

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. _____ Passed _____, 20_____

ORDINANCE 02-18-B

AN ORDINANCE REPEALING ORDINANCE 18-16 AND FIXING UTILITY RATES; AND DECLARING IT AN EMERGENCY

WHEREAS, the Village of Frazeytsburg by its Utility Department provides water & sewer utility service for the Village of Frazeytsburg and surrounding areas; and

WHEREAS, the Village of Frazeytsburg has determined that in order to continue to pay the expenses of conducting and managing its waterworks & wastewater, including operating expenses and the costs of compliance and improvements, there is a necessity for a reasonable increase in water/waste water rates; and

WHEREAS, the Village of Frazeytsburg has determined that to be in compliance with the USDA loan agreement, no water tap shall be installed and kept without a monthly charge.

BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF FRAZEYSBURG, OHIO, THAT:

SECTION ONE: The Village of Frazeytsburg, Ohio, hereby repeals Ordinance 18-16, which is attached hereto and incorporated by reference.

SECTION TWO: Establishing rates for the Water and Sewer Utility provided by the Village of Frazeytsburg. The following rates will be billed monthly.

1. The price to be charged for water furnished by the Village of Frazeytsburg Water Department to all customers **in the Village of Frazeytsburg**, Ohio are hereby fixed as follows:
 - a) Monthly minimum charge when there is no water used shall be set at \$9.25 per month
 - b) Monthly minimum charge (1-1,000 gallons) shall be set at \$21.07 per month
 - c) \$8.00 per thousand gallons for the second thousand gallons of water consumed (1001-2000)
 - d) \$7.38 per thousand gallons between 2,001-10,000 gallons of water consumed
 - e) \$7.85 per thousand gallons for gallons of usage above 10,000 gallons.
2. The price to be charged for sewer service furnished by the Village of Frazeytsburg Sewer Department to all **customers in the Village of Frazeytsburg**, Ohio are based on metered water usage and hereby fixed as follows:
 - a) Monthly minimum charge when there is no usage shall be set at \$11.75 per month
 - b) Monthly minimum charge (1-1,000 gallons) \$25.24 per month
 - c) \$7.35 per thousand gallons for the second thousand gallons (1001-2000)
 - d) \$3.38 per thousand gallons between 2,001-10,000 gallons
 - e) \$4.38 per thousand gallons for gallons of usage above 10,000 gallons
3. The price charged for storm water service is \$7.50 per month.
4. All utility bills not paid by the fifteenth of the month will be assessed a late fee of fifteen percent (15%).

SECTION THREE: That this Ordinance is declared to be emergency legislation, necessary for the immediate preservation of the public peace, health, and safety, which

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shall be effective upon passage, such emergency arising from the need for the Village to pay loan payments when due for the upcoming Hunter lift station project.

SECTION FOUR: If any sentence, clause, section or any part of this ordinance is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity, shall affect only such clause, sentence, section or part of this ordinance and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this ordinance. It is hereby declared to be the intention of the council of the Village of Frazeytsburg that this ordinance would not have been adopted and such unconstitutional, illegal, or invalid sentence, clause, section or part thereof been included therein.

SECTION FIVE: This ordinance will rescind Ordinance 18-16 and any prior ordinance that established Water and Sewer rate charges.

PASSED IN AN OPEN SESSION OF COUNCIL, THIS 14TH DAY OF MAY, 2018.



Gerald R. Howard

Mayor

Attest:



Jessica A. Everson

Fiscal Officer

APPROVED AS TO FORM ONLY:



Gerald J. Tiberio, Jr.

Village Solicitor

ORDINANCE 18-16

AN ORDINANCE REPEALING ORDINANCE 01-15 AND FIXING UTILITY RATES TO ENSURE THAT NO WATER TAP IS WITHOUT A MONTHLY CHARGE

WHEREAS, the Village of Frazeytsburg by its Utility Department provides water & sewer utility service for the Village of Frazeytsburg and surrounding areas; and

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WHEREAS, the Village of Frazzeysburg has determined that in order to continue to pay the expenses of conducting and managing its waterworks & wastewater, including operating expenses and the costs of compliance and improvements, there is a necessity for a reasonable increase in water/waste water rates; and

WHEREAS, the Village of Frazzeysburg has determined that to be in compliance with the USDA loan agreement, no water tap shall be installed and kept without a monthly charge.

BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF FRAZEYSBURG, OHIO, THAT:

SECTION ONE: Establishing rates for the Water and Sewer Utility provided by the Village of Frazzeysburg. The following rates will be billed monthly.

1. The price to be charged for water furnished by the Village of Frazzeysburg Water Department to all customers **in the Village of Frazzeysburg**, Ohio are hereby fixed as follows:
 - a) Monthly minimum charge when there is no water used shall be set at \$8.75 per month
 - b) Monthly minimum charge (1-1,000 gallons) shall be set at \$20.57 per month
 - c) \$8.00 per thousand gallons for the second thousand gallons of water consumed (1001-2000)
 - d) \$7.38 per thousand gallons between 2,001-10,000 gallons of water consumed
 - e) \$7.85 per thousand gallons for gallons of usage above 10,000 gallons.
2. The price to be charged for water furnished by the Village of Frazzeysburg Water Department to all consumers situated **outside the village limits** of the Village of Frazzeysburg, Ohio are hereby fixed as two times the in Village rates.
3. The price to be charged for sewer service furnished by the Village of Frazzeysburg Sewer Department to all **customers in the Village of Frazzeysburg**, Ohio are based on metered water usage and hereby fixed as follows:
 - a) Monthly minimum charge when there is no usage shall be set at \$8.75 per month
 - b) Monthly minimum charge (1-1,000 gallons) \$22.74 per month
 - c) \$7.35 per thousand gallons for the second thousand gallons (1001-2000)
 - d) \$3.38 per thousand gallons between 2,001-10,000 gallons
 - e) \$4.38 per thousand gallons for gallons of usage above 10,000 gallons
4. The prices to be charged for sewer service furnished by the Village of Frazzeysburg Sewer Department to all **customers outside the Village of Frazzeysburg**, Ohio that also are supplied metered water service by the Village are two times the in Village rate.
5. The prices to be charged for sewer service furnished by the Village of Frazzeysburg Sewer Department to all **customers outside the Village of Frazzeysburg**, Ohio that are **not** supplied metered water by the Village of Frazzeysburg shall be \$51.60.
6. The price charged for storm water service is \$7.50 per month.
7. All utility bills not paid by the first of the month following the due date will be assessed a late fee of fifteen percent (15%).

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SECTION TWO: If any sentence, clause, section or any part of this ordinance is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity, shall affect only such clause, sentence, section or part of this ordinance and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this ordinance. It is hereby declared to be the intention of the council of the Village of Frazeyburg that this ordinance would not have been adopted and such unconstitutional, illegal, or invalid sentence, clause, section or part thereof been included therein.

SECTION THREE: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare. The reason for such necessity is providing for the daily operations of Municipal Departments including water, sewer and storm water. Therefore this ordinance shall go into immediate effect.

SECTION FOUR: This ordinance will rescind Ordinance 01-15 and any prior ordinance that established Water and Sewer rate charges.