNTY TREASURY TO THE ACCOUNT OF THE CITY OF WADSWORTH AS PROVIDED FOR IN SECTION 321.34 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 321.34 of the Ohio Revised Code provides that when a municipal corporation as a local authority by resolution so requests, the county auditor shall pay the treasurer of such municipal corporation, any money that may be in the county treasury to the account of such local authority and lawfully applicable to the purpose of the current fiscal year in which such request is made, and

**WHEREAS**, the Council of the City of Wadsworth, Ohio has determined to make request for advance payments of money, as provided in Section 321.34 of the Ohio Revised Code, from the county treasury to the treasurer of the City of Wadsworth in order to make such funds available to use at the earliest possible time, **NOW THEREFORE**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**SECTION 1.** That this Council hereby requests advance payments of money that may be in the Medina County Treasury to the account of the City of Wadsworth as provided in Section 321.34 of the Ohio Revised Code. This request shall apply to all tax advances payable during the year 2026.

**SECTION 2.** That this Resolution is hereby deemed an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety in the City of Wadsworth in order to provide funds for necessary public services as soon as possible; **WHEREFORE**, this ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. 12-16-25

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

**ORDINANCE NO. 25-218**  
**Sponsored by Council Member Tom Stugmyer**

**AN ORDINANCE TO AMEND SECTION 52.01 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH WITH REGARD TO ELECTRIC SERVICE RATES AND TO DECLARE AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That section 52.01 of the Codified Ordinances is hereby amended to read as follows:

**§ 52.01 ELECTRIC RATES.**

(A) *Residential single phase electric service; Schedule "R"*. Residential single phase electric service shall be made available in accordance with the following conditions and rates:

(1) *Availability and applicability.* Available system-wide for only single phase service supplied to all residential consumers located within the service area of the Municipal Electric Distribution System of the city. All applications for service shall be in accordance with and conform to the provisions of Chapter 50 through Chapter 56 of this Code and the regulations adopted by the Director of Public Service there under.

(2) *Residential.* This schedule is applicable for service supplied to what is ordinarily designated and recognized as individual single-family, residential, home or farm use, including apartments, mobile homes and other individual single-family dwelling units or living quarters or apartments. (See division (A)(9)(d) of this section).

(3) *Non-residential and commercial.* Service supplied for users that are ordinarily considered in public utility operations as being non-residential, non-home, or non-farm use, shall be considered as commercial or power in character and shall be so billed. For further definition of non-residential service, see division (B) of this section Commercial Schedule "C" and the electric utility's by-laws and regulations.

(4) *Residential and non-residential combined.* Where electric service is supplied for a combined residential and non-residential or commercial use, the Commercial Schedule "C" or "C3" shall apply or, at consumer's option, the wiring shall be separated (subject to electric utility's inspection and approval) and each class of service separately metered and billed in accordance with the applicable schedules.

(5) *Net rate per month or part thereof per individual dwelling unit.*

(a) The billing shall be calculated under the applicable rate set forth below:

<b>Residential Schedule "R"</b>		
<b>Effective:</b>	<b>Within Corporate Limits</b>	<b>Outside Corporate Limits</b>
Monthly Charge (KWH)	\$10.00(min.)	\$10.00(min.)
Plus first 500	@\$.11349/KW H	@\$.11501 /KW H
Next 1,000	@\$.09823/KW H	@\$.09916 /KW H
Over 1,500	@\$.07942/KW H Includes the KWH Tax mandated by the State of Ohio	@\$.08123/KW H plus the KWH Tax mandated by the State of Ohio

(b) The forgoing rates are subject to the capacity charge, monthly minimum charge and other applicable provisions hereinafter set forth.

(6) *Capacity charge.* Where capacity or demand meters are installed and the measured capacity exceeds 20 KW, the above rates may, at the option of the electric utility, be increased by an amount equal to \$7.25 multiplied by the number of KW of such capacity that is in excess of 20 KW.

(7) *Monthly minimum charge.* The minimum charge under Schedule "R" shall not be less than \$10.00 per month.

(8) *Other terms and conditions.*

(a) *Character of service furnished.* The type of service furnished under Schedule "R" shall be single phase at a normal potential of approximately 120/240 volts, three-wire, 60 cycles. Service will not be furnished where individual single phase motors larger than ten HP are installed except where written permission is granted by the electric utility. Schedule "R" is not applicable for three-phase service. If three-phase service is supplied, Commercial Schedule "C" shall apply to all service.

(b) *Meter reading.* All meters readings and billings shall be based on the multiplier of the meter installed by the electric utility.

(c) *Metering voltage.* The electric utility reserves the right to meter consumer's requirements in the most practical manner, either at secondary or primary distribution voltage, and in either case the billing KWH shall be the metered KWH.

(d) *Multiple dwelling units.* Schedule "R" is applicable to existing installations, where not more than three dwelling units, apartments, living quarters or mobile homes are supplied through one meter. In such an event, for billing purposes, the KWH shown for each rate step or block and the minimum charge of the applicable rate shall be multiplied by the number of living quarters served. Where four or more living quarters, or dwelling units are supplied through one meter, the Commercial Schedule "C" shall apply. In all cases where more than one unit is supplied through one meter, the property owner of record shall receive all billings. All new installations shall be separately wired, metered, and billed.

(e) *Application for service.* All applications for service shall be in accordance with and conform to the provisions of Chapter 50 through Chapter 56 of this Code and the regulations adopted by the Director of Public Service there under.

(f) *Budgeted terms of payment for house heating service.* At the request of the consumer who is using electricity as the principle means of heating a home, upon the approval of the electric utility, a budget plan for the payment of electric service bills may be used. Based on actual experience or history of usage, the electric utility will compute the annual electric service bill for all purposes and divide same by 12. The result shall be the amount to be paid by the consumer. All budget plans shall be applied for in writing on electric utility's budget billing form and shall commence with the bill payable in September of each year. At the end of each annual billing period, terminating with the bill payable in August, the difference between the amount payable for all of the KWH actually used by the consumer during the first 11 months of said annual billing period and the amount actually paid under the budget plan shall be determined and shall be the balance due the electric utility. Said balance plus the actual bill for the twelfth month of said annual billing period shall be payable in August on or before the date specified on bill. Any overpayment will be credited to consumer's account. Payments received after the due date noted on monthly bills will cause the account to be removed from the budget billing plan.

(g) All new line extensions to permanent installations involving more than an aggregate and combined distance of primary, secondary and service drop in excess of 250 feet shall be subject to the conditions set forth in electric utility's by-laws and regulations relating to "unusual service extensions".

(h) The rates under Schedule "R" are based upon and dependant upon federal, state, county, municipal, and other government levies, including gross receipts, income taxes, license fees and other impositions of similar character in effect as of May 1, 2001. In event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased by a surcharge equal to the amount of the cost per KWH, or per consumer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, licenses or fees. No adjustment shall be made due to variations or changes in the federal income tax rate.

(i) Demand response service; Schedule "DR". Demand response service shall be made available to customers on a voluntary basis. Residential customers demand response service shall be available as defined in the by-laws of the electric and communications division.

(9) *Power cost adjustment.* The Residential Rate Schedule "R" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(B) *Commercial electric service.* Schedule "C" and "C3". Commercial electric service shall be made available in accordance with the following conditions and rates.

(1) *Availability and applicability.* Available and applicable for single and/or three phase service for all non-residential use not specified in Residential Schedule "R" (division (A) of this section) and for all service where three-phase service is supplied to residential consumers. It includes service furnished to retail or wholesale businesses, small manufacturing or processing establishments, hotels, tourist or trailer camps, motels, stores, restaurants, service stations, professional offices, multiple dwelling units, apartment houses, clubs, lodges, public buildings, etc., and for all other uses that are not ordinarily considered as being strictly residential, home, or farm use in character. A separate bill will be rendered for each service and/or meter installed. Service will be furnished in accordance with this division and in accordance with the electric utility's by-laws and regulations or subsequent revisions thereof.

(2) *Net rate per month or part thereof.*

<b>Commercial/Non-Residential Schedule "C"</b>		
Effective:	Within Corporate Limits	Outside Corporate Limits
Monthly Charge (KWH)	\$20.00 (min.)	\$20.00 (min.)
Plus first 2,000	@\$.10548 /KWH	@\$.10706 /KWH
Next 8,000	@\$.09760/KWH	@\$.09971/KWH
Over 10,000	@\$.07242/ KWH Includes the KWH Tax mandated by the State of Ohio effective:	@\$.07557/KWH plus the KWH Tax mandated by the State of Ohio effective:

Commercial/Non-Residential Schedule "C3"		
Effective:	Within Corporate Limits	Outside Corporate Limits
Monthly Charge (KWH)	\$33.00 (min.)	\$33.00 (min.)
Plus first 2,000	@\$.10569 /KWH	@\$.10747 /KWH
Next 8,000	@\$.09882/KWH	@\$.10156/KWH
Over 10,000	@\$.06996 KWH Includes the KWH Tax mandated by the State of Ohio effective:	@\$.07523 /KWH plus the KWH Tax mandated by the State of Ohio effective:

(a) Plus an additional charge of \$7.25 "C" and \$8.20 "C3" for each unit of billing capacity in excess of 40 KW.

