

ORDINANCE NO. 088-17

**AN ORDINANCE AMENDING SECTION 931.07 INCREASING
WATER RATES FOR BULK SALES FOR THE YEARS 2017, 2018
AND 2019, ESTABLISHING A WEEKEND TESTING FEE, AND
INCREASING FEES FOR TESTING; AND DECLARING AN
EMERGENCY**

WHEREAS, the Board of Public Affairs and the Water, Sewer, Refuse, Recycling and Litter Committee in a regular meeting held on November 14, 2016, reviewed the existing water rates and determined a rate increase over a three year period for 2017, 2018 and 2019 is necessary in order to keep the water utility fund sound; and,

WHEREAS, the City Council of Napoleon in a regular meeting held on November 21, 2016 reviewed the existing water rates and determined a rate increase over a three (3) year period for 2017, 2018, and 2019 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 2016, to be reflected in the first billing in February of the year 2016, 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 = \$5.20 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: \$8.18 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 2017, to be reflected in the first billing in February of the year 2017, 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 = \$5.86 each unit, then
Units: 11 up to 250 = \$5.58 each unit, then
Units: Over 250 = \$4.22 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 = \$8.79 each unit, then
Units: 11 up to 250 = \$8.37 each unit, then
Units: Over 250 = \$6.33 each unit.

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

- C. Direct sales at the plant: \$8.43 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 2018 to be reflected in the first billing in February of the year 2018, except for the 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 = \$6.58 each unit, then
Units: 11 up to 250 = \$6.27 each unit, then
Units: over 250 = \$4.75 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 = \$9.87 each unit, then
Units: 11 up to 250 = \$9.41 each unit, then
Units: over 250 = \$7.13 each unit.

Note: one unit of water is defined as 100 cubic feet.

- C. Direct sales at the plant: \$8.43 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	192.01
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 2019 to be reflected in the first billing in February of the year 2019, except for the 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 = \$7.38 each unit, then
Units: 11 up to 250 = \$7.02 each unit, then

Units: over 250 = \$5.32 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 = \$11.07 each unit, then

Units: 11 up to 250 = \$10.53 each unit, then

Units: over 250 = \$7.98 each unit.

Note: one unit of water is defined as 100 cubic feet.

C. Direct sales at the plant: \$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 \$20.00 |
| (2) Calibrate chlorine meters | | /Mtr \$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.

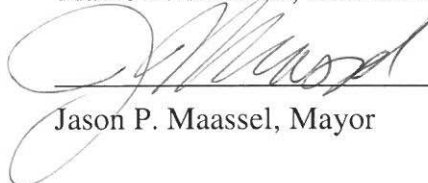
Section 5. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper funding 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: December 18, 2017



Travis B. Sheaffer, Council President

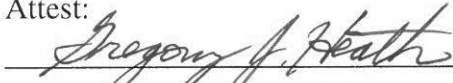
Approved: December 18, 2017



Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 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. 088-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & 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

