

1st Reading - May 4th, 2020  
2nd Reading - May 27th, 2020  
W.P. - June 4th, 2020  
Sponsor: Brenner

ORDINANCE NO. 2020-23

**AN ORDINANCE BY THE CITY OF WELLSTON LEGISLATIVE AUTHORITY  
ADOPTING, AMENDING AND REPLACING RELEVANT SECTIONS OF CHAPTER  
51 OF THE WELLSTON CODE IN ITS ENTIRETY**

**WHEREAS** the City of Wellston Council has established rules and regulations for municipal garbage collection and have codified those Rules as Chapter 51 of the Wellston Codified Ordinances; and

**WHEREAS** the City Service Director and mayor have recommended various amendments to sections of Chapter 51: Water and Sewer Rates of the Wellston Codified Ordinances, a copy of the revised Rules and Regulations detailing the amendments to be made is attached hereto; and

**WHEREAS** the Council has reviewed and given input on the Rules; and

**WHEREAS** the Council has determined that it is in best interest of the health safety and welfare of the inhabitants of the City to adopt the Rules, a copy of which is attached as Exhibit A

**NOW THEREFORE BE IT ORDAINED** by the Council that:

**Section One:** Relevant Sections of Chapter 51: Water and Sewer Rates of the Wellston Codified Ordinances are hereby amended and replaced. Chapter 51 is hereby amended and replaced as detailed in attached Exhibit A.

**Section Two:** It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of the council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 4th day of June, 2020.

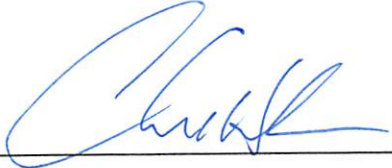
D. Keith Woolen  
Council President Pro-Tem

ATTEST:

Amy Stead

Clerk of Council

Approved this 4<sup>th</sup> day of June, 2020.

  
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Mayor

Posted 6-5-20 through 6-19-20 at Pig, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Post Office.

Prepared by: Randy H. Dupree, Law Director, City of Wellston

## CHAPTER 51: WATER AND SEWER CHARGES

### Section

- 51.01 Water and sewer tap-in fees; bond
- 51.02 Water and sewer service application
- 51.03 Billing procedure and collection of water rents and charges
- 51.04 Estimated bills
- 51.05 Water and sewer service termination policy
- 51.06 Water and sewer rates established
- 51.07 Sewer user fees established for certain areas
- 51.08 Water and sewer rate schedule
- 51.09 Service related charges and fees
- 51.10 Adjustments
- 51.11 Dormant water meters

### Cross-reference:

*Public Utilities Division, see § 34.05*

*Utility Director, see § 30.04*

### § 51.01 WATER AND SEWER TAP-IN FEES; BOND.

(A) (1) Each property owner, lessee or other person desiring to connect to a city sanitary sewer or water line shall be required to obtain a permit from the Director of Public Safety and Service and pay a tap fee and for necessary materials as follows. Fees include one joint of Pipe and Tap. Property owner is responsible for any additional Costs.

<u>Sewer Taps</u>	\$900
<u>Water Taps</u>	
¾ and 1inch	\$900
2 inch	\$1025 plus Meter Cost and Installation
4 inch & larger	\$1275 plus Meter Cost and Installation
Additional Costs as needed	
Lids	\$30
Ring	\$40
Risers	\$125

(2) Each property owner, lessee or user of services shall pay the actual cost of any excavation beyond the one length of pipe, back filling and street or alley repair as determined by the Director of Public Safety and Service. Customer is responsible for pipe from either from a "curb box" or meter whichever is closest to the main water line.

(B) Nothing contained in division (A) above shall prohibit a person connecting to a city sewer or water line from performing excavation, backfilling or street repair on his or her own behalf, or through private contractors, providing that such work located upon city rights-of-way shall be performed according to specifications prescribed by the Director of Public Safety and Service, and provided further that such person furnish the city, prior to commencement of work, a bond in the sum of \$2,500, conditioned upon recommendation of the Water Superintendent, be assessed to the customer.