(b) All billings under the above rates are subject to the minimum charge and other provisions hereinafter set forth.

(3) *Monthly minimum charge.* Where three-phase service is furnished, the applicable monthly minimum charge shall apply on a year round basis of not less than 12 consecutive months. Seasonal disconnection of three-phase service shall not avoid the applicable monthly minimum charge. Where service is furnished for charitable, philanthropic, non-profit, community activities (such as governmental or tax supported athletic fields, swimming pools, fairs, carnivals, and the like) the electric utility reserves the right to waive the aforementioned minimum billing periods for which the minimum charge shall be applicable. In such an event service shall be billed monthly and the minimum charge shall apply only during those months that service is actually connected or energized. The monthly minimum charge shall be not less than the highest minimum charge as determined by any of the following methods:

(a) For single phase where capacity metering equipment is not installed, the basic minimum charge shall be \$20.00 under Schedule "C". For each KVA of installed or allocated transformer capacity in excess of ten KVA the basic minimum charge will be increased by \$1 per KVA. Where capacity metering equipment is installed, the minimum charge shall be \$7 per unit of billing capacity as determined hereafter but not less than the applicable basic minimum charge as determined above.

(b) For three-phase service the minimum charge shall be \$33.00 under Schedule "C3" but not less than \$1 for each KVA of installed or allocated transformer capacity, nor less than \$7 per unit of billing capacity under Schedule "C3". Except as previously specified, seasonal or other disconnection of service shall not affect or eliminate the three-phase minimum charges set forth herein.

(c) For combined single phase and three-phase service the minimum charge shall be the sum of the individual minimum charges as determined under divisions (B)(3)(a) and (B)(3)(b) above but not less than \$53.00.

(4) *Determination of unit of billing capacity.* The KW billing capacity shall be the highest measured 15 minute integrated or equivalent thermal KW capacity determined to the nearest KW by means of suitable metering equipment but not less than 45% of the highest KW capacity so determined during the preceding 11 months. Whenever the power factor is less than 90%, the electric utility reserves the right to determine the billing capacity on the basis of KVA capacity

instead of KW capacity. The billing capacity applicable to Rate Schedule "C" and "C3" shall be the KW or KVA capacity as determined above that is in excess of 40 but not less than the minimum contracted.

(5) *Other terms and conditions.*

(a) The type of service available under Rate Schedule "C" and "C3" will be supplied through a single set of service wires to a single meter location. The voltage shall, at the electric utility's option, be either 120/240 volt three-wire single phase service or 120/208 volt four-wire or 277/480 volt four-wire three phase service.

(b) When in the opinion of the electric utility, 500 KVA or more of substation transformer capacity is required to supply consumer's existing and probable future requirements, the electric utility reserves the right to require consumer to make the necessary complete substation transformer installation. In such an event the service will all be billed under the provisions of division (C) of this section, with the consumer receiving the substation transformer discount as set forth therein.

(c) All service shall be delivered through a single set of service wires at a single location to be designated by the electric utility.

(d) For each service and meter location, the electric utility shall render a separate bill for electric services used subject to minimum charges.

(e) Where the premises are used and occupied by a consumer as a non-residential or commercial establishment and also as a residence or for farm use as defined herein and where only single phase service is furnished, all service shall be billed under Schedule "C". At the consumer's option, the wiring may be separated subject to the electric utility's inspection and approval. Under such conditions each class of service will be metered separately and billed in accordance with the applicable schedules.

(f) Normally only single phase service is available by the electric utility. Service will not be furnished to operate individual single phase motors in excess of ten HP rating except where written permission is granted by the electric utility.

(g) All motors ten HP and larger shall be equipped with reduced voltage starting equipment or other control devices so as to avoid unnecessary voltage surges on the electric utility distribution system.

(h) The electric utility may at its option furnish three phase service only where such service is already available immediately adjacent to consumer's property and only where it is practical and economical to do so. Consideration to the investment required and probable use of three phase service by consumer and where the consumer enters into an appropriate contract that recognizes the investment involved will determine any line extension.

(i) The electric utility reserves the right to increase the minimum period of service and/or to increase the minimum charge where an unusual investment is required to furnish service as compared to the estimated or probable revenue to be received.

(j) In determining consumer's classification for billing purposes, any establishment carrying a business, professional, or commercial telephone directory listing shall automatically be classified as being non-residential or commercial in character. However, the absence of such listing shall not be a determining factor in establishing that the service utilization is not non-residential or commercial in character.

(k) Seasonal service. Only single phase service is available for periods of less than 12 months with the minimum billing period to be not less than four consecutive months each time service is established.

(l) Metering voltage. The electric utility reserves the right to meter consumer's requirements in the most practical manner either at secondary or primary distribution voltage and in either case the billing KWH shall be the metered KWH.

(m) Definition of rural commercial service. Service in rural areas, defined as areas outside city's corporate limits, shall be considered as commercial in character where such service is not incidental to residential use or general farming operations and/or where such service is used for the preparation or processing of food or other products to the extent that same are substantially in a form that they can be used or can be readily adopted for use by, or for sale to, the ultimate consumer. All electric service supplied in rural areas for activities, purposes or uses that, when carried on in urban or incorporated areas, are considered and defined by the electric utility industry as being non-residential or commercial in character, shall likewise also be considered and defined as non-residential or commercial for all rural areas and such service shall be billed under Schedule "C" and "C3".

(n) Temporary service. Temporary service shall be supplied in accordance with the foregoing rates except that the consumer shall pay in addition the foregoing charges, those charges specified in division (F) of this section. A deposit in advance may be required to cover the estimated bill for electric service plus the "up and down" costs of establishing the service.

(o) Use of service. Service under Schedule "C" and "C3" shall not be resold or "submetered".

(p) The rates under Schedule "C" and "C3" are based upon and dependent upon federal, state, county, municipal, and other government levies, including gross receipts, income taxes, license fees and other impositions of similar character in effect as of May 1, 2001. In event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased by a surcharge equal to the amount of the cost per KWH, or per customer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, license or fees. No adjustment shall be made due to variations or changes in the Federal Income Tax Rate.

(q) Demand response service; Schedule "DR". Demand response service shall be made available to customers on a voluntary basis. Commercial customers demand response service shall be available as defined in the by-laws of the electric and communications division.

(6) *Power cost adjustment.* The non-residential rate Schedule "C" and "C3" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(C) *Large power electric service; Schedule "P".* Large power electric service shall be made available in accordance with the following conditions and rates:

(1) *Availability and applicability.* The Large Power Service Schedule "P" is available to all consumers located along existing electrical distribution lines of the electric utility who use electric utility's standard service for single or three-phase service and who guarantee a monthly billing capacity to be specified by the service application or by contract but not less than 500 KVA. Service under Schedule "P" will be furnished only on a 12-month non-seasonal basis by contract in accordance with the following stipulations and also be in accordance with the electric utility's by-laws and regulations or subsequent revisions thereof which are on file with the Clerk of Council. This schedule is applicable for all consumers' electric service requirements, both single and three-phase, whenever supplied by the electric utility. For single phase service only, Schedule "P" is an optional schedule available to consumer upon written request for periods of not less than 12 consecutive months. If, in the opinion of the electric utility, 500 KVA or more of

substation transformer capacity is required to supply consumer's existing and probable future requirements, the electric utility reserves the right to require consumer to install the necessary complete transformer equipment and in such event this Schedule "P" shall apply (see division (C)(7)(a) this section.)

(2) *Net rate per month of service.*

(a) The total monthly billing shall be the sum of the following charges:

<b>Large Power Schedule "P3"</b>		
	<i>Within Corporate Limits</i>	<i>Outside Corporate Limits</i>
Monthly Facilities Charge	\$325.00	\$325.00
First portion (capacity charge)		
All KVA of capacity	@\$9.75 per KVA	@\$10.00 per KVA
Second portion (energy charge):		
First 250 KWH per KVA	@\$0.06401/KWH	@\$0.07069/KWH
Over 250 KWH per KVA	@\$0.05774/KWH	@\$0.05321/KWH
	Includes the KWH tax mandated by the state effective May 1, 2001.	plus the KWH tax mandated by the state effective May 1, 2001.

(b) The resultant billing as determined above shall be subject to the minimum charge, discount for furnishing of substation, transformer, tax, and other adjustments hereinafter set forth.

(3) *Monthly minimum charge.* The monthly minimum charge under Schedule "P3" shall not be less than \$9.75 per KVA in city, \$10.00 per KVA outside city, of billing capacity nor less than \$1,200 per month, nor less than the minimum charge specified in consumer's service application or contract with the electric utility. Said minimum charge shall have added to same any "special tax and assessment adjustment" that may be applicable as provided in division (C)(7)(b) of this section. The minimum charge is applicable on a 12 month, year round, basis and seasonal disconnects will not avoid the applicable minimum charge except as provided herein under "Determination of KVA Billing Capacity", division (C)(4) of this section.

