

**VILLAGE OF OTTOVILLE, OHIO**

**ORDINANCE NO. 2011-01**

**AN ORDINANCE AMENDING ORDINANCE NUMBERED 347**

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OTTOVILLE, STATE OF OHIO**, a majority of its members elected thereto concurring.

SECTION 1. That it is hereby determined and declared to be necessary for the protection of the public health, safety, and welfare of the Village of Ottoville and the inhabitants thereof to establish and collect charges for the use of the Sanitary Sewage System upon all lots, lands, and premises served by or having connection with the Sanitary Sewage System.

SECTION 2. That the funds received from the collection of the rates and charges hereinafter provided shall be deposited as received with the Fiscal Officer, who shall keep the same in a separate fund, designated "Sewer Fund". Subject to the provisions of any ordinance or Indenture of Mortgage authorizing the issuance of and securing mortgage revenue bonds for said System, monies in said fund shall be used for operation, maintenance, repair, and management of the System, for payment of debt charges on bonds issued for extensions and improvements of the System, and any surplus in said Fund over and above the requirements hereinbefore mentioned may be used for enlargements of and replacements to the System and parts thereof.

SECTION 3. That inside the Village limits for sewage users whose water usage cannot be metered or measured, the additional monthly sewage charge is set at Twenty-Five Dollars (\$25.00) per month .

SECTION 4. That for users of the Village Sanitary Sewage System who discharge private well water into the system, there will be an additional monthly charge of Twenty-Five dollars (\$25.00).

SECTION 5. For users of the sewage system who discharge private cistern water into the sewage system, there will be an additional monthly charge of Twenty Five Dollars (\$25.00).

SECTION 6. Both well and cistern users shall have the option of installing a secondary meter, furnished and installed by the individual customer at his expense. Billing of the secondary meter will be for sewage rates only.

SECTION 7. Both well and cistern users must provide for complete separation of their water plumbing systems, or a double backflow prevention device must be installed in the Village water service line, by the customer, at their expense.

SECTION 8. The Village requires that all new apartments, businesses, etc. provide for individual metering of each unit and that all existing multiple units be required to provide for individual metering when a new owner acquires such a property.

SECTION 9. That for the purposes provided for a Section 2 hereof, there is hereby levied and charged upon each lot, parcel of land, or premises having a connection with the System, or otherwise discharging sewage, industrial wastes, water or other liquids, either directly or indirectly into the System, sewer charges payable as hereinafter provided, and in amounts to be determined as follows:

A. BEGINNING APRIL 1, 2011, AND THEREAFTER UNTIL REVISED

Monthly Readiness to Serve Rate	\$12.00
Rate per 1,000 gallons	\$4.25

SECTION 10. That for any lot, parcel of land, or premises having a connection with the Sanitary Sewage System, or otherwise discharging sewage, industrial wastes, waters or other liquids, either directly or indirectly into the System, the Board of Trustees of Public Affairs shall determine the method of measuring the water used therein and for that purpose at the owner's or other interested party's expense, may install and maintain a meter acceptable to the Board of Trustees of Public Affairs for the purpose of determining such sewer charge.

SECTION 11. That the sewer charges levied, at the rate or rates established by Section 5 hereof shall take effect April 1, 2011 and shall thereafter be billed for each quarter and be payable as stated on the billing. Any premises making connection with the System after April 1, 2011 shall be charged a per diem pro rata amount based upon the quarter-annual charge, from the time such connection is made until the commencement of the next following billing period applicable to said premises. Amounts due and owing under Ordinances 312 and 340 shall remain due and owing, notwithstanding amendments made to said Ordinances within this Ordinance. In case of failure to pay any bill for sewer charges when due, a penalty of ten percent (10%) added quarterly of such charge shall be added to such bill. The sewer charges herein established shall be mailed to the Village at P.O. Box 488, Ottoville, Ohio 45876, and shall be payable at the same time as the water bill.

SECTION 12. That each sewer charge levied pursuant to this ordinance is hereby made a lien upon the premises charged therewith, and if the same is not paid within ninety (90) days after it shall be due and payable, it shall be certified to the Auditor of Putnam County, who shall place the same on the real estate tax duplicate, with the interest and penalties allowed by law, and be collected as other real estate taxes are collected. The Village shall also have the right, in the event of a nonpayment as aforesaid, to discontinue service to such premises of water supplied by the Village's waterworks system until such unpaid sewer charges have been fully paid. A fee of Twenty-Five Dollars (\$25.00) shall be charged to reconnect said water services. All customers of the Sanitary Sewer System whose bills are delinquent will be sent a reminder notice after the books are closed for the quarter. If the bill is not paid within fifteen (15) days of the date of said notice, a "shutoff" notice will be sent, and fifteen (15) days from the date of filing of the "shutoff" notice, water service will be terminated.

SECTION 13. The Board of Trustees of Public Affairs shall make and enforce such rules and regulations as it may deem necessary for the enforcement of the provisions hereof, for the proper

determination and collections of the rates and charges herein provided, and for the safe, efficient, and economical management of the Sanitary Sewer System; and such rules and regulations, when not repugnant to existing Ordinances of the Village, or laws of the State of Ohio, shall have the same force and effect as Ordinances of Council.

SECTION 14. No lot, parcel of land, building, or premises now or hereafter used by the Village for municipal purposes shall be subject to sewer charges hereby established.

SECTION 15. That nothing in this ordinance shall be construed as prohibiting the Village from entering into contracts for providing sewer services outside the Village corporate limits at different rates other than contained in Section 5 hereof and upon such terms and conditions as it deems necessary. The rates for out of town service are as follows:

For one (1) utility, triple current in town rate.

For two (2) utilities, double the current in town rate.

SECTION 17. That this Ordinance is effective at the earliest time allowable under the law.

Date Passed: Feb. 28, 2011

ATTEST:

Jeanne M. Wannemacher  
Fiscal Officer, Village of Ottoville

APPROVED:

Ronald N. Miller  
Mayor, Village of Ottoville