

Sponsor: Phillips/Smith

ORDINANCE NO. 33-12

AN ORDINANCE REPEALING AND REVISING SECTION 927.05 (ORD. 142-03) OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO INCREASE THE SEWER COLLECTION RATES FOR SEWER CUSTOMERS OF THE CITY OF JACKSON AND DECLARING AN EMERGENCY.

WHEREAS, Section 927.05 of the Codified Ordinances of the City of Jackson presently sets the rates for sewer use; and

WHEREAS, the legislative authority of the City of Jackson has found it necessary to increase those rates in order to continue the operation of the wastewater treatment plant in accordance with Ohio law and within the terms of the consent order to which the City is subject and that the increase is necessary for the protection of the health, safety and welfare of the City and its residents; and

WHEREAS, the current language in Section 927.05 of the Jackson City Code must be amended to remove that language pertaining to the current rate schedule and to revise it to include the language as contained in Exhibit A, attached hereto and incorporated herein.

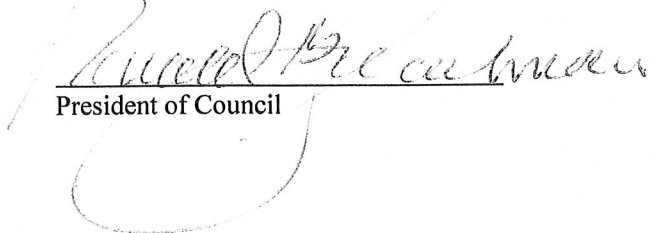
NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT THE FOLLOWING BE AN ORDINANCE GOVERNING SEWER RATES AND THAT IT BE NUMBERED AS SECTION 927.05 AND REPLACED WITHIN THE JACKSON CITY CODE, AS CONTAINED IN EXHIBIT "A", ATTACHED HERETO, AND DECLARING AN EMERGENCY.

This Ordinance is hereby declared to be an emergency Ordinance necessary so as to increase those rates in order to continue the operation of the wastewater treatment plant in accordance with Ohio law and within the terms of the consent order to which the City is subject and that the increase is necessary for the protection of the health, safety and welfare of the City and its residents. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

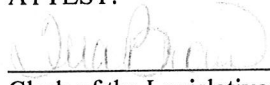
It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on
this 10th day of September, 2012.



President of Council

ATTEST:



Clerk of the Legislative Authority

Approved this 10th day of Sept, 2012.



Mayor

EXHIBIT A

927.05 SEWER RATES.

(a) Definitions.

- (1) "User charge" means that charge assessed users of the sewage system to recover the cost of operations, maintenance and replacement of the sewage collection and sewage treatment system, and the cost of rendering bills and collecting sewer service charges.
- (2) "Operation and maintenance costs" means the cost incurred in the act of keeping all facilities for collecting, pumping, treating and disposing of sewage, in a good state of repair and functioning properly, including the replacement of such facilities when necessary.
- (3) "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (4) "Debt service" means the funds used for the retirement of and interest on bonds and/or notes authorized and issued by the City to construct sewage system facilities.
- (5) "Sewer service charge" means the total charge levied against users of the sewage system for sewer service. The charge shall include user charges plus the cost of debt service.
- (6) "Commercial user" means any user of the sewage systems not specifically categorized as residential or industrial, and generally classified in the Standard Industrial Classification (SIC) Manual in Division F – Wholesale Trade; Division G – Retail Trade; Division H – Finance, Insurance and Real Estate; portion of Division I – Services; and Division J – Public Administration.
- (7) "Industrial user" means any nongovernmental user of the publicly owned treatment works identified in the SIC Manual of the U.S. Office of Management and Budget, as amended and supplemented, under the following division: Division A – Agriculture, Forestry and Fishing; Division B – Mining; Division D – Manufacturing; Division E – Transportation, Communication, Electric, Gas and Sanitary Service; and Division I – Services. A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.

