

ORDINANCE NO. 2018-80
INTRODUCED BY: MR. NEWELL

4155

**AN ORDINANCE
AMENDING SUBSECTION (g) AND SUBSECTION (i) OF
SECTION 917.04 OF THE CODIFIED ORDINANCES OF
THE VILLAGE OF CHAGRIN FALLS TO ADJUST THE
SANITARY SEWER CONNECTION FEES, AND THE
IMPACT FEES FOR CONNECTING TO THE SANITARY
SEWER SYSTEM AND DECLARING AN EMERGENCY.**

WHEREAS, Section 917.04 of the Codified Ordinances provides for certain sanitary sewer charges and connection fees; and

WHEREAS, Subsection (g) of Section 917.04 provides for connection or tap charges for initial connection to the Village's sewer system; and

WHEREAS, Subsection (g) provides a connection or tap charges for service inside the Village and outside the Village; and

WHEREAS, increases in the connection or tap charges are adjusted on a regular basis to account for inflation; and

WHEREAS, the Village Engineer has determined that adjustments should be made based upon inflation and construction trends for the connection or tap charge and after conducting a study of the costs of increased capacity for the municipal waste water treatment system, the number of prospective new users who are creating the need for additional capacity, and the appropriate sum which must be collected from each new user in order to provide for such additional capacity, the impact fee set out in Subsection (i) of Section 917.04 of the Codified Ordinances needs to be adjusted.

WHEREFORE, the proposed adjustments shall be effective January 1, 2019.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That existing Subsection (g) of existing Section 917.04, Sanitary Sewer Charges and Connection Fees, of the Codified Ordinances of the Village of Chagrin Falls be

SECTION 1. That existing Subsection (g) of existing Section 917.04, Sanitary Sewer Charges and Connection Fees, of the Codified Ordinances of the Village of Chagrin Falls be and the same is hereby amended effective January 1, 2019 to read and provide, in its entirety, as follows:

(g) Connection or tap charge for initial connection to the sewerage system: one thousand dollars (\$1,000) payable in advance in the Municipality, and two thousand dollars (\$2,000) payable in advance outside the Municipality, except for those properties situated on Falls River Road as set forth in Ordinance No. 1971-819, adopted February 21, 1971. The charges for connection to the sewerage system shall be as follows, except for those properties on Falls River Road as set forth in Ordinance No. 1971-819:

For single-family residences, which will be charged for one residential single-family unit (RSFU) of 400 gallons per day, the following fee schedule shall apply unless and until amended by the Municipality:

Period	Fee (Village)	Fee (Outside)
1/1/14 - 12/31/18	3,900	7,800
1/1/19 – 12/31/23	5,000	10,000

For multi-family residential units, the charge shall be based on the following RSFU equivalents and applied to the above fee schedule:

- | | <u>RSFU</u> |
|------------------------|-------------|
| (1) One-bedroom unit | 0.625 |
| (2) Two-bedroom unit | 0.750 |
| (3) Three-bedroom unit | 0.875 |
| (4) Four-bedroom unit | 1.000 |

The charges for other buildings and structures shall be based on the RSFU equivalent of these buildings and structures determined from the sewerage flows as presented in the Ohio Environmental Protection Agency Sewerage Flow Guide, revised from time to time, and using 400 gallons per day (one RSFU) as a base. The amount of the charge shall be determined by applying the RSFU equivalent figure to the above fee schedule.

SECTION 2. That existing Section 917.04(g), the full text of which follows is hereby repealed effective January 1, 2019:

(g) Connection or tap charge for initial connection to the sewerage system: one thousand dollars (\$1,000) payable in advance in the Municipality, and two thousand dollars (\$2,000) payable in advance outside the Municipality, except for those properties situated on Falls River Road as set forth in Ordinance No. 1971-819, adopted February 21, 1971. The charges for connection to the sewerage system shall be as follows, except for those properties on Falls River Road as set forth in Ordinance No. 1971-819:

For single-family residences, which will be charged for one residential single-family unit (RSFU) of 400 gallons per day, the following fee schedule shall apply:

