

ORDINANCE NO. 010-14

AN ORDINANCE AMENDING SECTION 931.07 INCREASING WATER RATES FOR BULK SALES FOR THE YEARS 2014, 2015 AND 2016, ESTABLISHING A WEEKEND TESTING FEE, AND INCREASING FEES FOR TESTING; AND DECLARING AN EMERGENCY

WHEREAS, the Board of Public Affairs in a regular meeting held on March 10, 2014, reviewed the existing water rates and determined a rate increase over a three year period for 2014, 2015 and 2016 is necessary in order to keep the water utility fund sound; Now Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, Section 931.07 of the Codified Ordinances of the City of Napoleon, Ohio, shall be amended and enacted as follows:

"931.07 WATER RATES.

The water rates charged by the City shall be as follows except as may otherwise be permitted by rule:

- (a) A City approved water meter shall be utilized for determining use of water.
- (b) The following rates are established and shall be charged to all classes of water users, until otherwise changed.

- (1) Effective with the first billing cycle in the year 2013, to be reflected in the first billing in February of the year 2013, except for direct sales as established in subsection (b)(1)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(2) hereof.

The commodity charge shall be computed as follows:

A. Units of water used inside the corporation:

Units: 1 up to 10 = \$4.75 each unit, then

Units: 11 up to 250 = \$4.50 each unit, then

Units: Over 250 = \$3.30 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

B. Units of water used outside the corporation:*

Units: 1 up to 10 = \$7.13 each unit, then

Units: 11 up to 250 = \$6.75 each unit, then

Units: Over 250 = \$4.95 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

C. Direct sales at the plant: \$7.71 per 1,000 gallons.

- (2) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	\$11.07	\$16.60
B. 1.25	39.72	59.58

C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 and up	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(3) Effective with the first billing cycle in the year 2014, to be reflected in the first billing in February of the year 2014, except for direct sales as established in subsection (b)(3)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(4) hereof.

The commodity charge shall be computed as follows:

- A. Units of water used inside the corporation:
 Units: 1 up to 10 = \$4.90 each unit, then
 Units: 11 up to 250 = \$4.65 each unit, then
 Units: Over 250 = \$3.45 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- B. Units of water used outside the corporation: *
 Units: 1 up to 10 = \$7.35 each unit, then
 Units: 11 up to 250 = \$6.98 each unit, then
 Units: Over 250 = \$5.18 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- C. Direct sales at the plant: ~~\$7.71~~ \$7.94 per 1,000 gallons.

(4) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	\$11.07	\$16.60
B. 1.25	39.72	59.58
C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 AND UP	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(5) Effective with the first billing cycle in the year 2015, to be reflected in the first billing in February of the year 2015, except for direct sales as established in subsection (b)(5)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(6) hereof.

The commodity charge shall be computed as follows:

- A. Units of water used inside the corporation:
 Units: 1 up to 10 = \$5.05 each unit, then
 Units: 11 up to 250 = \$4.80 each unit, then
 Units: Over 250 = \$3.60 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- B. Units of water used outside the corporation: *
 Units: 1 up to 10 = \$7.58 each unit, then
 Units: 11 up to 250 = \$7.20 each unit, then
 Units: Over 250 = \$5.40 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- C. Direct sales at the plant: ~~\$7.71~~ \$8.18 per 1,000 gallons.

(6) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity Of Service (Meter size in Inches)	Capacity Charge (Inside Corporation)	Capacity Charge (Outside Corporation)*
A. 1.00 And Less	\$11.07	\$16.60
B. 1.25	39.72	59.58
C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 AND UP	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(7) Effective with the first billing cycle in the year 2016, to be reflected in the first billing in February of the year 2016, except for direct sales as established in subsection (b)(7)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(8) hereof. The commodity charge shall be Computed as follows:

- A. Units of water used inside the corporation:
 Units: 1 up to 10 = \$5.20 each unit, then
 Units: 11 up to 250 = \$4.95 each unit, then
 Units: Over 250 = \$3.75 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

B. Units of water used outside the corporation:*

Units: 1 up to 10 = \$7.80 each unit, then

Units: 11 up to 250 = \$7.43 each unit, then

Units: Over 250 = \$5.63 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

C. Direct sales at the plant: ~~\$7.71~~ \$8.43 per 1,000 gallons.

(8) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	\$11.07	\$16.60
B. 1.25	39.72	59.58
C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 AND UP	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(c) The capacity of service shall be determined by the City and, normally, shall be equal to the size of the consumer's water meter.

*Except for bulk sales direct from the Water Plant, both capacity and commodity water charges outside the City are charged at approximately fifty percent (50%) higher than in the City, unless otherwise modified by rule or terms of a contract. Nothing in this section shall be construed to prohibit the City from increasing or decreasing the percentage stated in a contract where not otherwise prohibited by law.

(d) No deduction in capacity charge (from the beginning of time) is applicable as it relates to governmental buildings, schools, and charitable institutions.

(e) Water testing fees shall be as follows:

- (1) Testing bacteria mmo/mugg /Smp ~~\$12.00~~\$20.00
- (2) Calibrate chlorine meters /Mtr ~~\$25.00~~\$30.00
- (3) **TESTING FOR SPECIAL SAMPLES /SMP \$40.00**
- (4) **WEEKEND TESTING FOR ANY SAMPLE/SMP \$100.00'**

Section 2. That, Section 931.07 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.


Section 5. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper funding for water operations, a service necessary for public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: April 21, 2014



John A. Helberg, Council President

Approved: April 21, 2014



Ronald R. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 010-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 010-14 day of May 19th, 2014; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.



Gregory J. Heath, Clerk/Finance Director