(4) *Determination of billing capacity.* The monthly KVA billing capacity shall normally be determined by measurement by taking the highest 15 minute integrated or equivalent thermal KW capacity and dividing same by the power factor expressed as a decimal. The KVA capacity may also be determined, at the electric utility's option, by means of other suitable indicating or recording metering equipment; either continuously or by periodic tests made by the electric utility at suitable intervals as determined by the electric utility. Refer to division (C)(5) of this section for special provisions for off-peak billing capacity. The power factor may be taken as the

average monthly power factor as determined by a ratcheted RKWH (RKVAH) meter or the power factor occurring at the time of maximum capacity as determined by using the maximum 15 minute integrated or thermal KW and RKW capacities to calculate same or the power factor as determined by means of periodic tests made by the electric utility using standard metering equipment. Where highly fluctuating or intermittent loads (such as welding machines, electric furnaces, hoists, elevators, X-rays, and the like) are in operation by the consumer, the electric utility reserves the right to determine the billing capacity by averaging consumer's total load over a two minute period or by increasing the 15 minute measured maximum capacity by an amount equal to 50% of the name plate KVA capacity of the fluctuating equipment in operation by the consumer. Where such fluctuating loads require additional or separate transformers or additional system capacity, an additional separate capacity charge may be made and which shall be based on a special study of the consumer's requirements. The monthly KVA billing capacity shall be as determined above but in no event shall the billing capacity be less than the highest of whichever of the following is applicable:

(a) Forty-five percent of the highest KVA capacity measured during the preceding 11 months but not less than the applicable minimum billing capacity as specified in division (C)(4)(b) or (C)(4)(c) below, nor less than 500 KVA.

(b) Not less than the minimum KVA capacity as specified by the electric utility and set forth in consumer's service application or contract with the electric utility. In specifying said minimum contract capacity in KVA, the electric utility will take into consideration the system capacity and companion investment reserved in order to serve both consumers' initial and contemplated future requirements.

(c) For service furnished to public schools and other governmental use, the electric utility reserves the right to waive the provisions set forth in division (C)(4)(a) and (C)(4)(b) above. In such an event and as long as service is connected, the minimum billing capacity shall be as actually measured but in no event less than 500 KVA. Where such service is furnished for seasonal activities such as tax supported athletic fields and the like, the minimum billing capacity and minimum charge may, at the option of the electric utility, be waived during any regular billing period that service is disconnected for the entire billing or meter reading period.

(5) *Off-peak power determination of billing capacity.* This subdivision permits the establishment of billing capacity by measurement of coincidental peaks of the electric utility and the consumer. This provision is only available to the large power consumer where all of the consumer's requirements are supplied at primary voltage, and who furnish, own, operate and maintain the necessary complete transformer equipment required by the electric utility and who contracts for a minimum billing capacity of not less than 1,000 KVA.

(a) The consumer shall install, under the supervision of the electric utility, at their sole expense, suitable capacity recording measuring equipment approved by the electric utility.

(b) The electric utility shall compute the billing capacity by using the KW capacity coincident with the electric utility's billing peak during the same period.

(6) *Other terms and conditions.*

(a) Where individual or unusual substation installations are required to serve the consumer, the electric utility reserves the right to require the consumer to install at consumer's expense, the necessary complete system (consisting of transformers, structure, protective devices, etc., required to utilize service at the primary voltage designated by the electric utility. The size, capacity and other specifications of such transformer shall be determined by the electric utility and the entire installation shall conform to the electric utility specifications. When the consumer owns, operates, and maintains the necessary complete transformer, a discount of \$0.25 per KVA of billing capacity will be reflected in consumer's bill. However, the resultant bill

shall in no event be less than the applicable monthly minimum charge as determined in division (C)(4) of this section.

(b) The rates under Schedule "P3" are based upon and dependent upon federal, state, county, municipal, and other government levies, including gross receipts, income taxes, license fees and other impositions of similar character in effect as of May 1, 2001. In event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased by a surcharge equal to the amount of the cost per KWH, or per consumer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, licenses or fees. No adjustment shall be made due to variations or changes in the federal income tax rate.

(c) For each service or meter location, the electric utility reserves the right to use either one combination single and three-phase meter or separate single and three-phase meters. In such latter event the maximum capacity and KWH readings will be added arithmetically and a single bill under the above rates will be rendered to the consumer. The above rates are based upon metering at the electric utility's primary voltage at consumer's premises. The electric utility reserves the right to meter consumer's requirements at secondary voltage, in which event the KWH for billing purposes shall be the secondary metered KWH multiplied by 1.05 to allow for transformation losses.

(d) Secondary service available under Schedule "P3" will be 120/208 volt four-wire or 277/480 volt four-wire three phase, or 120/240 volt three-wire single phase service. As to the availability of three-phase service refer to the electric utility by-laws and regulations. All service shall be supplied through a single set of service wires. Any special transformers required for lighting shall be furnished by consumer. The primary service voltage will be determined by the electric utility taking into consideration consumer's capacity requirements and in no event shall the primary voltage be considered as being less than 12,470 volts.

(e) All motors of five HP or greater name-plate rating shall be equipped with reduced voltage starting devices so as to avoid unnecessary voltage disturbances to electric utility. Refer to the electric utility by-laws and regulations.

(f) Where power factor corrective equipment is installed by consumer, the electric utility reserves the right to require consumer to install at his expense such control and switching devices as are necessary to prevent excessive or detrimental voltage variations or harmonic distortion on electric utility's system or to electric utility's consumers.

(g) Temporary, seasonal, or unusual service. For such service the minimum charge conditions, furnishing of substation equipment, connection and disconnection of service, financing of service facilities required and the like, will be covered by a special agreement contract with the consumer. The consumer shall pay all "up and down" costs involved in connection with the furnishing of any temporary service. Refer to the electric utility by-laws and regulations.

(h) Contract provisions. Service will be rendered under Schedule "P3" upon application by the consumer for an initial contract period of not less than 12 months or longer, depending upon the investment required to supply consumer's requirements, revenue to be received from consumer, etc. The electric utility shall set forth in said contract the monthly minimum charge, the minimum billing capacity in KVA and the contribution in aid of construction, if any, to be made by consumer plus other related matters as are pertinent to the furnishing of service to consumer, protection of electric utility's investment and assuring payment of consumer's accounts and the like.

(i) Use of service. Under no condition shall service be resold, submetered or shared with others.

(j) Demand response service; Schedule "DR". Demand response service shall be made available to customers on a voluntary basis. Large power customers demand response service shall be available as defined in the by-laws of the electric and communications division.

(7) *Power cost adjustment.* The Large Power Rate Schedule "P3" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(D) *Large Power Transmission Rate; Schedule "LPT".*

(1) *Availability and applicability.* The rate assumed the customer would own the complete substation (consisting of transformers, structure, protective devices, etc., required to utilize service at the primary voltage designated by the electric utility) and all equipment directly of the transmission system that serves the City of Wadsworth.

(2) *Net rate per month of service.* The total monthly billing shall be the sum of the following charges:

<b>Large Power Transmission Schedule "LPT"</b>		
	<i>Within Corporate Limits</i>	<i>Outside Corporate Limits</i>
Monthly Facilities Charge	\$875.00	\$875.00
First portion (capacity charge)		
All KVA of capacity	@\$4.50 per KVA	@\$4.75 per KVA
Second portion (energy charge):		
First 250 KWH per KVA	@\$0.06551/KW H	@\$0.06868/KW H
Over 250 KWH per KVA	@\$0.05547/KW H	@\$0.05917/KW H
	Includes the KWH tax mandated by the state effective May 1, 2001.	plus the KWH tax mandated by the state effective May 1, 2001.

(3) *Monthly minimum charge.* The monthly minimum charge under Schedule "LPT" shall not be less than \$4.50 per KVA in city, and \$4.75 outside the city, of billing capacity nor less than \$1,750 per month, nor less than the minimum charge specified in consumer's service application or contract with the electric utility. Said minimum charge shall have added to same and "special tax and assessment adjustment" that may be applicable as provided in division (C)(7)(b) of this section. The minimum charge is applicable on a 12 month, year round, basis and seasonal disconnects will not avoid the applicable minimum charge except as provided herein under "Determination of KVA Billing Capacity", division (C)(4) of this section.