Period	Fee (Village)	Fee (Outside)
5/1/93 - 12/31/93	\$1,000	\$2,000
1/1/94 - 12/31/98	1,325	2,650
1/1/99 - 12/31/2003	2,000	4,000
1/1/2004 - 12/31/2008	2,500	5,000
1/1/09 - 12/31/13	3,100	6,200
1/1/14 - 12/31/18	3,900	7,800

For multi-family residential units, the charge shall be based on the following RSFU equivalents and applied to the above fee schedule:

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(4) Four-bedroom unit	1.000

The charges for other buildings and structures shall be based on the RSFU equivalent of these buildings and structures determined from the sewerage flows as presented in the Ohio Environmental Protection Agency Sewerage Flow Guide, revised from time to time, and using 400 gallons per day (one RSFU) as a base. The amount of the charge shall be determined by applying the RSFU equivalent figure to the above fee schedule.

SECTION 3. As amended, Section 917.04(g) of the Codified Ordinances, with strikeouts for deletions and underlining for additions, reads in its entirety as amended by this Ordinance as follows:

(g) Connection or tap charge for initial connection to the sewerage system: one thousand dollars (\$1,000) payable in advance in the Municipality, and two thousand dollars (\$2,000) payable in advance outside the Municipality, except for those properties situated on Falls River Road as set forth in Ordinance No. 1971-819, adopted February 21, 1971. The charges for connection to the sewerage system shall be as follows, except for those properties on Falls River Road as set forth in Ordinance No. 1971-819:

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The charges for other buildings and structures shall be based on the RSFU equivalent of these buildings and structures determined from the sewerage flows as presented in the Ohio Environmental Protection Agency Sewerage Flow Guide, revised from time to time, and using 400 gallons per day (one RSFU) as a base. The amount of the charge shall be determined by applying the RSFU equivalent figure to the above fee schedule.

SECTION 4. That existing Section 917.04 (i) of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended effective January 1, 2019 to read in its entirety as follows:

- (i) In addition to any existing connection or tap charge paid pursuant to subsection (g) hereof or any other provision of law, before any connections are made to the Village waste water treatment facilities from outside the Municipality, except for those properties situated on Falls River Road as set forth in Ordinance No. 1971- 819, adopted February 21, 1971, an impact fee of sixteen thousand dollars (\$16,000) per residential unit shall be paid to the Village.

SECTION 5. That existing Section 917.04(i), the full text of which follows, is hereby repealed effective January 1, 2019:

(i) In addition to any existing connection or tap charge paid pursuant to subsection (g) hereof or any other provision of law, before any connections are made to the Village waste water treatment facilities from outside the Municipality, except for those properties situated on Falls River Road as set forth in Ordinance No. 1971- 819, adopted February 21, 1971, an impact fee of thirteen thousand one hundred twenty-five dollars (\$13,125) per residential unit shall be paid to the Village.

SECTION 6. As amended, Section 917.04(i) of the Codified Ordinances, with strikeouts for deletions and underlining for additions, reads in its entirety as amended by this Ordinance as follows:


(i) In addition to any existing connection or tap charge paid pursuant to subsection (g) hereof or any other provision of law, before any connections are made to the Village waste water treatment facilities from outside the Municipality, except for those properties situated on Falls River Road as set forth in Ordinance No. 1971- 819, adopted February 21, 1971, an impact fee of ~~thirteen thousand one hundred twenty-five dollars (\$13,125)~~ sixteen thousand dollars (\$16,000) per residential unit shall be paid to the Village.

SECTION 7. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 8. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 9. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason that this Ordinance must be immediately effective so that the Village may provide for timely adjustment of certain sewer rates and connection fees; wherefore provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: December 10, 2018



Karl Maersch, Council President

Submitted to the Mayor for
his approval on this

11 day of December, 2018

Approved by the Mayor

December 11, 2018, 2018



Mayor William Tomko

I hereby certify that Ordinance No. 2018-80 was duly enacted on the 10 day of
December, 2018, by the Council of the Village of Chagrin Falls and posted in
accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council