

RECORD OF ORDINANCES

Ordinance No. 2024-O-08 Passed November 4, 2024
YEAR

VILLAGE COUNCIL OF NORTH FAIRFIELD, OHIO
ORDINANCE No.: 2024-O-08

WATER RATES

AN ORDINANCE AMENDING SECTION 6 OF ORD NO.: 2020-O-06 ADJUSTING RESIDENTIAL WATER RATES AND ESTABLISHING MONTHLY BILLING BEGINNING JANUARY 01, 2025

WHEREAS, Section 715.08 of the Ohio Revised Code provides that any municipal corporation may provide for a supply of water; and

WHEREAS, Section 717.01(G) of the Ohio Revised Code permits the village to construct or acquire waterworks for supplying water to the municipal corporation and its inhabitants and extend the waterworks system outside of the municipal corporation limits; and

WHEREAS, Section 743.04(A) of the Ohio Revised Code generally states that for the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation, including operating expenses and the costs of permanent improvements, the municipality may assess and collect a water rent or charge of sufficient amount and in such manner as the municipality determines to be most equitable from all tenements and premises supplied with water; and

WHEREAS, Section 735.273, paragraph 3 of the Ohio Revised Code provides that the rates for service and charges for municipally owned utilities shall be determined by the legislative authority of the village; and

WHEREAS, at the request of council, the Fiscal Officer has evaluated the current rates and the current expenses in addition to exploring and comparing the rates for water service in surrounding municipalities; and

WHEREAS, after consideration of the fiscal health of the village water utility, the Fiscal Officer has recommended an increase in the water utility rates for service; and

WHEREAS, village council has weighed the recommendation of the Fiscal Officer and the current fiscal health of the water utility against its desire to maintain affordability to its water utility customers and has determined that it is necessary to update the rates for service and charges for its municipally owned water utilities and establish rules and procedures; and

WHEREAS, Rules and Procedures for the Municipally owned water utility were most recently established in Ord No.: 2020-O-06; and

WHEREAS, the rates for service and charges for the municipally owned water utility was last determined by the legislative authority in Ord No.: 2020-O-06, Ord No.: 2021-O-07, and Ord No.: 2022-O-08, and Ord No.: 2023-O-06; and

WHEREAS, Council chooses to amend the previous Water Ordinance rather than pass new legislation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH FAIRFIELD, STATE OF OHIO: (RC 731.18)

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SECTION 1. That Section 6(A) of Ord No.: 2020-O-06 is hereby amended as follows:

SECTION 6. QUARTERLY MONTHLY WATER RATES. *Quarterly Monthly rates for service and charges for municipal water service shall be as follows:*

A. RESIDENTIAL RATE. Minimum Rate of \$42.00 ~~43.68 45.43 48.16~~ per quarter per tap account for usage of 0-6000 gallons plus \$7.00 ~~7.28 7.58 8.03~~ per each additional 1000 gallons of usage in excess of 6000 gallons. Minimum Rate of \$36.94 per month for the first 2,000 gallons plus \$5.00 per additional 1000 gallons thereafter for usage in excess of 2,000 gallons per month.

The surcharge shall be \$10.00 per month.

Billing shall be monthly on the first of each month due no later than the 20th of each month.

Any account not paid in full is subject to be disconnected if not paid in full by the due date. A delinquency Notice is not required prior to disconnect.

Water may be disconnected or "shut-off" for non-payment. Disconnections or "shut-offs" may be conducted on the first business day after the 25th of each month.

SECTION 2. REPEAL. That any and all legislation, along with Ordinances No.: 98-14, 97-13 and 95-7, along with Ordinances No.: 2013-O-07, 2012-O-06, 2010-O-07, 2010-O-03, 2008-O-04, 2020-O-06, 2021-O-07, 2022-O-08, and 2023-O-06 are hereby repealed, rescinded, and replaced to the extent that they are inconsistent with the rates herein.

SECTION 3. EFFECTIVE DATE. That this ordinance shall take effect and be in full force beginning the 1st day of January, 2025.

SECTION 4. RULES AND PROCEDURES. That the Rules and Procedures for the Municipally owned water utility previously established in Ord No.: 2020-O-06 shall remain in full effect.

SECTION 5. PUBLIC MEETING. That it is found and determined that all formal actions of this public body concerning or relating to the passage of this Resolution / Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 4 day of November, 2024.

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ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Casey Hackler
MAYOR

Shellie Cherry
FISCAL OFFICER

LEGISLATION READINGS

ORC 731.17(A)

- (1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 10/7/24 Second Reading: 10/21/24 Third Reading: 11/4/24

ROLL CALL VOTE

ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

yes
Adam Rouse

Excused
Sharleen Coy

no
Jeremy Antill

yes
Cody Hackler

Excused
Trevor Arnold

yes
Joshua Radcliffe

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

Steve Palmer
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF PUBLICATION

ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

Shellie Cherry
FISCAL OFFICER