

AN ORDINANCE AMENDING SECTIONS 3.3 AND 3.4 OF ORDINANCE 5-1991, EXHIBIT "B" OF ORDINANCE 5-1991 AND EXHIBIT "B-1" OF ORDINANCE 5-1991 PROVIDING FOR METERS FOR RESIDENTIAL USERS OUTSIDE OF SEWER DISTRICT NOS. 1, 2 OR 3, A HOMESTEAD EXEMPTION, AND NEW RATES FOR THE USER CHARGE SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, this Council passed Ordinance 5-1991 on January 17, 1991; and

WHEREAS, this Council further amended Ordinance 5-1991 by Ordinance 3-1993 passed by this Council on February 2, 1993; and

WHEREAS, this Council has monitored the operation of the user charge system for the sewer district as established in Ordinance 5-1991; and

WHEREAS, this Council has received input concerning the operation of the user charge system from the Village's Consulting Engineer, Service Director and Finance Director; and

WHEREAS, this Council believes that water meters should be required for all new homes outside of Sewer District Nos. 1, 2 or 3; and

WHEREAS, this Council further believes that residential usage estimates should be decreased from 300 gallons per day to 200 gallons per day average daily flow; and

WHEREAS, this Council believes there should be a homestead exemption in the user charge system; and

WHEREAS, this Council further believes that the sewer user charge should be adjusted to reflect the increases in the rates billed to the Village by the Northeast Ohio Regional Sewer District, which have gone up significantly in the past several years without any corresponding adjustment of Village user charge rates.

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

SECTION 1. That Section 3.3 of Ordinance 5-1991 entitled "An Ordinance Establishing Regulations Governing the Use of Public and Private Sewers, User Charge System and Sanitary Sewer Charges for Users of Sewers Served and to be Served in the Village of Richfield, Ohio and Declaring an Emergency"; as amended by Ordinance 3-1993 entitled "An Ordinance Amending Section 3.3 and Exhibit "B-1" of Ordinance 5-1991 with Respect to Village Approval of Meters

for Volume of Water and Charges for Commercial Firms That Do Not Hook-Up Within the Prescribed Period of Time and Declaring an Emergency" be, and the same hereby are, amended as follows:

(a) At the end of the first paragraph, the following sentence shall be inserted: "All new single family residences outside of Sewer District Nos. 1, 2 or 3 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 single family residential users throughout the Village."

SECTION 2. That Section 3.4 of Ordinance 5-1991 be, and the same hereby is amended as follows:

"Section 3.4. User Class; Homestead Exemption

For the purpose of applying User Charges and Extra Strength Surcharges, all users of the wastewater treatment works shall be classified as a member of one of the following user classes and are subject to the above charges:

- a. Residential
- b. Industrial
- c. Commercial/Retail
- d. Governmental/Institutional/Religious

An industry may be placed in the Resident User Class if the industry discharges primarily segregated sanitary wastes or primarily wastes from sanitary conveniences.

Any industry, commercial/retail, or government/institutional/religious establishment whose wastes are not primarily sanitary wastes or not primarily not wastes from sanitary conveniences shall be placed in the Industrial User Class.

The placement of a user within the Resident User Class shall be as determined by the Administrator in accordance with the above criteria.

Except as provided herein, no free service shall be permitted and no user shall be excused from paying the above charges. A "homestead exemption" of Four Dollars (\$4.00) per MCF shall be granted to users if a homestead exemption has been applied for and granted by the Summit County Auditor for the property. In order to be eligible for this "homestead exemption," the property owner must furnish to the Director of Finance, on an annual basis, forms from the Summit County Auditor verify-

ing that the homestead exemption was granted for the property."

SECTION 3. That Exhibit "B" of Ordinance 5-1991 be amended as follows:

(a) Section 2 of Exhibit "B" be amended by adding a new subsection (f) which will read as follows:

(f) Commencing July 1, 1993 and until further change by the legislative authority of the Village of Richfield, the formulas as contained in paragraph 2(b) shall be suspended and in their place the user charge per MCF shall equal (1) the rate for transportation and treatment expenses from NEORS D plus (2) \$4.00. This user charge rate shall be subject to adjustment as necessary based upon annual audit of sewer revenue fund expenses and changes in rates for transportation and treatment expenses from NEORS D.

SECTION 4. That Exhibit "B-1" of Ordinance 5-1991 as amended by Ordinance 3-1993 be amended as follows:

(a) At the beginning of Exhibit "B-1" insert the following:

<u>User Category</u>	<u>Average Daily Flow (GPD)</u>	<u>Value Assigned</u>	<u>Unit of Measure</u>
Single Family Res.	200	1.00	per home

SECTION 5. That all provisions inconsistent herewith be, and the same hereby are, repealed.

SECTION 6. That all other provisions of Ordinance 5-1991 and Ordinance 3-1993 shall remain in force.

SECTION 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary to preserve the integrity of the Sewer Use Fund; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council 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: July 6, 1993

*30 days to
take effect
(Aug. 6 '93)*

David W. Howard
President of Council

Robert R. [Signature]
Mayor

Dated: 9-14-93

ATTEST:
Peggy Malone
Clerk of Council