

ORDINANCE 2020-17

AN ORDINANCE SETTING WATER AND SEWER TAP FEES FOR THE VILLAGE OF COMMERCIAL POINT, OHIO, AMENDING ORDINANCE 2020-14, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 743.04 provides that the Village may assess and collect a water rent or charge of sufficient amount and in such manner as it determines to be most equitable from all tenements and premises supplied with the water; and

WHEREAS, Ohio Revised Code Section 729.49 provides that the legislative authority of a municipal corporation may, by ordinance, establish just and equitable rates of charges of rents to be paid to the municipal corporation for the use of a municipal sewer system; and

WHEREAS, the Village of Commercial Point has determined that it is necessary to set water and sewer tap fees to provide the funds necessary for the operation of its sewer and water systems and to pay the debt services related thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO, BY A VOTE OF TWO-THIRDS OF THE MEMBERSHIP THEREOF, THAT:

SECTION 1. A water tap fee shall be paid by any person or entity for each new service connection to the Village water system. A sanitary sewer tap fee shall be paid by any person or entity for each new service connection to the Village sanitary sewer system. The tap fee or fees shall be paid at the time of filing the application to make the service connection or connections. The water and sanitary sewer tap fees shall be as attached hereto and incorporated herein as Exhibit A.

SECTION 2. No person or entity shall make a service connection or any part thereof to the water system or sanitary sewer system of the Village of Commercial Point unless the proper tap fee or fees have been paid and a permit has been issued by the Village to make the service connection to the Village water or sanitary sewer system. Whoever violates this Section is guilty of a misdemeanor of the first degree, and shall be fined not more than one thousand dollars.

SECTION 3. All previous legislation that established water and sanitary sewer tap fees is hereby repealed to the extent that the fees set forth therein are in conflict with this Ordinance, except that a Qualifying Residential Property shall remain eligible for reduced water and sewer tap fees as described in Ordinance 2020-14. Notwithstanding the foregoing, Section 3 of Ordinance 2020-14 is hereby amended to apply only to a Qualifying Residential Property that installs a sewer tap fee no larger than three-fourths inch (3/4") in diameter. Only a Qualifying Residential Property shall be eligible for reduced water and sewer tap fees as described in Ordinance 2020-14, and as amended by this Ordinance.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that result in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. This emergency measure is necessary for the health, safety and welfare of the residents of Commercial Point, as such emergency arises out of the need to clarify a previous ordinance so that there is a clear and precise understanding by the public on the exact price of all water and sanitary sewer taps sold by the Village.

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Vote on Suspension of Readings:

Motion by: Bruce Moore

2nd: Tracy Joiner

Roll Call:

Yes Bruce Moore

Yes Tracy Joiner

Yes Jason Thompson

Yes Aaron Grassel

Yes Ryan Mitchem

Yes Laura Wolfe

Vote on Passage of the Ordinance:

Motion by: Bruce Moore

2nd: Laura Wolfe

Roll Call:

Yes Bruce Moore

Yes Tracy Joiner

Yes Jason Thompson

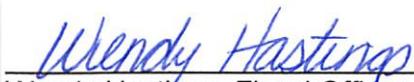
Yes Aaron Grassel

Yes Ryan Mitchem

Yes Laura Wolfe

Adopted this 14th day of September, 2020.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Josh Cartee, Law Director

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Exhibit A

1. The water and sewer tap fees for the Village of Commercial Point shall be as follows:

Tap Size (Inch)	Water Tap Fee	Sewer Tap Fee
3/4	\$8,000	\$10,200
1	\$14,223	\$18,135
1 1/2	\$32,002	\$40,802
2	\$56,891	\$72,535
3	\$128,005	\$163,206
4	\$227,564	\$290,144
6	\$512,018	\$652,823
8	\$910,255	\$1,160,576
10	\$1,422,274	
12	\$2,048,075	

2. The Village shall not allow any master meter arrangements for water customers.
3. When a service line is used for fire protection only, the water tap fees shall be reduced to thirty percent (30%) of the above rate. The service line for fire protection shall be separate from all other service lines. There shall not be any connection between a fire protection system and water system for domestic use.