

## ORDINANCE 09-22

AN ORDINANCE OF THE VILLAGE OF ROCKFORD, OHIO (VILLAGE WATERWORKS SYSTEM), AND ENACTING NEW RATES TO THE CHARGES FOR WATER AND WATER SERVICE PROVIDED BY THE VILLAGE OF ROCKFORD, REPEALING ANY CONFLICTING LEGISLATION, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is necessary to establish charges for water in a fair and consistent manner which collects revenue adequate for the operation, maintenance, and replacement fund for the operation of the water system.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO THAT

**SECTION ONE:** The Village Administrator is hereby authorized and directed to manage and control the waterworks system in said Village in a safe, economical, and efficient manner provided by law.

**SECTION TWO:** The said Village Administrator is further authorized and directed to make such by-laws and regulations as may be deemed necessary for the safe, economical, and efficient management and protection of said waterworks system, subject to the laws of the State of Ohio and the ordinances and resolutions of the Village of Rockford, Ohio.

**SECTION THREE:** Charges for water and water service shall be charged and paid monthly at the office of Clerk/Treasurer at the same time as the charges for wastewater service are paid and shall be included on the same invoice as the charge for wastewater services for the same period.

**SECTION FOUR:** Definition of classes of users of the water service for the Village of Rockford:

- A. RESIDENTIAL - shall include all single or multiple unit residential accounts.
- B. COMMERCIAL - all non-residential accounts.
- C. BULK WATER USERS shall include bulk water customers of who fill their tanks with village water.

**SECTION FIVE:** Charges for water service for the Village of Rockford, Ohio

- A. RESIDENTIAL – minimum rate of \$\_\_53.00 \_\_\_\_\_ for up to first 2,000 gallons and then 3.50 per thousand for each additional 1,000 gallons.
- B. COMMERCIAL – minimum rate of \$\_\_53.00 \_\_\_\_\_ for up to first 2,000 gallons and then \$3.50 per thousand for each additional 1,000 gallons.
- C. BULK WATER USERS: the rate shall be \$15.00 per \$1,000 gallons

In the event that any condominium or apartments are serviced by one water meter, the monthly water service charge shall be determined by multiplying the number of units by the applicable minimum metered rate. It is the duty and responsibility of the landlord or owner of such multiple unit premises to notify the Clerk/Treasurer of the number of units vacant during any month. By way of example, an apartment house or condominium containing 10 units, each such individual unit shall be subject to an individual water service charge and should all occupied living units combined use under 20,000 gallons total for the month, the charge for the premises would be 10 times the minimum charge of \$\_\_\$53\_\_\_\_ or \$\_\_\$530\_\_\_\_\_ for the month. Any usage over the first 20,000 gallons would be charged an additional \$3.50 per 1,000 gallons.

This above fee schedule will apply to all applicable existing meters in residential and commercial categories. Hereafter each unit in a multifamily structure is required to have its own water tap, meter, and shut off.

Out of Corporation Users: Effective rates will be charged per month to all current out-of-corporation users of water. It is hereby declared that based upon the long-term operation of the Village Water System that connections will no longer be allowed to those users outside the corporation limits, unless determined by the County Auditor's Map Department that there is no annexation point and said connection is in the best interest of all parties involved, with said agreement being made between the User and the Village Administrator. The user must hereby agree in writing in said circumstance to annex to the Village of Rockford, Ohio should there ever be a legal annexation point to the serviced property in the future. This agreement shall contain a clause setting forth that such agreement shall be attached to any annexation petition and shall serve as signature to said petition. These agreements shall be in a form of a covenant and shall run with the land and upon its execution shall be recorded in the Official Records of the Mercer County Recorder at the expense of the person serviced.

**SECTION SIX:** Yearly Review of rates The Council of the Village of Rockford, each year may raise the water rates. This shall be done by ordinance and majority vote of Council. The increase will take effect in January of the following year first billing in February for January services.

**SECTION SEVEN:** Non-payment penalties. A 10% penalty shall be added to all bills not paid by the 15th day of the month in which payment is due. If the said bill remains unpaid at the end of the month, water services shall be discontinued without notice. A \$25.00 disconnect fee will be added to the account.

**SECTION EIGHT:** Payment responsibility: For rental and non-owner occupied properties service billing shall be the responsibility of the tenant. Failure to pay will result in court action. Owner of property may request billing to remain in his/her name.

To receive service customer must complete a utility application available at Village Hall.

A deposit of \$225 is required before obtaining services for non-owner occupied properties.

**SECTION NINE:** Deposit of Funds. All funds collected for water service shall be deposited into a separate and distinct fund known as the water fund, and said monies shall be used for payment of the costs and incurred expenses of the management, maintenance, enlargement, operation and repair of the waterworks systems and for no other purpose.

**SECTION TEN:** Ordinance 02-18 and all other conflicting legislation be and the same are hereby repealed.

**SECTION ELEVEN:** This ordinance shall take effect and be in force beginning the 1st day of January, 2023.

PASSED THIS 18 Day of OCT, 2022.

Ron Seavright

President of Council

Attest:

Kasa Kuhn

Fiscal Officer

Approved:

Amy Joseph

Mayor

1st reading 9/20/2022  
2nd reading 10/4/2022  
3rd reading - 10/18/2022 -