(4) *Determination of billing capacity.* The monthly KVA billing capacity shall normally be determined by measurement by taking the highest 15 minute integrated or equivalent thermal KW capacity and dividing same by the power factor expressed as a decimal. The KVA capacity

may also be determined, at the electric utility's option, by means of other suitable indicating or recording metering equipment; either continuously or by periodic tests made by the electric utility at suitable intervals as determined by the electric utility. Refer to division (C)(5) of this section for special provisions for off-peak billing capacity. The power factor may be taken as the average monthly power factor as determined by a ratcheted RKWH (RKVAH) meter or the power factor occurring at the time of maximum capacity as determined by using the maximum 15 minute integrated or thermal KW or RKW capacities to calculate same or the power factor as determined by means of periodic tests made by the electric utility using standard metering equipment. Where highly fluctuating or intermittent loads (such as welding machines, electric furnaces, hoists, elevators, X-rays, and the like) are in operation by the consumer, the electric utility reserves the right to determine the billing capacity by averaging consumer's total load over a two minute period or by increasing the 15 minute measured maximum capacity by an amount equal to 50% of the name plate KVA capacity of the fluctuating equipment in operation by the consumer. Where such fluctuating loads require additional or separate transformers or additional system capacity, an additional separate capacity charge may be made and which shall be based on a special study of the consumer's requirements. The monthly KVA billing capacity shall be as determined above but in no event shall the billing capacity be less than the highest of whichever of the following is applicable:

(a) Forty-five percent of the highest KVA capacity measured during the preceding 11 months but not less than the applicable minimum billing capacity as specified in division (D)(4)(b) or (D)(4)(c) below, nor less than 500 KVA.

(b) Not less than the minimum KVA capacity as specified by the electric utility and set forth in consumer's service application or contract with the electric utility. In specifying said maximum contract capacity in KVA, the electric utility will take into consideration the system capacity and companion investment reserved in order to serve both consumers' initial and contemplated future requirements.

(c) For service furnished to public schools and other governmental use, the electric utility reserves the right to waive the provisions set forth in division (D)(4)(a) and (D)(4)(b) above. In such an event and as long as service is connected, the minimum billing capacity shall be as actually measured but in no event less than 500 KVA. Where such service is furnished for seasonal activities such as tax supported athletic fields and the like, the minimum billing capacity and minimum charge may, at the option of the electric utility, be waived during any regular billing period that service is disconnected for the entire billing or meter reading period.

(5) *Off-peak power determination of billing capacity.* This division permits the establishment of billing capacity by measurement of coincidental peaks of the electric utility and the consumer. This provision is only available to the large power consumer where all of the consumer's requirements are supplied at primary voltage, and who furnish, own, operate and maintain the necessary complete substation equipment required by the electric utility and who contracts for a minimum billing capacity of not less than 1,000 KVA.

(a) The consumer shall install, under the supervision of the electric utility, at their sole expense, suitable capacity recording measuring equipment approved by the electric utility.

(b) The consumer shall supply the electric utility monthly metering claims of the date specified by the electric utility.

(c) The electric utility shall compute the billing capacity by using the KW capacity coincident with the electric utility's billing peak during the same period.

(6) *Other terms and conditions.*

(a) The size, capacity, plans and other specifications of such substation shall be approved by the electric utility and the entire installation shall conform to the electric utility specifications.

However, the resultant bill shall in no event be less than the applicable monthly minimum charge as determined in division (C)(4) of this section.

(b) The rates under Schedule "LPT" are based upon and dependent upon federal, state, county, municipal, and other government levies, including gross receipts taxes, income taxes, license fees, and other impositions of similar character in effect as of May 1, 2001. In the event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased by a surcharge equal to the amount of the cost per KWH, or per consumer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, licenses or fees. No adjustment shall be made due to variations or changes in the federal income tax rate.

(c) For each service or meter location, the electric utility reserves the right to use either one combination single and three-phase meter or separate single and three-phase meters. In such later event the maximum capacity and KWH readings will be added arithmetically and a single bill under the above rates will be rendered to the consumer. The above rates are based upon metering at the electric utility's primary voltage at consumer's premises. The electric utility reserves the right to meter consumer's requirements at secondary voltage, in which event the KWH for billing purposes shall be the secondary metered KWH multiplied by 1.05 to allow for transformation losses.

(d) Where power factor corrective equipment is installed by consumer, the electric utility reserves the right to require consumer to install at his expense such control and switching devices as are necessary to prevent excessive or detrimental voltage variations or harmonic distortion on the electric utility's system or to electric utility's consumers.

(e) Temporary, seasonal, or unusual service. For such service the minimum charge conditions, furnishing of substation equipment, connection and disconnection of service, financing of service facilities required and the like, will be covered by a special agreement contract with the consumer. The consumer shall pay all "up and down" costs involved in connection with the furnishing of any temporary service. Refer to the electric utility by-laws and regulations.

(f) Contract provisions. Service will be rendered under Schedule "LPT" upon application by the consumer for an initial contract period of not less than 12 months or longer, depending upon the investment required to supply consumer's requirements, revenue to be received from consumer, etc. The electric utility shall set forth in said contract the monthly minimum charge, the minimum billing capacity in KVA and the contribution in aid of construction, if any, to be made by consumer plus other related matters as are pertinent to the furnishing of service, to consumer, protection of electric utility's investment and assuring payment of consumer's accounts and the like.

(g) Use of service. Under no condition shall service be resold, submetered or shared with others.

(h) Demand response service; Schedule "DR". Demand response service shall be made available to customers on a voluntary basis. Large power customers demand response service shall be available as defined in the by-laws of the electric and communications division.

(7) *Power cost adjustment.* The Large Power Rate Schedule "LPT" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(E) *Residential Single Phase Electric Service Time of Use Rate Schedule: "R-TOU"*. Residential single phase electric service with the rate schedule of "R-TOU", shall be made available in accordance with the following conditions and rates:

(1) *Availability and applicability.*

(a) The "R-TOU" is an optional (voluntary) rate schedule available to all consumers upon written request for periods of not less than 12 consecutive months. After one year they may choose to stay on the rate or cancel the rate and revert back to the electric Rate Schedule "R".

(b) Available system wide for only single phase service supplied to all residential customers located within the service area of the Municipal Electric Distribution System of the city.

(c) All applications for service shall be in accordance with and conform to the provisions of Chapter 50 through Chapter 56 of this Code and the regulations adopted by the Director of Public Service.

(2) *Residential.* This schedule is applicable for service supplied to what is ordinarily designated and recognized as individual single-family, residential, and home or farm use, including apartments, mobile homes, and other single-family dwelling units or living quarters or apartments.

(3) *Non-residential and commercial.* Service supplied for users that are ordinarily considered in public utility operations as being non-residential, non-home, or non-farm use, shall be considered as commercial or power in character and shall be so billed. For further definition of non-residential service, see division (B) of this section and the electric utility's by-laws and rules and regulations.

(4) *Residential and non-residential combined.* Where electric service is supplied for a combined residential and non-residential or commercial use, the Commercial Schedule "C-TOU", "C3-TOU" or "LP-TOU", shall apply or at consumer's option the wiring shall be separated (subject to the electric utility's inspection and approval) and each class of service shall be separately metered and billed in accordance with the applicable schedules.

(5) *Net rate per month or part thereof per individual dwelling unit.*

(a) The billing shall be calculated under the applicable rate set forth in the Rate Schedule Table. See below.

(b) The forgoing rates are subject to the capacity charge, monthly minimum charge and other applicable provisions hereinafter set forth.

(6) *Monthly minimum charge.* The monthly minimum service charge under Schedule "R-TOU" shall not be less than \$10.75 per month.

(7) *Other terms and conditions.*

(a) *Character of service furnished.* The type of service furnished under Schedule "R-TOU" shall be single phase at a normal potential of approximately 120/240 volts, three-wire, 60 cycles. Service will not be furnished where individual single phase motors larger than ten HP are installed except where written permission is granted by the electric utility. Schedule "R-TOU" is not applicable for three-phase service. If three-phase service is supplied, Commercial Schedule "C-TOU" shall apply to all service.

(b) *Meter reading.* All meters readings and billings shall be based on the multiplier of the meter installed by the electric utility.

(c) *Metering voltage.* The electric utility reserves the right to meter consumer's requirements in the most practical manner, either at secondary or primary distribution voltage, and in either case the billing KWH shall be the metered KWH.

(d) *Multiple dwelling units.* Schedule "R-TOU" is applicable to existing installations, where not more than three dwelling units, apartments, living quarters or mobile homes are

supplied through one meter. In such an event, for billing purposes, the KWH shown for each rate step or block and the minimum charge of the applicable rate shall be multiplied by the number of living quarters served. Where four or more living quarters, or dwelling units are supplied through one meter, the Commercial Schedule "C-TOU" shall apply. In all cases where more than one unit is supplied through one meter, the property owner of record shall receive all billings. All new installations shall be separately wired, metered, and billed.

(e) Application for service. All applications for service shall be in accordance with and conform to the provisions of Chapter 50 through Chapter 56 of this Code and the regulations adopted by the Director of Public Service there under.

(f) All new line extensions to permanent installations involving more than an aggregate and combined distance of primary, secondary and service drop in excess of 250 feet shall be subject to the conditions set forth in electric utility's by-laws and regulations relating to "unusual service extensions".

