

ORDINANCE NO. 10-17

AN ORDINANCE BY TROTWOOD CITY COUNCIL REPEALING OLD SECTION 923.14 "RATES" AND ENACTING NEW SECTION 923.14 "RATES; DISCOUNT".

WHEREAS, Codified Ordinances Section 923.14 of the City of Trotwood, Ohio provides how the rates are charged for sewer service; and

WHEREAS, the Trotwood City Council has determined that it would be in the best interest of the City to adopt a new Section 923.14 entitled "Rates; Discount" of the Codified Ordinances of the City of Trotwood, Ohio to provide for sewer service discount for certain citizens who receive their sewer service from the City of Trotwood.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO, THAT:

SECTION I: That Section 923.14 entitled "Rates" in Chapter 923 "Sewer Regulations and Rates" of the Codified Ordinances of the City of Trotwood, Ohio be repealed.

SECTION II: That a new Section 923.14 entitled "Rates; Discount" in Chapter 923 "Sewer Regulations and Rates" of the Codified Ordinances of the City of Trotwood, Ohio be enacted to read as set forth in Exhibit A with additions in **bold** and underlined, which is attached hereto and incorporated herein.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION IV: This Ordinance shall take effect at the earliest time allowed by law.

Passed this _____ day of _____ 2017.

ATTEST:

APPROVED:

DAVID YOUNG
DEPUTY CLERK OF COUNCIL

MARY A. MCDONALD
MAYOR

BETTYE L. GALES
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, _____, Deputy Clerk of the City of
Trotwood, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy
of Ordinance No. 10-17 passed by the Trotwood City Council on the _____ day of
_____ 2017.

IN TESTIMONY WHEREOF, witness by hand and official seal this _____ day of
_____ 2017.

David Young
Deputy Clerk of Council

EXHIBIT A

923.14 RATES; ~~DISCOUNT.~~

For the purposes provided in Section 923.13, there is levied and assessed upon each lot, parcel of land, building or premises having any sewer connection with the sanitary sewerage system or otherwise discharging sewage, industrial wastes, water or other liquids, either directly or indirectly into the City sanitary sewerage system, a sewerage service charge or rental payable as hereinafter provided, and in an amount determinable as follows:

(a) For any lot, parcel of land, building or premises situated within the corporate limits and having any connection with the municipal sanitary sewerage system or otherwise discharging sanitary sewage, industrial waste, water or other liquids, either directly or indirectly, into the municipal sanitary sewerage system, a charge or rental shall be based upon the quantity of water used thereon or therein as the same is measured by the municipal water meter therein used, the charge therefore to be made quarterly or otherwise, at the discretion of Council. The schedule of rates to be charged quarterly to all consumers using the sewer provided by the Division of Utilities of the Municipality, shall be as established by a Resolution of Council which is hereby authorized to be enacted.

(b) (1) For any lot, parcel of land, building or premises situated outside the corporate limits and having connection with the City sanitary sewerage system or otherwise discharging sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the City sanitary sewerage system, unless such usage of the City sanitary sewerage system is covered by a separate specific agreement specifying rates, terms and conditions of usage measured on a bulk or large quantity basis, the charge shall be based upon the quantity of water used thereon or therein as the same is measured by the water meter therein used, which meter shall be to the approval of Council, and the charge shall be made quarterly or otherwise, at the discretion of Council.

(2) The rates to be charged quarterly shall be as authorized in subsection (a) hereof, plus twenty-five percent (25%) for billing purposes.

(c) In the event of a lot, parcel of land, building or premises discharging sanitary sewage, industrial wastes, water or other liquids into the City sanitary sewerage system, either directly or indirectly, is not a user of water supplied by the City and the water used thereon or therein is not measured by a City water meter or by a meter acceptable to Council, then in each case the amount of water so used shall be otherwise measured or determined by Council in order to determine the sewer service charge or rental provided in this chapter, or the owner or other interested party, at his expense, may install and maintain a meter acceptable to Council for such purposes.

(d) In the event a lot, parcel of land, building or premises discharges industrial wastes, whether directly or indirectly into the City sanitary sewerage system, and Council finds that it is not practical to attempt to measure the wastes by meter, Council shall measure those wastes in a manner and by any method as it may find practicable in the light of the conditions and attendant circumstances of the case, in order to determine the sewer service charge or rental, according to the corresponding rates provided in this chapter.

(e) In any case not clearly defined or capable of being classified in the above schedule of rates, the same shall be subject to rates established by Council.

(f) Future rates shall be automatically adjusted to coincide with the amount of increase and effective dates established from time to time by the City of Dayton, Ohio, the supplier of water service to the City of Trotwood.

(g) City of Trotwood residents who receive sewer service from the City of Trotwood, who have currently paid all of their sewer bills, and who are eligible for the State of Ohio Homestead Exemption may receive a 10% discount off of their sewer bills. Citizens will be required to apply for the discount with the Division of Utilities of the Municipality and prove that they are eligible for the State of Ohio Homestead Exemption.