

**ORDINANCE NO. 2020-08
INTRODUCED BY: MR. NEWELL**

**AN ORDINANCE
AMENDING SUBSECTIONS 917.04(a), (b) & (h) OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF
CHAGRIN FALLS REGARDING INCREASES IN
SANITARY SEWER CHARGES AND DECLARING AN
EMERGENCY.**

WHEREAS, as a result of increased costs for eliminating ground water infiltration, necessary capital improvements and underground line replacement that is required and due to increased costs in the operation of the Village's Waste Water Treatment Plant, it is necessary to amend the sanitary sewer rates being charged, in order that proper maintenance and service can be continued for the protection of the health, safety and welfare of the residents and Waste Water Treatment Plant users;

WHEREAS, it is necessary to amend certain portions of Codified Ordinances Section 917.04(a), (b) and (h) to reflect the amended sanitary sewer charges.

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

SECTION 1. That existing Subsections (a), (b) and (h) of Section 917.04 of the Codified Ordinances of the Village of Chagrin Falls regarding sanitary sewer charges be and are hereby amended to read and provide, in their entirety, as follows:

(a) The charge to be made shall be computed on the basis of the quantity of water consumed upon the lot, parcel of land or premises, or connection as measured by the municipal water meter in use, or other meter installed or approved by the Superintendent of Services during the applicable sewer charge billing period. Such charge shall be billed quarterly as to each such lot, parcel of land or premises, at a rate equal to the number identified in the chart below per hundred cubic feet of water, which shall be levied against such lot, parcel of land or premises, building or connection for the use of water service of the Municipality, or a minimum sewer charge of six times the stated rate, below, per one hundred cubic feet of water, whichever is greater:

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EFFECTIVE RATE CHANGE DATE	RATE – MIN. CHARGE
04/01/20	\$8.30 / 100 cf - \$49.80
01/01/21	\$8.80 / 100 cf - \$52.80
01/01/22	\$9.33 / 100 cf - \$55.98
01/01/23	\$9.70 / 100 cf - \$58.20

After the year 2023, the rates established for 2023 shall remain in effect until modified by Council.

(b) Premises located outside the corporate limits of the Municipality which are served by the system shall be charged at the rate contained in the chart below, per hundred cubic feet of water, which shall be levied against such lot, parcel of land or premises, building or connection for the use of the water service of the Municipality, or a minimum sewer charge of six (6) times the rate per hundred cubic feet of water, whichever is greater.

EFFECTIVE RATE CHANGE DATE	RATE – MIN. CHARGE
04/01/20	\$10.38 / 100 cf - \$62.28
01/01/21	\$11.00 / 100 cf - \$66.00
01/01/22	\$11.66 / 100 cf - \$69.96
01/01/23	\$12.13 / 100 cf - \$72.78

After the year 2023, the rates established for 2023 shall remain in effect until modified by Council.

(h) In the event any premises are located outside the corporate limits of the Municipality and are served by the system but are unmetered for any reason whatsoever, such land or premises shall be charged at a rate equal to the amount stated in the chart below, which shall be charged and billed quarterly to each such lot, parcel of land or premises.

EFFECTIVE RATE CHANGE DATE	FLAT RATE
04/01/20	\$332.08
01/01/21	\$352.00
01/01/22	\$373.12
01/01/23	\$388.04

After the year 2023, the rates established for 2023 shall remain in effect until modified by Council.

SECTION 2. The existing Subsections 917.04 (a), (b) and (h) of the Codified Ordinances, the full text of which follows is hereby repealed.

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(a) The charge to be made shall be computed on the basis of the quantity of water consumed upon the lot, parcel of land or premises, or connection as measured by the municipal water meter in use, or other meter installed or approved by the Superintendent of Services during the applicable sewer charge billing period. Such charge shall be billed quarterly as to each such lot, parcel of land or premises, at a rate equal to the number identified in the chart below per hundred cubic feet of water, which shall be levied against such lot, parcel of land or premises, building or connection for the use of water service of the Municipality, or a minimum sewer charge of six times the stated rate, below, per one hundred cubic feet of water, whichever is greater:

YEAR	RATE – MIN. CHARGE
2016	\$6.76 / 100 cf - \$40.56
2017	\$7.10 / 100 cf - \$42.60
2018	\$7.46 / 100 cf - \$44.76
2019	\$7.83 / 100 cf - \$46.98

After the year 2019, the rates established for 2019 shall remain in effect until modified by Council.

(b) Premises located outside the corporate limits of the Municipality which are served by the system shall be charged at the rate contained in the chart below, per hundred cubic feet of water, which shall be levied against such lot, parcel of land or premises, building or connection for the use of the water service of the Municipality, or a minimum sewer charge of six (6) times the rate per hundred cubic feet of water, whichever is greater.

YEAR	RATE – MIN. CHARGE
2016	\$8.45 / 100 cf - \$50.70
2017	\$8.88 / 100 cf - \$53.28
2018	\$9.33 / 100 cf - \$55.98
2019	\$9.79 / 100 cf - \$58.74

After the year 2019, the rates established for 2019 shall remain in effect until modified by Council.

