

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.

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 to require 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 ~~new single family residences outside of~~

Sewer District Nos. 1, 2 or 3 **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 ~~single family~~ residential users throughout the Village.

(b) Wastewater meters may be tested by the Village for accuracy at the expense of the owner once a year.

(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 June 1, 2024. 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** ~~A system has been prepared for those units not having access to Village water and, consequently, no available water meter. The~~ system and accompanying tables, as shown in Exhibit B **of this Chapter, which** provide an estimate of anticipated flow for **unmetered** various users within the Village for the purpose of establishing a sanitary sewer charge."

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 Resolution 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 Resolution shall be in full force and effect after the earliest period allowed by law.

PASSED: _____

President of Council

ATTEST: Clerk of Council

Mayor

Dated: _____