

RECORD OF ORDINANCES

Ordinance No. 2015-11

August 17, 2015

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2015-11

AN ORDINANCE AMENDING CHAPTER 1042 “WATER” OF THE BELLBROOK MUNICIPAL CODE.

WHEREAS, the City of Bellbrook provides water service to customers in Bellbrook and certain areas of Sugarcreek Township; and

WHEREAS, the Chapter 1042 of the Bellbrook Municipal Code specifies the rates, charges and billing methods for the provision of water to the customers; and

WHEREAS, the City of Bellbrook has reviewed Chapter 1042 of the Municipal Code and desires to modify certain sections.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following amendment to Chapter 1042 of the Bellbrook Municipal Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

§ 1042.03 “Service Charges” is hereby amended as follows:

- (a) Each customer connected to the City water system *for domestic or commercial uses* [~~within District A using a meter smaller than three quarters of an inch~~] shall pay a monthly service charge [of ~~eight dollars and ninety cents (\$8.90)~~] for the first 1,000 gallons or part thereof, and three dollars and ninety cents (\$3.90) for each 1,000 gallons thereafter. *The monthly service charge shall be based on the meter size as follows:*
- [(b) — Each customer connected to the City water system within District B using a meter smaller than three quarters of an inch shall pay a monthly service charge of eight dollars and ninety cents (\$8.90) for the first 1,000 gallons or part thereof, and three dollars and ninety cents (\$3.90) for each 1,000 gallons thereafter.]
- [(c) — For water meter sizes three quarters of an inch or larger[, on both water systems,] the following monthly rates shall apply:]

Meter Size (in.)	Monthly Minimum Charge for 1,000 Gallons
<u>5/8</u>	<u>\$8.90</u>
<u>3/4</u>	<u>\$40.00 (domestic accounts)</u>
3/4 ^[*]	\$80.00 [residential \$40.00] (<u>commercial accounts</u>)
1 ^[*]	\$110.00
1 1/2 ^[*]	\$140.00
2 ^[*]	\$170.00

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3	\$380.00
4	\$640.00
6	\$1,070.00
8	\$1,810.00
10 or more	\$3,600.00

~~[* The charge for this meter size (when the meter is used for irrigation purposes) will vary according to the provisions in Section 1042.04, Billing.]~~

(b) *Each customer connected to the City water system for irrigation uses shall not be charged a monthly service charge. Each irrigation account will be charged for water usage in the amount of four dollars and seventy-five cents (\$4.75) for each 1,000 gallons or part thereof.*

~~[(d) Each customer of District A who is connected to the City water system outside the City shall pay, in addition to the regular water charge, a surcharge of not more than fifty percent of the regular water charge.]~~

~~(e)~~(c) Publicly and privately owned water systems may be supplied water. The water service charge for such facilities shall be negotiated by the Manager on a contract basis and approved by Council. Charges for the sale of bulk water shall be set by the Manager based upon competition from other areas and requirements of the coin-operated mechanisms currently in use.

~~[(f) Beginning in 1998, the service charges set forth in subsections (a), (b) and (c) hereof and in Section 1042.08 may be increased annually, by four motions of Council (one for each subsection and section), at a percentage obtained by averaging the consumer price index from the U.S. Bureau of Labor Statistics for the previous three years. When increases in the charges are approved, the resulting monthly minimums and rates per thousand for meters smaller than three-quarters of an inch shall be rounded up to the next ten cents (\$.10); monthly minimums for meters three-quarters of an inch or larger shall be rounded up to the next ten dollars (\$10.00); and tap-in fees shall be rounded up to the next one hundred dollars (\$100.00) without requiring an amendment to this section.]~~

~~(g) In 1995, this section shall take effect for water usage which is reflected on third quarter bills. For future years, the rate changes set forth in this section shall take effect for water usage which is reflected on second quarter bills in the applicable year.]~~

§ 1042.04 "Billing" is hereby amended as follows:

(a) The water service billing procedure shall be established by the Director of Finance and may be changed from time to time to conform with good business practices. The billing procedures shall be approved by the Manager.

(b) Statements of the charges for water service shall be rendered once each quarter on or about the first day of the billing month for the customers due to receive bills that month. The amount of all such charges shall be paid to the City on or before the due date listed on the bill. If the unpaid charges are not paid on or before the due date listed on the bill, an additional charge of ten percent (10%) of the unpaid charges shall be added thereto and become part of such unpaid

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charges. A shut-off notice will be mailed if the charges remain unpaid twenty (20) days after the original due date. The shut-off notice will include a final due date for payment that will be no longer than thirty-five (35) days from the original due date. If full payment is not received by such date, service will be terminated without further notice. Restoring water service or maintaining service once a Water Department employee has already arrived at the customer's property to disconnect service shall require an additional nonpayment shut-off fee to restore or maintain service.

- (c) A customer whose payment by check is returned to the City by the bank due to insufficient funds in the customer's account or because the check was written on a closed account shall be charged a returned check fee, as set forth in Section 1042.07. The utility billing office shall also require that the repayment be made in cash and may also require that future payments by that customer be made in cash or by money order.
- (d) Overpaid amounts of less than one dollar (\$1.00) on closed accounts shall not be refunded.
- (e) For service to and inspection of both connected and shut-off domestic *and commercial* ~~and irrigation~~ water meters, the monthly minimum charge for the meter shall continue year-round. The monthly minimum charge for all shut-off meters shall be at the rate set for a standard 5/8 inch ~~by 3/4 inch~~ meter. ~~[The monthly minimum charge for all connected single family residential irrigation meters, regardless of size, shall be at the rate for a standard 5/8 inch by 3/4 inch meter.]~~ Once a meter has been shut-off for a minimum of six (6) months, the meter shall be disconnected and removed from the system. There shall be no monthly minimum charge for disconnected and removed meters. A reconnection fee of forty dollars (\$40.00) will be charged to the customer to return the meter to service.
- (f) Customers who do not intend to use their irrigation system at any time during the year may notify the Water Department ~~[in advance and thereby not be charged the monthly minimum]~~. Upon this ~~[advance]~~ notification, the Water Department will remove the irrigation meter from the system. A reconnection fee of forty dollars (\$40.00) will be charged to the customer to return the irrigation meter to service.

§ 1042.10 "Establishment of Water Districts" is hereby amended as follows:

- ~~(a) District A shall comprise the entire City water system as it existed on April 1, 1981, and all extensions thereof, until such time that a high service area is designated and reassigned to District B.~~
- ~~(b) District B shall comprise the water system acquired pursuant to Ordinance 80-13, passed July 28, 1980, and all extensions thereof, including high service areas reassigned from District A.]~~

Section 2. That this ordinance shall take effect and be in force October 1, 2015.

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PASSED this ____ day of _____, 2015.

Robert L. Baird, Mayor

Carrie C. Smith, Clerk of Council

APPROVED AS TO FORM:

Patricia N. Campbell, Municipal Attorney