

AN ORDINANCE AMENDING SECTION 926.15 OF THE UTILITIES AND PUBLIC SERVICES CODE PERTAINING TO METERING WATER CONSUMPTION OR WASTE WATER DISCHARGE FOR THE PURPOSES OF SANITARY SEWER CHARGES TO PROVIDE FOR A FINE FOR FAILURE TO COMPLY WITH SUBSECTION (D) REQUIRING THE INSTALLATION OF A METER AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 729.49 of the Ohio Revised Code, this Council is authorized to establish by ordinance just and equitable rates or charges of rents to be paid to the municipal corporation for the use of the Village's sewerage system; and

WHEREAS, this Council has determined that it is just and equitable to require all residential properties with sewer connections to the Village's sewerage system to install a meter to monitor either the water consumption or the waste water discharge so as to provide estimated usage for actual consumption for residential users throughout the Village; and

WHEREAS, Council desires to make certain amendments to Codified Ordinance No. 926.15 provide for a penalty consisting of a fine not to exceed \$10.00 per day for failure to comply with the requirement set forth in subsection (d) therein which requires installation of such meters to monitor either water consumption or waste water discharge for all residential properties with sewer connections to the Village's sewerage system for the purpose of calculating sewer service usage for billing purposes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, County of Summit, State of Ohio that:

SECTION 1. Section 926.15, "Volume of Wastewater" of Chapter 926, "Use of Public and Private Sewers" of the Utilities and Public Services Code of the Codified Ordinances of the Village of Richfield is hereby amended as follows:

"926.15 VOLUME OF WASTEWATER.

(a) As described in subsequent sections of this chapter, certain segments of the Sanitary Sewer Charges can be determined by applying a unit charge to a volume of wastewater flow from each user. In all cases, this volume to be charged for shall be one hundred percent (100%) of the volume that is recorded on the meters used to measure water from the water system within the Village, unless the user is supplied with water from a source other than the water system in the Village or unless a substantial volume of water supplied to the user is not discharged to the wastewater treatment works, in which case, the volume of water discharged to the wastewater treatment works shall be determined by a meter installed to measure wastewater discharged, or by other means approved by the Village. In the event a sewer user shall elect at his own cost and expense to install a meter to register the exact volume of wastewater that enters the wastewater treatment works, the volume to be charged for such metered shall be based upon one hundred percent (100%) of the actual meter reading and the rates established by the Village shall apply.

Meters installed other than the meter used to record consumption from the water system of the Village shall be approved by the Village and installed and maintained at the expense of the user. All commercial customers shall install a meter to monitor either the water consumption or wastewater discharge as required by this subsection. All residential properties shall be required to install a meter to monitor either the water consumption or waste water discharge so as to provide estimates for actual consumption for residential users throughout the Village.

(b) Wastewater meters may be periodically tested by the Village for accuracy at the expense of the Village.

(c) The Village shall have the authority to remove the meter on its initiative to undertake the test and correct any meter which in its judgment is registering incorrectly without the consent of the owner. Should the wastewater meter be found to be registering outside of the accuracy of the specifications published for such meter, the owner shall bear the cost for shipping, testing, repair and replacement. Should the wastewater meter be found to be registering within the accuracy of the specifications published for such meter, the Village shall bear the cost for shipping, testing, repair and replacement. During the period the meter is not in service, the volume of wastewater discharged shall be determined by the Administrator.

(d) Residential properties connected to the Village's sewerage system without either a water consumption meter or a sewer discharge meter shall be required to comply with subsection (a) of this section no later than December 31, 2025. Until such time that a compliant meter is installed under this section, unmetered properties having no access to Village water and no available water meter shall be charged according to the system and accompanying tables shown in Exhibit B, which provide an estimate of anticipated flow for unmetered users within the Village for the purpose of establishing a sanitary sewer charge. **In addition to any other penalty provided herein for violation of this chapter, whosoever violates this subsection (d) shall be fined not more than \$10.00 per day for each day during which a violation occurs or continues.**

(e) Residential users who have qualified for and participate in the Ohio Homestead Exemption Program are eligible for a financial hardship loan from the Village in an amount up to a maximum of one thousand dollars (\$1,000.00) toward the cost of installation of a sewer discharge meter, repayable to the Village over 20 quarters (5 years) with 3% interest per annum, which shall be billed as meter loan repayment installments due and owing as a component of the residential user's quarterly sewer bills. At the discretion of the Mayor, eligibility may be extended to residential users who do not participate in the Ohio Homestead Exemption Program but who otherwise qualify as low-income. The Mayor may also authorize a loan amount in excess of one thousand dollars (\$1,000.00) upon a showing that the actual cost of meter installation will be more than that amount. Delinquent meter loan repayment installments shall be a lien upon the entire delinquent real property owned by the resident served by the Richfield sanitary sewer system and shall be certified to the County Auditor for special assessment upon the tax duplicate in accordance with the Ohio Revised Code.

SECTION 4. That any ordinances or resolutions in conflict with the foregoing are hereby repealed.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees or subcommittees that resulted in such formal action, were in meetings open to the

public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare in the Village for the reasons set forth in the recitals of this Ordinance; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 3-17-26

Rick Fuchs
President of Council

Michael Wheeler
Mayor

Dated: 3/17/2026

ATTEST:
Jeff [Signature]
Clerk of Council