(h) In the event any premises are located outside the corporate limits of the Municipality and are served by the system but are unmetered for any reason whatsoever, such land or

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premises shall be charged at a rate equal to the amount stated in the chart below, which shall be charged and billed quarterly to each such lot, parcel of land or premises.

YEAR	FLAT RATE
2016	\$270.40
2017	\$284.16
2018	\$298.56
2019	\$313.28

After the year 2019, the rates established for 2019 shall remain in effect until modified by Council.

SECTION 3. As amended, Subsections 917.04(a), (b) and (h) with strikeouts for deletions and underlining for additions, read in their entirety as follows:

(a) The charge to be made shall be computed on the basis of the quantity of water consumed upon the lot, parcel of land or premises, or connection as measured by the municipal water meter in use, or other meter installed or approved by the Superintendent of Services during the applicable sewer charge billing period. Such charge shall be billed quarterly as to each such lot, parcel of land or premises, at a rate equal to the number identified in the chart below per hundred cubic feet of water, which shall be levied against such lot, parcel of land or premises, building or connection for the use of water service of the Municipality, or a minimum sewer charge of six times the stated rate, below, per one hundred cubic feet of water, whichever is greater:

<u>YEAR</u> <u>DATE</u>	<u>EFFECTIVE RATE CHANGE</u>	<u>RATE – MIN. CHARGE</u>
<u>2016</u> <u>04/01/20</u>	<u>\$6.76</u> <u>/8.30</u> / 100 cf - <u>\$40.56</u> <u>49.80</u>	
<u>2017</u> <u>01/01/21</u>	<u>\$7.10</u> <u>/8.80</u> / 100 cf - <u>\$42.60</u> <u>52.80</u>	
<u>2018</u> <u>01/01/22</u>	<u>\$7.46</u> <u>/9.33</u> / 100 cf - <u>\$44.76</u> <u>55.98</u>	
<u>2019</u> <u>01/01/23</u>	<u>\$7.83</u> <u>/9.70</u> / 100 cf - <u>\$46.98</u> <u>58.20</u>	

After the year ~~2019~~2023, the rates established for ~~2019~~2023 shall remain in effect until modified by Council.

(b) Premises located outside the corporate limits of the Municipality which are served by the system shall be charged at the rate contained in the chart below, per hundred cubic feet of water, which shall be levied against such lot, parcel of land or premises, building or connection for the use of the water service of the Municipality, or a minimum sewer charge of six (6) times the rate per hundred cubic feet of water, whichever is greater.

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<u>EFFECTIVE RATE CHANGE DATE</u>	<u>RATE – MIN. CHARGE</u>
<u>201604/01/20</u>	<u>\$8.45/\$10.38 / 100 cf - \$50.70\$62.28</u>
<u>201701/01/21</u>	<u>\$8.88/\$11.00/100 cf-\$53.28 \$66.00</u>
<u>201801/01/22</u>	<u>\$9.33/\$11.66/100cf-\$55.98\$69.96</u>
<u>201901/01/23</u>	<u>\$9.79/\$12.13/100 cf-\$58.74\$72.78</u>

(h) In the event any premises are located outside the corporate limits of the Municipality and are served by the system but are unmetered for any reason whatsoever, such land or premises shall be charged at a rate equal to the amount stated in the chart below, which shall be charged and billed quarterly to each such lot, parcel of land or premises.

<u>YEAREFFECTIVE RATE CHANGE DATE</u>	<u>FLAT RATE</u>
<u>201604/01/20</u>	<u>\$270.40\$332.08</u>
<u>201701/01/21</u>	<u>\$284.16 \$352.00</u>
<u>201801/01/22</u>	<u>\$298.56 \$373.12</u>
<u>201901/01/23</u>	<u>\$313.28 \$388.04</u>

After the year ~~2019~~2023, the rates established for ~~2019~~2023 shall remain in effect until modified by Council.

SECTION 4. The increased rates shall be effective April 1, 2020 and will be reflected on a pro rata basis in the first billing cycle after April 1, 2020.

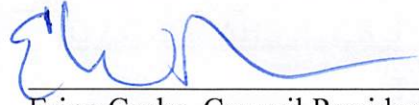
SECTION 5. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 6. 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 7. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village and for the further reason that it is necessary to have these rates go into effect as soon as possible to insure the fiscal integrity of the Village’s Waste Water Treatment Plant and to provide uninterrupted service to the residents of the Village, 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 and approval by the Mayor, otherwise it shall take effect and be in force after the earliest period allowed by law.

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PASSED: March 09, 2020



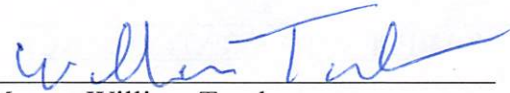
Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

10th day of March, 2020

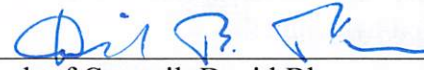
Approved by the Mayor

March 10, 2020



Mayor, William Tomko

I hereby certify that Ordinance No. 2020-08 was duly enacted on the 10th day of March, 2020, 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, David Bloom