2017, 2018 and 2019 WATER RATE SCHEDULES - With Approved Water Rate Increases									
WATER RATE INCREASES									
BASE YEAR, 2017, 2018 & 2019	2016		2017	2017	2018	2018	2019	2019	2016 Thru
	Base		Approved	REVISED	Approved	REVISED	Approved	REVISED	2019%
	RATE		Increase	RATE	Increase	RATE	Increase	RATE	Increase
			% Net Inc. to Prior Year		% Net Inc. to Prior Year		% Net Inc. to Prior Year		% Net Inc.
WATER RATES - Current Rates Approved by Ord.No. 051-16, Passed 12-21-2016									
INSIDE CITY RATES:									
Commodity Charge:									
			Date Effective->	1-Jan-17	Date Effective->	1-Jan-18	Date Effective->	1-Jan-19	
			Date Billable->	1-Feb-17	Date Billable->	1-Feb-18	Date Billable->	1-Feb-19	
1 - 10 Units (1 CCF = 1 Unit)	\$5.20	CCF	12.6900%	\$5.86	12.2900%	\$6.58	12.1600%	\$7.38	41.9200%
11 - 250 Units (1 CCF = 1 Unit)	\$4.95	CCF	12.7300%	\$5.58	12.3700%	\$6.27	11.9600%	\$7.02	41.8200%
Over 250 Units (1 CCF = 1 Unit)	\$3.75	CCF	12.5300%	\$4.22	12.5600%	\$4.75	12.0000%	\$5.32	41.8700%
(1 CCF = 748.05 Gallons)									
Capacity Charge:									
(Meter Size in Inches " - Per Service)			Date Effective->	1-Jan-17	Date Effective->	1-Jan-18	Date Effective->	1-Jan-19	
			Date Billable->	1-Feb-17	Date Billable->	1-Feb-18	Date Billable->	1-Feb-19	
1.00" and Less	\$11.07	/Mtr	0.0000%	\$11.07	0.0000%	\$11.07	0.0000%	\$11.07	0.0000%
1.25"	\$39.72	/Mtr	0.0000%	\$39.72	0.0000%	\$39.72	0.0000%	\$39.72	0.0000%
1.50"	\$62.93	/Mtr	0.0000%	\$62.93	0.0000%	\$62.93	0.0000%	\$62.93	0.0000%
2.00"	\$128.01	/Mtr	0.0000%	\$128.01	0.0000%	\$128.01	0.0000%	\$128.01	0.0000%
3.00" (and up)	\$353.14	/Mtr	0.0000%	\$353.14	0.0000%	\$353.14	0.0000%	\$353.14	0.0000%
4.00"	\$600.00	/Mtr	0.0000%	\$600.00	0.0000%	\$600.00	0.0000%	\$600.00	0.0000%
6.00"	\$1,000.00	/Mtr	0.0000%	\$1,000.00	0.0000%	\$1,000.00	0.0000%	\$1,000.00	0.0000%
8.00"	\$1,500.00	/Mtr	0.0000%	\$1,500.00	0.0000%	\$1,500.00	0.0000%	\$1,500.00	0.0000%
10.00" AND UP	\$2,000.00	/Mtr	0.0000%	\$2,000.00	0.0000%	\$2,000.00	0.0000%	\$2,000.00	0.0000%
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OUTSIDE CITY RATES:									
Commodity Charge:									
			Date Effective->	1-Jan-17	Date Effective->	1-Jan-18	Date Effective->	1-Jan-19	
			Date Billable->	1-Feb-17	Date Billable->	1-Feb-18	Date Billable->	1-Feb-19	
1 - 10 Units (1 CCF = 1 Unit)	\$7.80	CCF	12.6900%	\$8.79	12.2900%	\$9.87	12.1600%	\$11.07	41.9200%
11 - 250 Units (1 CCF = 1 Unit)	\$7.43	CCF	12.6500%	\$8.37	12.4300%	\$9.41	11.9000%	\$10.53	41.7200%
Over 250 Units (1 CCF = 1 Unit)	\$5.63	CCF	12.4300%	\$6.33	12.6400%	\$7.13	11.9200%	\$7.98	41.7400%
(1 CCF = 748.05 Gallons)									
Capacity Charge:									
(Meter Size in Inches " - Per Service)			Date Effective->	1-Jan-17	Date Effective->	1-Jan-18	Date Effective->	1-Jan-19	
			Date Billable->	1-Feb-17	Date Billable->	1-Feb-18	Date Billable->	1-Feb-19	
1.00" and Less	\$16.60	/Mtr	0.0000%	\$16.60	0.0000%	\$16.60	0.0000%	\$16.60	0.0000%
1.25"	\$59.58	/Mtr	0.0000%	\$59.58	0.0000%	\$59.58	0.0000%	\$59.58	0.0000%
1.50"	\$94.41	/Mtr	0.0000%	\$94.41	0.0000%	\$94.41	0.0000%	\$94.41	0.0000%
2.00"	\$192.02	/Mtr	0.0000%	\$192.02	0.0000%	\$192.02	0.0000%	\$192.02	0.0000%
3.00" (and up)	\$529.68	/Mtr	0.0000%	\$529.68	0.0000%	\$529.68	0.0000%	\$529.68	0.0000%
4.00"	\$900.00	/Mtr	0.0000%	\$900.00	0.0000%	\$900.00	0.0000%	\$900.00	0.0000%
6.00"	\$1,500.00	/Mtr	0.0000%	\$1,500.00	0.0000%	\$1,500.00	0.0000%	\$1,500.00	0.0000%
8.00"	\$2,250.00	/Mtr	0.0000%	\$2,250.00	0.0000%	\$2,250.00	0.0000%	\$2,250.00	0.0000%
10.00" AND UP	\$3,000.00	/Mtr	0.0000%	\$3,000.00	0.0000%	\$3,000.00	0.0000%	\$3,000.00	0.0000%
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BULK WATER & MISCELLANEOUS RATES:									
Bulk Water Sales:									
			Date Effective->	1-Jan-17	Date Effective->	1-Jan-18	Date Effective->	1-Jan-19	
			Date Billable->	1-Feb-17	Date Billable->	1-Feb-18	Date Billable->	1-Feb-19	
Direct Sales at Water Plant									
Per 1000 Gallons	\$8.18	/K	3.0600%	\$8.43	0.0000%	\$8.43	0.0000%	\$8.43	3.0600%
Testing & Calibration Fees:									
Testing Bacteria mmo/mugg /Smp	\$20.00	/Smp	0.0000%	\$20.00	0.0000%	\$20.00	0.0000%	\$20.00	0.0000%
Calibrate Chlorine Meters /Mtr	\$30.00	/Mtr	0.0000%	\$30.00	0.0000%	\$30.00	0.0000%	\$30.00	0.0000%
Testing Special Samples /Smp	\$40.00	/Smp	0.0000%	\$40.00	0.0000%	\$40.00	0.0000%	\$40.00	0.0000%
Weekend Testing Any /Smp	\$100.00	/Smp	0.0000%	\$100.00	0.0000%	\$100.00	0.0000%	\$100.00	0.0000%
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