- (8) "Residential user" means any user discharging domestic wastes from the buildings or premises that are used as a permanent place for human occupancy such as a single-family dwellings, rowhouses, townhouses, mobile homes, garden and standard apartments and high rise apartments. Transient lodging, considered commercial in nature, is not included.
- (9) "Institutional user" means any user discharging domestic waste from buildings or premises that are used as and for social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.
- (10) "Governmental user" means any user discharging domestic wastes from buildings or premises that are used as and for legislative, judicial, administrative and regulatory activities of federal, state and local governments.

(b) Sewer Service Charges. The following are hereby fixed as the fair, proportional and reasonable rates for sewer service charges and user charges based upon the metered consumption of water. All users discharging waste to the sewage collection system shall be billed for wastewater treatment services including governmental or institutional users such as schools, municipal utilities or other public buildings.

(1) Minimum Bill :

<u>METER CODE</u>	<u>METER SIZE</u>	<u>TOTAL MINIMUM 10/1/2012</u>	<u>TOTAL MINIMUM 1/1/2013</u>	<u>TOTAL MINIMUM 1/1/2014</u>	<u>TOTAL MINIMUM 1/1/2015</u>
1	5/8"	\$7.68	\$8.92	\$9.98	\$10.78
2	3/4"	\$10.26	\$11.90	\$13.34	\$14.40
3	1"	\$15.38	\$17.84	\$20.00	\$21.60
4	1.5"	\$28.20	\$32.70	\$36.62	\$39.56
5	2"	\$43.58	\$50.54	\$56.62	\$61.14
6	3" TURBINE	\$92.26	\$107.02	\$119.86	\$129.44
7	4" COMPOUND	\$130.64	\$151.56	\$169.74	\$183.32
12	4" TURBINE	\$156.28	\$181.28	\$203.04	\$219.28
8	6" COMPOUND	\$258.76	\$300.16	\$336.16	\$363.08
10	10"	\$480.00	\$552.00	\$590.64	\$620.18

(c) Surcharges.

- (1) The following terms, as used in this subsection shall have the meanings ascribed to them as shown:
- A. "Normal sewage" means sewage which, when analyzed shows, by weight, a daily average of not more than 350 parts per million of suspended solids, and not more than 300 parts per million of biochemical oxygen demand (BOD).
 - B. "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.
 - C. "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedure, in five days at twenty degrees Centigrade, expressed in parts per million by weight.
- (2) Sewage or industrial wastes above normal sewage strength, but acceptable for discharge into the sanitary sewage system, shall be subject to a surcharge. The surcharge shall be determined on the basis of either or both of two constituents of water or wastes:
- A. Total suspended solids, and/or
 - B. Five-day BOD at twenty degrees Centigrade and as herein provided.
- (3) When either or both the total suspended solids (referred to as "TSS") and the BOD of a water or waste accepted for admission to the system exceeds the values of their constituents for normal sewage, the excess concentration in either or both, as the case may be, shall be subject to a daily surcharge as follows:

	<u>10/1/2012</u>	<u>1/1/2013</u>	<u>1/1/2014</u>	<u>1/1/2015</u>
POUNDS OF TSS	\$0.280/lb (0.27966)	\$0.324/lb (0.3244)	\$0.363/lb (0.3633)	\$0.392/lb (0.3924)
POUNDS OF BOD	\$0.232/lb (0.2316)	\$0.269/lb (0.2687)	\$0.301/lb (0.3009)	\$0.325/lb (0.32497)

- (4) In addition to the surcharge the user will pay the user charges as defined in subsection (b) hereof. The pounds of BOD per day and/or pounds of suspended solids per day, above the concentrations previously described for normal strength sewage that are discharged to the sewage system, shall be determined by the City or its authorized representative.

In addition to a surcharge on BOD and suspended solids, the City shall have the right to surcharge any user for the discharge of any

other pollutant into the sewage system or for any other reason that it deems necessary and appropriate, such as excessively high rate of discharge.