

8/28/17
Dated

VILLAGE OF PLEASANT HILL, OHIO

ORDINANCE NO. 1106

A JOINT ORDINANCE OF THE BOARD OF PUBLIC AFFAIRS AND VILLAGE COUNCIL GOVERNING THE WATER, SEWER AND REFUSE RATES AND RULES

WHEREAS, it is necessary for the Village of Pleasant Hill to have a uniform policy regarding the distribution and billing of the water and sewer services in and outside the Village and;

WHEREAS, the current policies are inadequate and,

WHEREAS, the rates structure for Water, Sewer and Refuse are defined for residents of the Village of Pleasant Hill and commercial haulers, and the non-residents of the Village.

NOW THEREFORE, BE IT ORDAINED, BY THE BOARD OF PUBLIC AFFAIRS OF THE VILLAGE OF PLEASANT HILL AND THE COUNCIL OF THE VILLAGE OF PLEASANT HILL, MIAMI COUNTY, OHIO WITH A MAJORITY OF BOARD MEMBERS AND COUNCIL MEMBERS CONCURRING:

SECTION ONE: That there is levied and assessed upon each lot, parcel of land or premises having any active connection with the water system of the Village a bi-monthly minimum charge determinable and payable as provided in this Ordinance. The owner shall be responsible for payment of the Water and Water Line, Tower, and Capital Improvement Fees bills.

SECTION TWO: That there is levied and assessed upon each lot, parcel of land or premises having any active connection with the sewer system of the Village a bi-monthly minimum charge determinable and payable as provided in this Ordinance. The owner shall be responsible for payment of the Sewer and Sewer Line, Sewer Plant and Capital Improvement Fees bills.

SECTION THREE: Water Rates. That the bi-monthly charge imposed for water furnished by the Village of Pleasant Hill, Ohio within the incorporated areas shall be fixed as follows:

<u>Gallons</u>	<u>Rates</u>
0 to 2,000 Gallons	\$18.00 minimum
Over 2,000 Gallons	\$2.30 per 1000 Gallons
Water Line, Tower, and Capital Improvement	\$15.00 per billing

SECTION FOUR: Sewer Rates. That the bi-monthly charge imposed for sewer furnished by the Village of Pleasant Hill, Ohio within the incorporated areas shall be fixed as follows:

<u>Gallons</u>	<u>Rates</u>
0 to 2,000 Gallons	\$22.00 minimum
Over 2,000 Gallons	\$2.30 per 1000 Gallons
Sewer Line, Sewer Plant, and Capital Improvement	\$22.00 per billing

Sewer Rates. That the bi-monthly charge imposed for sewer furnished by the Village of Pleasant Hill, Ohio within the incorporated areas shall be fixed as **follows effective with the billing cycle beginning January 1, 2018:**

<u>Gallons</u>	<u>Rates</u>
0 to 2,000 Gallons	\$24.00 minimum
Over 2,000 Gallons	\$3.10 per 1000 Gallons
Sewer Line, Sewer Plant, and Capital Improvement	\$22.00 per billing

Sewer usage is calculated from the water usage as determined from the water meter. If a water meter reading is not available an estimated bill will be calculated.

SECTION FIVE: Multi-unit dwellings. Multi-unit dwellings with a single water meter will pay the base rate for each unit plus the standard bill for total gallons used. Multi-unit dwellings which have provided separate meters for each unit will be charged the same rate per unit as single residence dwellings.

SECTION SIX: Non-resident surcharge. That the bi-monthly rates for water and sewer furnished by the Village of Pleasant Hill, Ohio to all unincorporated areas shall be one hundred fifty percent (150%) of the rate as set forth in SECTION THREE and SECTION FOUR.

SECTION SEVEN: Residential bulk water. That there are instances in the Village of Pleasant Hill where residents may have a need to use a bulk quantity of water. Typically, bulk water usage is needed to fill a swimming pool. Other instances of bulk water can be determined by the Village of Pleasant Hill Board of Public Affairs. The Village will credit the sewer portion of this bulk water back to the tenant since it will not enter the sanitary sewer system. Therefore, the following rules have been established so as not to unduly charge residents with additional sewage usage:

Residents wishing to be considered for bulk water credit will need to contact the Village Office prior to usage. The resident will be required to provide the approximate amount to be considered or will need to have their meter read before and after the bulk water usage. The Village will credit the next Utility Billing based on the following table:

0 to 4000 gallons	no credit
4,001 or more	credit per thousand gallons as described in SECTION FOUR

If the resident fails to request this offset in charges prior to usage, the Village will not grant this credit.

SECTION EIGHT: Bulk Water Purchases. Residents, Non-residents and/or Commercial Haulers who wish to purchase bulk water for non-resident or commercial usage shall pay twice the water rate shown in SECTION THREE. In addition, an administrative fee of \$20.00 (twenty dollars) will be charged on a per load basis.

SECTION NINE: Bulk Water Officials. All bulk water purchases may be approved at the discretion of any of the following: Village of Pleasant Hill Service Superintendent; Village of Pleasant Hill Assistant Service Superintendent; Village of Pleasant Hill Fiscal Officer.

SECTION TEN: Village Utilities Charges and Collections. That the charges for Water Usage, Sewer Usage, Water Capital improvement Fees, and Sewer Capital Improvement Fees established by this Ordinance shall be billed to the owner or other person designated by the owner and shall be payable bi-monthly, by the due date specified on the statement. There shall be a penalty of twenty percent (20%) of the bi-monthly charge for water, and sewer, if any amount thereof is not paid by the due date indicated. This penalty is in addition to any other applicable rights the Village may assert in collecting the amounts owed for the water service, including, but not limited to the termination of water supply, assessment, or liens. If the account remains unpaid for an additional ten (10) days after the due date, the account shall be in default and the Utility Billing Clerk will request that the water be shut off at the curb or meter for delinquency. Upon default, a twenty dollar (\$20.00) administrative fee will be charged to reinstate service.