(g) The rates under Schedule "R-TOU" are based upon and dependent upon federal, state, county, municipal, and other government levies, including gross receipts, income taxes, license fees and other impositions of similar character in effect as of May 1, 2001. In event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased by a surcharge equal to the amount of the cost per KWH, or per consumer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, licenses or fees. No adjustment shall be made due to variations or changes in the federal income tax rate.

(8) *Power cost adjustment.* The Residential Rate Schedule "R-TOU" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(F) *Commercial Electric Service Time of Use Rate Schedule: Schedule "C-TOU".* Commercial electric service shall be made available in accordance with the following conditions and rates.

(1) *Availability and applicability.*

(a) The "C-TOU" is an optional (voluntary) rate schedule available to consumers upon written request for periods of not less than 12 consecutive months. After one year they may choose to stay on the current rate or cancel the rate and revert back to the Electric Rate Schedule "C".

(b) Available and applicable for single and/or three-phase service for all non-residential use not specified in Residential Schedule "R-TOU" (division (A) of this section) and for all service where three-phase service is supplied to residential customers. It includes service furnished to retail or wholesale businesses, small manufacturing or processing establishments, hotels, tourist or trailer camps, motels, stores, restaurants, service stations, professional offices, multiple dwelling units, apartment houses, clubs, lodges, public buildings, etc., and for all other uses that are not ordinarily considered as strictly residential, home or farm use in character. A separate bill will be rendered for each service and or meter installed. Service will be furnished in accordance with this division and in accordance with the electric utility's by-laws and rules and regulations or subsequent revisions thereof.

(c) All applications for service shall be in accordance with and conform to the provisions of Chapter 50 through Chapter 56 of this Code and the regulations adopted by the Director of Public Service.

(d) All billings under the above rates are subject to the minimum charge and other provisions hereinafter set forth.

(2) *Monthly minimum charge.* Where three-phase service is furnished, the applicable monthly minimum charge shall apply on a year round basis of not less than 12 consecutive months. Seasonal disconnection of three-phase service shall not avoid the applicable monthly minimum charge. Where service is furnished for charitable, philanthropic, non-profit, community activities (such as governmental or tax supported athletic fields, swimming pools, fairs, carnivals, and the like) the electric utility reserves the right to waive the aforementioned minimum billing periods for which the minimum charge shall be applicable. In such an event service shall be billed monthly and the minimum charge shall apply only during those months that service is actually connected or energized. The monthly minimum charge shall be not less than the highest minimum charge as determined by any of the following methods:

(a) For single phase where capacity metering equipment is not installed, the minimum monthly service charge shall be \$33.00 under Schedule "C-TOU". For each KVA of installed or allocated transformer capacity in excess of ten KVA the basic minimum charge will be increased by \$1.00 per KVA. Where capacity metering equipment is installed, the minimum charge shall be \$6.50 per unit of billing capacity as determined hereafter but not less than the applicable basic minimum charge as determined above.

(b) For three-phase service the minimum charge shall be \$33.00 but not less than \$1.00 for each KVA of installed or allocated transformer capacity, nor less than \$6.50 per unit of billing capacity as determined above. Except as previously specified, seasonal or other disconnection of service shall not affect or eliminate the three-phase minimum charges set forth herein.

(c) For combined single phase and three phase service the minimum charge shall be the sum of the individual minimum charges as determined under divisions (F)(2)(a) and (F)(2)(b) above but not less than \$66.00.

(3) *Determination of unit of billing capacity.* The KW billing capacity shall be the highest measured 15 minute integrated or equivalent thermal KW capacity determined to the nearest KW by means of suitable metering equipment but not less than 45% of the highest KW capacity so determined during the preceding 11 months. Whenever the power factor is less than 90%, the electric utility reserves the right to determine the billing capacity on the basis of KVA capacity instead of KW capacity. The billing capacity applicable to Rate Schedule "C-TOU" shall be the KW or KVA capacity as determined above that is not less than the minimum contracted.

(4) *Other terms and conditions.*

(a) The type of service available under Rate Schedule "C-TOU" will be supplied through a single set of service wires to a single meter location. The voltage shall, at the electric utility's option, be either 120/240 volt three-wire single phase service or 120/208 volt four-wire or 277/480 volt four-wire three phase service.

(b) When in the opinion of the electric utility, 500 KVA or more of transformer capacity is required to supply consumer's existing and probable future requirements, the electric utility reserves the right to require consumer to make the necessary complete transformer installation. In such an event the service will all be billed under the provisions of division (C) of this section, with the consumer receiving the transformer discount as set forth therein.

(c) All service shall be delivered through a single set of service wires at a single location to be designated by the electric utility.

(d) For each service and meter location, the electric utility shall render a separate bill for electric services used subject to minimum charges.

(e) Where the premises are used and occupied by a consumer as a non-residential or commercial establishment and also as a residence or for farm use as defined herein and where only single phase service is furnished, all service shall be billed under Schedule "C-TOU". At the consumer's option, the wiring may be separated subject to the electric utility's inspection and approval. Under such conditions each class of service will be metered separately and billed in accordance with the applicable schedules.

(f) Normally only single phase service is available by the electric utility. Service will not be furnished to operate individual single phase motors in excess of ten HP rating except where written permission is granted by the electric utility.

(g) All motors ten HP and larger shall be equipped with reduced voltage starting equipment or other control devices so as to avoid unnecessary voltage surges on the electric utility distribution system.

(h) The electric utility may at its option furnish three phase service only where such service is already available immediately adjacent to consumer's property and only where it is practical and economical to do so. Consideration to the investment required and probable use of three phase service by consumer and where the consumer enters into an appropriate contract that recognizes the investment involved will determine any line extension.

(i) The electric utility reserves the right to increase the minimum period of service and/or to increase the minimum charge where an unusual investment is required to furnish service as compared to the estimated or probable revenue to be received.

(j) In determining consumer's classification for billing purposes, any establishment carrying a business, professional, or commercial telephone directory listing shall automatically be classified as being non-residential or commercial in character. However, the absence of such listing shall not be a determining factor in establishing that the service utilization is not non-residential or commercial in character.

(k) Seasonal service. Only single phase service is available for periods of less than 12 months with the minimum billing period to be not less than four consecutive months each time service is established.

(l) Metering voltage. The electric utility reserves the right to meter consumer's requirements in the most practical manner either at secondary or primary distribution voltage and in either case the billing KWH shall be the metered KWH.

(m) Definition of rural commercial service. Service in rural areas, defined as areas outside city's corporate limits, shall be considered as commercial in character where such service is not incidental to residential use or general farming operations and/or where such service is used for the preparation or processing of food or other products to the extent that same are substantially in a form that they can be used or can be readily adopted for use by, or for sale to, the ultimate consumer. All electric service supplied in rural areas for activities, purposes or uses that, when carried on in urban or incorporated areas, are considered and defined by the electric utility industry as being non-residential or commercial in character, shall likewise also be considered and defined as non-residential or commercial for all rural areas and such service shall be billed under Schedule "C-TOU".

(n) Use of service. Service under Schedule "C-TOU" shall not be resold or "sub-metered".

(o) The rates under schedule "C-TOU" are based upon and dependent upon federal, state, county, municipal, and other government levies, including gross receipts, income taxes, license fees and other impositions of similar character in effect as of May 1, 2001. In event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased

by a surcharge equal to the amount of the cost per KWH, or per customer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, license or fees. No adjustment shall be made due to variations or changes in the federal income tax rate.

(5) *Power cost adjustment.* The non-residential rate Schedule "C-TOU" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(G) *Large Power Electrical Service Time of Use Rate Schedule: "L-TOU".* Large power electrical service shall be made available in accordance with the following conditions and rates:

(1) *Availability and applicability.* Potential "L-TOU" customers must currently be on Rate Schedule "P" and have an electric power purchase agreement with the city.

(a) The "L-TOU" is an optional (voluntary) rate schedule available to consumers upon written request for periods of not less than 12 consecutive months. After one year they may choose to stay on the rate or cancel the rate and revert back to the electric Rate Schedule "L-TOU".

(b) The Large Power Service Schedule "L-TOU" is available to all consumers located along existing electrical distribution lines of the electric utility who use electric utility's standard service for single or three-phase service and who guarantee a monthly billing capacity to be specified by the service application or by contract but not less than 500 KVA. Service under Schedule "L-TOU" will be furnished only on a 12-month non-seasonal basis by contract in accordance with the following stipulations and also be in accordance with the electric utility's by-laws and regulations or subsequent revisions thereof which are on file with the Clerk of Council. This schedule is applicable for all consumers' electric service requirements, both single and three-phase, whenever supplied by the electric utility. A separate bill will be rendered for each service and meter location. For single phase service only, Schedule "L-TOU" is an optional schedule available to consumer upon written request for periods of not less than 12 consecutive months. If, in the opinion of the electric utility, 500 KVA or more of transformer capacity is required to supply consumer's existing and probable future requirements, the electric utility reserves the right to require consumer to install the necessary complete substation transformer equipment and in such event this Schedule "L-TOU" shall apply (see division (C)(7)(a) this section.)