(2003 Code, § 51.05) (Ord. 4160, passed 1-17-2013; Ord. 2016-142, passed 1-5-2017)

#### § 51.02 WATER AND SEWER SERVICE APPLICATION.

(A) An applicant for water or sewer service shall be the occupant(s) and the property owner(s) and they shall provide the following: present a valid driver's license for identification and there must be a copy of the deed and the most recent real estate tax invoice on file with the County Treasurer. Both parties shall be held jointly and severally responsible for the payment of water and sewer charges. Unless otherwise specified, bills will be rendered to the tenant only, but the property owner will be notified if a bill for water/sewer/garbage charges is delinquent.

(B) The applicant shall pay a deposit of \$200 to the city prior to furnishing water service to any city water customer. Upon termination of service, the meter deposit may be applied against any unpaid, final bill service.

(C) The applicant shall pay a nonrefundable application fee of \$100 paid to the city prior to furnishing water service to any city water customer.

(D) The applicant shall pay any amount delinquent, past due, including past due fees or charges applicable, on any water, sewer or garbage account the applicant may have with the city or that is delinquent from a prior customer at the property for which service is sought.

(E) The cost of repair or replacement of materials, such as damaged water meters, lids, tiles or risers, caused by negligence, including damage by freezing, shall be assessed to the customer. The costs of materials are bullet lock: \$25, tiles: \$45, lids: \$30, rings: \$40, risers: \$125, meters (one-inch): \$300, and MXU box: \$150.

(Ord. 4160, passed 1-17-2013; Ord. 2016-142, passed 1-5-2017)

#### § 51.03 BILLING PROCEDURE AND COLLECTION OF WATER RENTS AND CHARGES.

(A) All charges for the consumption of water and use of sewer, as fixed by the measurement of the water meter, shall be billed monthly by the city. Each bill shall be due and payable on or before the tenth of the month when billed at the office of the City Clerk. If the date falls on a Saturday, Sunday, legal holiday or other day that the City

Clerk's office is closed, the due date shall be extended to the next business day. When a bill is not paid by the due date, a delinquent notice will be sent. This will give the customer ten days to pay the delinquent amount or service disconnection procedures will begin. All bills and fees must be paid in full at no time will a water customer be permitted to carry a water balance.

(B) Unless otherwise specified, bills will be rendered to the tenant only, but the property owner will be notified if a bill for water charges is delinquent.

(C) Where more than one occupant or tenant is served through one meter, the property owner will be held directly responsible for the payment of all bills pertaining to the use of water.

(D) All water and sewer charges and service charges shall be payable at the office of the City Clerk. Customer must present Bill with Payment. The Clerk shall be charged with the duty of receiving and collecting all water and sewer charges and service charges and accounting therefor in the manner prescribed by law and this Ordinance. The Clerk shall establish and maintain such ledgers, books, records and all accounting systems as may be required by reason of such collecting. When any account is delinquent and within the rules established by the Director of Public Safety and Service, water service should be terminated and the same shall be immediately certified by the Clerk to the Director. Whenever requested by the Director, the Clerk shall report the conduct of their office relating to the collection of water rents and service charges. The Clerk's office staff may not alter bills or fees on their own authority.

(E) In the event the charges for utility service (water service, sewage service and garbage service) are not paid within 30 days after rendition of the bill for such service, then such charges shall be deemed and are hereby declared to be delinquent. Such a delinquency shall constitute a lien upon the real estate for which such service is provided, and the City Auditor shall be and is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the County Auditor. The filing of such statements shall be deemed notice of the lien.

(F) For any customer with a closed account with a delinquent balance, the city shall transfer the balance to an open account of the customer after delivery of ten-day notice by mail to the customer to pay the closed account balance.

(2003 Code, §§ 51.04, 51.07) (Ord. 4160, passed 1-17-2013; Ord. 2016-142, passed 1-5-2017)

#### § 51.04 ESTIMATED BILLS.

Actual meter readings shall be made every month. In cases of extreme weather, estimated monthly accounts based on the prior two months of water consumption may be used in rendering statements to consumers. A maximum of two estimations are permitted per year. Estimated meter readings shall not occur in consecutive months.

(2003 Code, § 51.09) (Ord. 4160, passed 1-17-2013; Ord. 2016-142, passed 1-5-2017)