SECTION ELEVEN: Refuse charges and Collections. That the charges established by Contract with the Refuse Collector for the Village shall be billed to the owner or other person designated by the owner and shall be payable bi-monthly, by the due date specified on the statement. **Refuse rates are determined by the Fiscal Officer based on the contractors per unit charge for solid waste collection and curbside recycling.** There shall be a penalty of twenty percent (20%) of the bi-monthly charge for refuse, if any amount thereof is not paid by the due date indicated. This penalty is in addition to any other applicable rights the Village may assert in collection amounts owed for the refuse service, including, but not limited to the assessment of liens on the property owner.

SECTION TWELVE: Minimum Billing. This section will allow for minimum bills to the tenants of the Village of Pleasant Hill utilities. A minimum bill will consist of the minimum water rate, Water capital improvement fee, minimum sewer usage rate, Sewer capital improvement fee, and Refuse charge. If an owner requests, they can apply to have their Utilities disconnected and only be charged for the Water and Sewer capital

improvement fees. Utilities will be disconnected at the curb valve or similar valve prior to the meter. The administrative fee as outlined in SECTION TEN will apply.

SECTION THIRTEEN: Estimated Bills.

A.) If an actual water reading is available the Utility Billing Clerk will use the following to determine the amount due to the Village:

Tenant Occupied Billing Unit less than one-half (½) of the billing cycle:

The cost associated with the Water and Sewer usage as described in SECTION THREE and SECTION FOUR plus one-half (½) of the Water capital improvement fees and one-half (½) of the Sewer capital improvement fees. The tenant will also pay one-half (½) of the Refuse Service.

Tenant Occupied Billing Unit more than one-half (½) of the billing cycle:

The cost associated with the Water and Sewer usage as described in SECTION THREE and SECTION FOUR plus the full amount of the Water capital improvement fees and full amount of the Sewer capital improvement fees. The tenant will also pay the full amount of the Refuse Service.

B.) If an actual water reading is unavailable the Utility Billing Clerk will use the following to determine the amount due to the Village:

Using the historical data from the same tenant over four billing periods, an average using the first three periods will be used to determine the amount due. The latest or fourth period will not be factored.

If four billing periods are not available, the bill will be one hundred ten percent (110%) of a minimum bill as described in SECTION TWELVE.

C.) Estimated billing will include the one hundred fifty percent (150%) surcharge to unincorporated tenants as described in SECTION SIX.

SECTION FOURTEEN: Delinquent Bills. Any fees, bills or costs associated with the utilities and services provided by the Village of Pleasant Hill shall be passed to either the property owner of record or the next tenant at the discretion of the Utility Billing Clerk. Any services that have been discontinued for non-payment will not be restored until full payment of these charges are made.

SECTION FIFTEEN: New applicants. New tenants must apply to the Village Office for service. Before service is permitted the Village may inspect the service and replace the meter if it is beyond its useful service life or determined to be faulty. Any service that shows inactivity for four months may be terminated. The Village will notify the tenant prior to disconnection and will reduce the charges as indicated in SECTION TWELVE. The tenant will be liable for the re-connection fees and administrative fees in SECTION TEN and also the inspections as required in this section.

SECTION SIXTEEN: Duplicate Billing. If a duplicate bill is requested by a property owner or tenant an additional fee for the utility billing for each cycle requested will be one dollar (\$1.00). This fee is to cover the mailing cost associated with this request. If the account is in default the property owner of record will be contacted.

SECTION SEVENTEEN: Dishonored Checks. A charge of thirty dollars (\$30.00) will be assessed for returned checks. Upon receipt of two (2) dishonored checks, the Village of Pleasant Hill and the Board of Public Affairs may refuse to accept personal checks as payment. Payment must then be made in cash, money order, or any other certified funding.

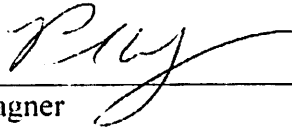
SECTION EIGHTEEN: That this Ordinance shall be construed to be consistent with all other procedures, rights, regulations, standards, and guidelines set out in the Water and Sewer Rules and Regulations as adopted and amended by the Board of Public Affairs.

SECTION NINETEEN: Previous ordinances setting rates for water usage are hereby declared void and of no effect after the effective date of this Ordinance.

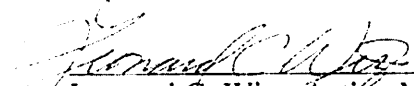
SECTION TWENTY: If any portion of this Ordinance is declared unconstitutional, void, illegal, or contrary to law, that affected portion shall be severed from said Ordinance; and if possible, the remaining portions of this Ordinance shall be construed to best carry out the intentions expressed in this Ordinance.

PASSED this 28th day of August 2017

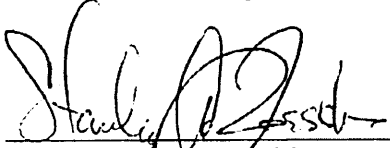
Approved as to Form



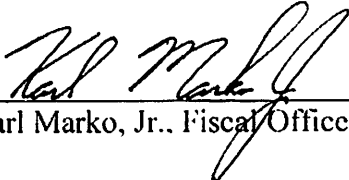
Paul Wagner
Village Solicitor
Pleasant Hill, Ohio



Leonard C. Wirz, Acting Mayor
President Pro Tempore



Stanley Fessler, President
Board of Public Affairs



Karl Marko, Jr., Fiscal Officer