(c) *Power factor qualifier.* In order to be placed on the "L-TOU" rate schedule, the consumer must be above 90% power factor for the previous 12 consecutive months.

(2) *Monthly minimum charge.* The monthly minimum service charge under Schedule "L-TOU" shall not be less than \$76.60.

(3) *Other terms and conditions.*

(a) The rates under Schedule "L-TOU" are based upon and dependent upon federal, state, county, municipal, and other government levies, including gross receipts taxes, income taxes, license fees, and other impositions of similar character in effect as of May 1, 2001. In the event of an increase in rates of existing taxes of this character or additional new taxes, licenses or fees based upon generation, distribution, purchase and/or sale of the electric power current or energy, shall be imposed upon or required to be paid by the electric utility, the rates herein may be increased by a surcharge equal to the amount of the cost per KWH, or per consumer, or per demand or capacity or other applicable unit of charge for such new or additional taxes, licenses or fees. No adjustment shall be made due to variations or changes in the federal income tax rate.

(b) In the event that the consumer's power factor in any given month is below 90% the electric utility reserves the right to revert the customer to the rate schedule "P3". In order for

reinstatement to the rate schedule "L-TOU" the customer must show 12 consecutive months above 90% power factor.

(4) *Power cost adjustment.* The large power rate Schedule "L-TOU" shall be subject to a wholesale power cost adjustment which shall be computed by the electric utility to be the average cost per KWH of the preceding month's wholesale power purchase cost less \$0.064/KWH plus 7% for system losses.

(5) *Time of use hours.*

(a) Time of use hours for the electric rate schedules, "R-TOU", "C-TOU" and "L-TOU" are defined as follows:

1. On peak. Annually week days (Monday through Friday) between the hours of 10:00 a.m. and 8:00 p.m. except when summer peak hours are in effect and holidays.

2. Summer peak. July 1 to August 31, weekdays (Monday through Friday) between the hours of 1:00 p.m. and 5:00 p.m. except on holidays.

3. Off peak. All other hours including weekends, holidays and weekdays between the hours of 8:00 p.m. and 10:00 a.m.

Month	On-Peak	Off Peak	Summer Peak
January - June	10:00 a.m. - 8:00 p.m.	8:00 p.m. - 10:00 a.m.	N/A
July, August	10:00 a.m. - 1:00 p.m., 5:00 p.m. - 8:00 p.m.	8:00 p.m. - 10:00 a.m.	1:00 p.m. - 5:00 p.m.
September - December	10:00 a.m. - 8:00 p.m.	8:00 p.m. - 10:00 a.m.	N/A

(b) Holidays are defined as the following: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

The total monthly billing shall be the sum of the following charges:

	Residential Schedule "R-TOU"		Commercial/Non-Residential; Schedule "C-TOU"		Large Power-Schedule "P-TOU"	
	Within Corporate Limits	Outside Corporate Limits	Within Corporate Limits	Outside Corporate Limits	Within Corporate Limits	Outside Corporate Limits
Effective January 1, 2026						
Monthly Service Charge	\$10.75	\$10.75	\$33.00	\$33.00	\$70.02	\$76.60
Demand – Annual						
Demand Charge	n/a	n/a	\$6.50/KW	\$6.50/KW	\$5.80/KW	\$5.80/KW
<b>Energy - October 1 to May 31 (Winter)</b>						
Energy	\$0.09875/KW	\$0.10247	\$0.07776/K	\$0.08102/K	\$0.07765/K	\$0.08134/K

Charge - On-Peak	H		WH	WH	WH	WH
Energy Charge - Off-Peak	\$0.06826/KW H	\$0.07076	\$0.04666/K WH	\$0.04857/K WH	\$0.04644/K WH	\$0.04868/K WH
<b>Energy - June 1 to June 30 and September 1 to September 30 (Summer)</b>						
Energy Charge - On-Peak	\$0.11571/KW H	\$0.12006/K WH	\$0.09507/K WH	\$0.09889/K WH	\$0.09485/K WH	\$0.09932/K WH
Energy Charge - Off-Peak	\$0.07181/KW H	\$0.07454/K WH	\$0.05027/K WH	\$0.05229/K WH	\$0.05016/K WH	\$0.05251/K WH
<b>Energy - July 1 to August 31</b>						
Energy Charge - On-Peak	\$0.1078/KW H	\$0.1113/K WH	\$0.0868/K WH	\$0.0902/K WH	\$0.0866/K WH	\$0.0906/K WH
Energy Charge - Summer-Peak	\$0.13460/KW H	\$0.13969/K WH	\$0.11435/K WH	\$0.11906/K WH	\$0.11424/K WH	\$0.11960/K WH
Energy Charge - Off-Peak	\$0.0669/KW H	\$0.0691/K WH	\$0.0459/K WH	\$0.0477/K WH	\$0.0458/K WH	\$0.0479/K WH
Note:	KWH Rates Include the KWH Tax mandated by the State of Ohio effective May 1, 2001.	Plus the KWH Tax mandated by the State of Ohio effective May 1, 2001.	KWH Rates Include the KWH Tax mandated by the State of Ohio effective May 1, 2001.	Plus the KWH Tax mandated by the State of Ohio effective May 1, 2001.	KWH Rates Include the KWH Tax mandated by the State of Ohio effective May 1, 2001.	Plus the KWH Tax mandated by the State of Ohio effective May 1, 2001.

(H) *Private street and security lighting electric service; Schedule "SL".* Private street and security lighting electric service shall be made available in accordance with the following conditions and rates.

(1) *Availability.* Available to any consumer including other political subdivisions such as townships and the like, where the electric utility's standard lighting unit can be installed on an existing pole and where 120/240 volt secondary or service wires are already installed so as to permit the lighting unit to be installed without further extension of the electric utility's distribution facilities. This service is also available where the electric utility's street lighting circuits are available immediately adjacent to consumer's premises. Where the installation of the

lighting unit requires an additional pole or an extension of the electric utility's secondary lines or the installation of an additional transformer, the additional investment required shall be paid for by the consumer. This service is available only where there is reasonable assurance that the service furnished will be of a permanent nature. The electric utility reserves the right to refuse to furnish lighting service under this Schedule "SL" where the installation, in the electric utility's opinion will not be of a permanent character. All applications for SL service shall be in accordance with and conform to the provisions of Chapter 50 through Chapter 56 of this Code and the regulations adopted by the Director of Public Service and agreement form and the provisions set forth in this Schedule "SL".

(2) *Character of service.* The electric utility will install, own, operate, and maintain at its expense the necessary mast arm mounted lighting unit and related appurtenances. The lighting unit will be photo-electric or otherwise controlled so as to provide substantially year round dusk to dawn lighting service.

(3) *Net rate per lighting unit per month.*

<i>Nominal Lumens Rating of Lamp</i>	<i>Approximate Rating in Watts</i>	<i>Monthly Charge Per Unit</i>
High Pressure Sodium or LED Equivalent:		
9,500	100	\$11.33
16,000	150	14.56
25,500	250	16.18
50,000	400	19.96
Metal Halide		
36,000	400	\$19.50

(4) *Minimum charge.* This lighting service is furnished only as a continuous 12 month year round basis. The minimum charge per unit is for 12 months and any disconnection of service will not avoid the minimum charge.

(5) *Advance payment of annual charge.* When in the opinion of the electric utility, consumer's regular service is seasonal or non- permanent in character, the electric utility reserves the right to require the annual charge per unit be paid in advance before service is established and thereafter to require advance payment prior to the commencement of each succeeding 12 months of service.

(6) *Payment and billing.* The monthly charge per unit will be added to the regular electric charge of consumer's bill and payment of same shall be subject to the terms of payment applicable to consumer's bill for regular metered electric service.

(I) *Temporary and seasonal service.*

(1) Whenever the service requested by the consumer is temporary, special, short term or emergency, such service shall be considered as a commercial temporary service. In such event, a written application or contract will be required which will cover the period of service, character of service and extra charges of the installation and removal of the required service connection, transformers, and accessory equipment together with all material, labor, insurance, transportation and other expense incidental thereto.

(2) Temporary service is defined as service required to be rendered for a period of less than one year and includes service that is to be supplied to installations, structures or buildings that

are, in the opinion of the utility, not permanent in character. Such temporary service also includes service furnished to trailers, mobile homes, carnivals, street fairs, construction contractors, portable tools and the like.

(3) (a) Consumer shall pay a minimum construction charge of \$200 to pay for the initial establishment of temporary electric service as defined above. The foregoing minimum construction charge only applies where not more than a standard single phase service drop of not more than 100 feet is required and where same will be incorporated and fully used as all or part of the permanent service without loss of materials of consequence.

