

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

1st Rdg. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd 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://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