(b) Whenever additional construction in excess of said "Standard Service Drop" is required for such temporary service and connections, all "up and down" labor and material costs in excess of the foregoing service drop construction charges shall be paid for by the consumer. Under such conditions, consumer shall be required to make an advance deposit to cover the estimated construction costs involved. Such deposit shall be paid before construction work commences and upon completion any excess deposit will be returned to consumer.

(4) Temporary and seasonal service shall be furnished in accordance with utility's applicable schedule with respect to rates, minimum period of time that service shall be paid for, monthly minimum charge, and the like.

(J) *Special service charges.* The following charges are applicable to partially pay for the expense involved by the electric utility to furnish special services requested or caused by the consumer.

<i>Item</i>	<i>Description of Special Service Furnished</i>	<i>Amount</i>
1	Trip and inspection charge for initial establishment of service	No charge
2	Trip charge for special meter reading	\$15.00
3	Trip charge for temporary disconnect or connect of service at customer request during regular hours	\$20.00
4	Trip charge to reconnect service off for delinquency or violation of rules (during regular hours)	\$20.00
5	All trip charges outside of regular working hours	\$150.00
6	Fraud, illegal diversion of electricity, meter tampering, unauthorized reconnection of service (in addition to estimated value of non-metered use)	\$500.00
7	Commercial Company Tamper Charges	\$1000.00
8	Testing of meter at consumer request where meter is in error by less than 2% slow or fast	\$150.00
9	Bank return of consumer's check	\$35.00
10	Application fees for new services shall be in accordance to the current bylaws and regulations of the electric utility department of the city.	

(K) *Net metering rate schedule.* Customers who generate a portion or all of their own electric needs and provide any excess generation to the city's system can receive a billing credit equal to

the city's wholesale cost of energy, adjusted to include line losses. This billing credit shall be provided to the customer under a net metering rate schedule subject to the following terms and conditions:

(1) *Limitations.* Billing under this schedule is limited to customers who operate renewable energy source electric generating technologies. This is defined as "energy generated by solar, wind, geothermal, biomass, including waste-to energy and land fill gas, or hydroelectric." Biomass systems are allowed to blend up to 25% fossil-fuel as needed to ensure safe, environmentally sound operation of the system. A customer using biomass blended with fossil-fuel as a renewable energy source must submit proof substantiating the percentage of fossil fuel blend either by (a) separately metering the fossil fuel, or (b) providing other documentation that will allow the city to correctly apply a generation credit to the output associated with the renewable fuel only. Eligibility for participation in the net metering program is limited to customers taking bundled service (non-interruptible) from the city. The eligible facilities must be installed on the customer's premises. The maximum size of electric generators eligible for net metering treatment is 10 kW or under for residential units and 200 kW or under for commercial or industrial units. To qualify for this schedule, customer's generation systems will be limited in size, not to exceed the customer's self- service needs. Non-dispatchable generation systems (e.g., wind and solar) shall be sized not to exceed the customer's annual energy needs, measured in kilowatt-hours (kWh). Dispatchable systems shall be sized not to exceed the customer's capacity needs, measured in kilowatts (kW). If a customer has more than one generator, to qualify for this schedule, the total capacity of the generators shall be less than the maximum listed above. The city may restrict or deny service under this schedule once the total connected generation provided under this schedule equals or exceeds one tenth of one percent of city's previous year's peak demand or 500 kW. The customer's facility must be in compliance with the city's existing interconnection rules and regulations. For biomass systems blending fossil-fuel, the generation credit shall apply only to the output associated with the renewable fuel and exclude the output from the fossil fuel.

(2) *Monthly rate.* Deliveries from the city to the customer shall be billed in accordance with the standard applicable rate schedules.

(3) *Customer credits for net excess generation (NEG).* Net excess generation (NEG) represents the amount of electric generation by the customer beyond the customer's own metered usage which is delivered to the city during the billing period. Deliveries from the customer to the city shall be credited at the following rates:

	Wind	Solar	Biomass
Summer On Peak	\$0.0935	\$0.0935	\$0.0935
Summer Off Peak	\$0.0460	\$0.0460	\$0.0460
Winter On Peak	\$0.0726	\$0.0726	\$0.0726
Winter Off Peak	\$0.0392	\$0.0392	\$0.0392

for power supplied to the city. The Summer Season shall be the months of June, July, August and September and the Winter Season shall be the months of January, February, March, April, May, October, November and December. On-peak hours shall be Monday through Friday from 10:00 a.m. to 8:00 p.m. except for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Off-peak hours shall be all other hours. The credit to the customer shall not exceed the dollar amount the city bills the customer for energy consumption

in any billing period. Instead, the net excess dollar amount shall be allowed to accumulate as a net excess generation (NEG) credit to offset the customer's energy charges in the next billing period. The credit will be adjusted based on the currently used power cost adjustment net excess generation (NEG) credits, if any, will be carried over from month to month. Following the customer's December billing cycle, the customer's credits balance will be reset to zero. Any unused net excess generation (NEG) credits will be retained by the city to offset costs associated with the operation of the net metering program.

**Section 2.** That the version of Section 52.01 of the Codified Ordinances of the City of Wadsworth as set forth in section one of this ordinance shall be applicable to all initial billings after January 1, 2026, including initial billings for service which was rendered prior to or on January 1, 2026.

**Section 3.** That existing Section 52.01 of the Codified Ordinances of the City of Wadsworth is hereby repealed except as to the initial billings prior to or on January 1, 2026.

**Section 4.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

**Section 5.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide for more fair and appropriate rates for electric services for customers; WHEREFORE, this ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. 12-16-25

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

**CERTIFICATE OF PUBLICATION**

I, Julie Darlington, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticesohio.com/> on \_\_\_\_\_ and \_\_\_\_\_, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Julie Darlington  
Clerk of Council, City of Wadsworth

ORDINANCE NO. 25-219

Sponsored by Council Member Tom Stugmyer

AN ORDINANCE TO AMEND SECTION 54.23 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH WITH REGARD TO WATER SERVICE RATES AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

Section 1. That section 54.23 of the Codified Ordinance of the City of Wadsworth is hereby amended to reads as follows:

§54.23 RATES.

Rates for municipal water services shall be set by the Director of Public Service. A current water rate schedule shall be supplemental to and part of the General Rules and Regulations covering water service. See attached Exhibit A.

Section 2. That existing section 54.23 of the Codified Ordinances of the City of Wadsworth is hereby repealed.

Section 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the City of Wadsworth in order to provide for more fair and appropriate rates for water treatment and distribution; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. 12-16-25  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_  
Passed: yes \_\_\_\_\_ no \_\_\_\_\_  
Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

CERTIFICATE OF PUBLICATION

I, Julie Darlington Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://www.publicnoticesohio.com/> on \_\_\_\_\_ and \_\_\_\_\_, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Julie Darlington, Clerk of Council, City of Wadsworth

**ORDINANCE NO. 25-220**  
**Sponsored by Council Member Tom Stugmyer**

**AN ORDINANCE TO AMEND SECTIONS 53.35, 53.37 AND 53.38 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO INCREASE SEWER RATES AND DECLARE AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**§53.35 SCHEDULE OF RATES.**

(A) *Single-family residential sewage rates:*

(1) *Applicability.*

(a) This section applies to all individually metered and/or billed single family dwelling units or dwelling units or dwelling quarters. Where more than one dwelling unit is connected to the same service line, the general sewage rates provided for in division (B) of this section shall apply.

(b) The furnishing and utilization of sewage service, including system extensions or enlargements and the financing of same, shall conform to the city's application form and bylaws and regulations which are and may in the future be established by the Director of Public Service pursuant to R.C. § 729.51.

(2) *Net rate per month or part thereof.* The billing for sewage is based on the metered quantity of water used. The net billing shall be the sum of charges (A) + (B) + (C) set forth below:

(a) Monthly customer charge: \$15.19

(b) Monthly commodity charge. Rate per 1,000 gallons: \$4.56

(c) Monthly system capacity charge:

0.63" Meter: \$0.00

0.75" Meter \$0.00

1.00" Meter \$5.97

1.50" Meter \$17.90

\*\* Size of service shall be the nominal diameter rating of the water meter supplying customer.

(d) *Monthly minimum charge where Residential water is unmetered.\**

Estimated Meter Size .63" \$47.09

Estimated Meter Size .75" \$47.09

Estimated Meter Size 1.00" \$62.00

Estimated Meter Size 1.50" \$122.68

\*Subject to increase as determined by city's estimate of sewage discharge. City reserves the right to require user to install, operate and maintain at his or her expense a suitable water meter to meter user's water requirements.

(3) *Annual review of rates.*

(a) The Director of Public Service shall at the end of each year review the financial operations of the city's sanitary sewage treatment facilities and related matters and thereby determine if the revenues produced by the foregoing rates and charges are proportionate and adequate to cover all sewage costs including capital improvement financing.

(b) In the event it is determined that said rates and charges are either not adequate or not proportionate the Director of Public Service shall submit to City Council for its approval, a schedule of revised rate and charges as will enable said system to be self-supporting on an annual basis at all times.

(4) *Other conditions.*

(a) Where sewage is discharged into city's sewer system and water is obtained from a source other than from the city, the city reserves the right to require property owner to install at his own expense suitable, frost free, water or sewage metering equipment (to be approved by the city), in order to determine the amount of sewage being discharged into the city's sewer system and to properly apply the foregoing rates and charges.

(b) Where consumer's water supply is from a source from other than the city and proper would otherwise be made for a residence of comparable size and sewage discharge. Such estimated charge shall be not less than the applicable minimum charge set forth in this section.

(c) Where sewage service is furnished outside the corporate limits of city and it becomes necessary to renew or replace sewage treatment facilities, including pumps and other appurtenances, the rates and charges set forth herein are subject to increase to the extent necessary in order to pay for such additional costs.

(B) *Commercial and Industrial sewage service rates.*

(1) *Applicability.*

(a) This section applies to all non-residential users of the city's treatment facilities and to residential users not covered by the rates established in division (A) of this section.

(b) The rates and charges set forth herein are based on water usage and/or the sewage discharged into city's sanitary sewer system.

(c) The furnishing and utilization of sewage service, including system extensions or enlargements and the financing of same shall conform to the bylaws and regulations adopted by the Director of Public Service pursuant to R.C. § 729.51.

(2) *Net rate per month or part thereof per service.* The net billing shall be the sum of the charges set forth under (a), (b) and (c) below:

(a) *Monthly customer charge.* \$15.19

(b) *Commodity charge.* Based on water usage or sewage volume discharged into city's sewer system per 1,000 gallons: \$4.56\*

\* Plus surcharges for excessive sewage strength

\* When applicable for major contributing industry or activity. Biochemical Oxygen Demand: \$.36 per 1000 gallons, Suspended Solids: \$.36 per 1000 gallons and Total Phosphorus: \$1.35 per 1000 gallons.

(c) *Monthly system capacity charge:*

0.63" Meter: \$0.00

0.75" Meter: \$0.00

1.00" Meter: \$21.16

1.50" Meter: \$33.09

2.00" Meter: \$47.20

3.00" Meter: \$84.63

4.00" Meter: \$122.06

6.00" Meter: \$196.93

8.00" Meter: \$296.75

\*Capacity of service shall be determined by the city and shall normally be equal to the nominal inside diameter in inches of the water meter that services the property.

(3) *Optional special metering for sewage billing purposes.* For water use that results in a clean wastewater discharge that does not enter city's sanitary sewer system (lawn sprinkling, irrigation, air conditioning, and the like) such water will not be subject to city's sewage charge providing the following conditions have been complied with:

(a) That the Director of Public Service has determined that such wastewater will consist substantially 100% of unpolluted or "clean wastewater," free from objectionable odor and will have no harmful or objectionable polluting affect either directly or indirectly upon any streams, underground water supply or other body of water into which such "clean wastewater" will ultimately be discharged.

(b) That it can be demonstrated to the satisfaction of the Director of Public Service that it will be impossible for the water usage in question to discharge into city's sanitary sewer system. To meet this requirement, such unpolluted water must be discharged into city's storm sewer system or into the ground or into the street gutter or natural outlet. Furthermore, such water shall not be discharged into any combination storm and sanitary sewer.

(c) That the property owner shall separate his plumbing so that the water input that is ultimately discharged as "clean wastewater" will be separately metered in order to determine the volume involved. The entire plumbing and meter installation shall meet city's specifications and approval and shall be installed, owned and maintained at property owner's expense. The meter installation and location shall be specified by the city.

(4) *Billing where the city does not furnish water service.*

(a) *Metered sewage service.*

1. At property owner's expense, the city may require or property owner may, at his option, elect to install a separately metered and plumbed water system, to be approved by city that will accurately measure the water input and resultant sewage discharge into the city's sanitary sewer system.

2. In the event that said separately metered water input method is impractical or not equitable, as an alternate plan, a suitable sewage flow meter (to be specified by the city and installed at property owner's expense) may be installed which will meter the actual quantity of sewage discharged into city's system.

3. Under this plan, the foregoing rates and charges shall apply, and the companion water service line size used to determine the "capacity of Service" charge.

(5) *Other provisions and conditions.* The installation, operation and all other matters pertaining to sewers shall be subject to all of the regulations, requirements and provisions set forth in the bylaws and regulations adopted by the Director of Public Service pursuant to R.C. § 729.51.

(6) *Annual review of rates.*

(a) The Director of Public Service shall at the end of each year review the financial operations of the city's sanitary sewage treatment facilities and related matters and thereby determine if the revenues produced by the foregoing rates and charges are proportionate and adequate to cover all sewage costs including capital improvement financing.

(b) In the event it is determined that said rates and charges are either not adequate or not proportionate, the Director of Public Service shall submit to City Council for its approval a schedule of revised rates and charges as will enable said system to be self supporting on an annual basis at all times.

(C) *Medina County Sewage District No. 2 sanitary sewer rates:*

(1) *Applicability.*

(a) This schedule is applicable for treating the sanitary sewage of the Medina County Sewer District No. 2 that is discharged into the Interceptor Sewer Collection Line of the city, at the location set forth on Exhibit "C" of the city-county agreement dated December 15, 1975.

(b) The sewage discharge from said Sewer District No. 2 shall be subject to and conform to the bylaws and regulations established by the Director of Public Service relating to the discharge of sewage into the city's sanitary sewer system and treatment and disposal of same by the city.

(c) The rates and charges that follow shall be substituted and supersede those referred to in subsection (D), Exhibit "D" of said agreement.

(2) *Net rate per month.* The net billing shall be the sum of the charges set forth under (a) and (b) that follow:

(a) Monthly capacity and customer charge: \$6998.25

(b) Commodity or volume charge per 1,000 gallons: \$4.56\*

Plus surcharges for excessive sewage strength\* Biochemical Oxygen Demand: \$.33 per 1000 gallons, Suspended Solids: \$.30 per 1000 gallons and Total Phosphorus: \$1.22 per 1000 gallons

(3) *Annual review of rates as to adequacy.*

(a) The above rates and charges were determined by a detailed independent study of the projected costs to operate and maintain city's sanitary sewage treatment facilities that are necessary to accept and treat the sanitary sewage discharges from Medina Sewer District No. 2.

(b) In order to determine the adequacy of the revenues produced by the foregoing rates and charges to cover the costs involved, the Director of Public Service shall at the end of each calendar year review said costs for the year just ended. In developing the new costs, the cost allocations shall be made in a manner similar to that approved by the EPA and derived in said July 1979 Study of Costs, Exhibits No. III-1, 2, 3, & 4 as revised May 18, 1979. Said projected new costs shall be adjusted to reflect known increases or variations in expenses actually experienced during the year ended.

(4) *Metering and sewage sampling.* As set forth in the city-county agreement of December 15, 1975, Medina County shall at the specified location, install, own, operate, and maintain at its expense adequate sewage flow metering equipment and sewage sampling facilities and the installation of same shall conform to city's specifications.

(5) *Terms of payment.* The foregoing rates and charges are net and if not paid on or before the date specified on bill, the gross amount shall be payable which is 10% greater than the net rates and charges.

### **§ 53.37 ADDITIONAL RATES FOR GREAT OAKS LIFT STATION.**

(A) The owner of each unit using the Great Oaks Lift Station in City of Wadsworth Sanitary Sewerage District Number One shall in addition to all other applicable rates pay \$5.97 for each month that said lift station is operated and maintained by the city.

(B) For purposes of this section, the word "unit" shall mean each separate condominium included in the Villas of Sterling Oaks Condominium Association or its successor and each rented

room or suite for one person or family in the Assisted Living Residence of Wadsworth or its successor as well as each other residence located within City of Wadsworth Sanitary Sewerage District Number One.

**§ 53.38 ADDITIONAL RATES FOR WEATHERSTONE LIFT STATION.**

- (A) The owner of each unit using the Weatherstone Lift Station in City of Wadsworth Sanitary Sewerage District Number Two shall in addition to all other applicable rates pay \$7.87 for each month that said lift station is operated and maintained by the City of Wadsworth
- (B) For purposes of this section, the word "unit" shall mean each separate condominium as well as each other residence located within City of Wadsworth Sanitary Sewerage District Number Two.

**Section 2.** That the versions of 53.35, 53.37 and 53.38 of the Codified Ordinances of the City of Wadsworth as set forth in section one of this ordinance shall be applicable to all initial billings after January 1, 2026, including initial billings for service which was rendered prior to or on January 1, 2026.

**Section 3.** That existing sections 53.35, 53.37 and 53.38 of the Codified Ordinances of the City of Wadsworth are hereby repealed except as to initial billings prior to or on January 1, 2026.

**Section 4.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

**Section 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide for fair and adequate sewer rates to provide funds needed by the Sanitary Sewer Fund; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two-thirds vote of all members of City Council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. 12-16-25

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_