

RULES AND REGULATIONS GOVERNING THE CONSTRUCTION, MAINTENANCE, OPERATION, USE AND PROTECTION OF SANITARY SEWER SYSTEMS AND THE WATERWORKS SYSTEMS IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND STREETSBORO REGIONAL SEWER DISTRICT NO. 4

Effective: 11/30/2012

Resolution: 12-1071

Adopted: 12/04/2012

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Fixing Charges for the Use of the Sanitary Sewerage System in the Portage County Regional Sewer District, Fund 5200

ITEM 1405 – FIXING CHARGES FOR THE USE OF THE SANITARY SEWERAGE SYSTEM IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, FUND 5200

Section 1405.01 Sewer Service Charge

Sewer service charge means the total charge which is assessed users of the sewage system, and includes user charges and a fixed charge subject to change at any time and from time to time by resolution of the Board, each person, firm or corporation whose premises are served by a connection to the System shall be charged a quarterly sewer service charge determined from time to time as hereinafter set forth.

Section 1405.02 Sanitary Sewerage System Revenue Fund

The funds received from the collection of the rates hereinafter provided shall be deposited as received with the County Treasurer who shall keep the same in a separate and distinct fund to the credit of the Portage County Regional Sewer District Revenue Fund (Fund 5200). That subject to the provisions of any indenture authorizing the issuance of County Sanitary Sewer Revenue Bonds for the purpose of improving the sanitary sewer system of the "District", monies in said fund shall be used first for the payment of the cost of the management, maintenance and operation of Sanitary Sewer Service Facilities for the use of which such charges are made and second for the payment of interest or principal of any debt incurred for the construction of such improvements, all in accordance with the provision of Section 6117.02 of the Ohio Revised Code. Any surplus thereafter remaining in such funds may be used for the extension or replacement of such Sanitary Sewer Service Facilities or other enlargements, replacements or extensions of the sanitary sewer system of the "District".

Section 1405.03 Determination of Service Units for Non-Metered Users

For the purpose of calculating the charges herein provided for and having given due consideration to the volumes, strength and other characteristics of the sewage emanating from the premises served by the System, it is hereby determined that the uses of such premises shall be assigned the Service Units for non-metered users established under Section 1401.02.

A minimum of one unit shall be utilized for billing charges.

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Trailer parks shall be billed in accordance with the equivalency chart in Section 1401.02 unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described in Section 1401.02, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria or until the installation of a water meter.

Section 1405.04 Charges – County Owned Facilities

That for the purposes provided in Section 1405.02, there is hereby fixed and charged to each person, firm or corporation whose premises have a connection with the following treatment plant or otherwise discharge sewage, industrial wastes, water or other liquids, either directly or indirectly into such sewer facilities, sewer rates for each service unit, payable and hereinafter provided, in the respective amounts as follows:

A. Quarterly Sewer Service Charge:

1. Zone 2 - Bolingbrook (SH-2), Brimfield (BR-2), Franklin Hills (FR-1), Red Fox (SH-1), Shalersville Township (SH-4), Twin Lakes (FR-2), Western Reserve (N-1), and Mantua Township (M-1) Sewer Service Areas.

The quarterly sewer service charge for single family residential users shall be:

2012	\$112.27
2013	\$114.23
2014	\$116.23
2015	\$118.27
2016	\$120.34
2017	\$122.44

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During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$55.41	\$112.27
2013	\$56.38	\$114.23
2014	\$57.37	\$116.23
2015	\$58.37	\$118.27
2016	\$59.39	\$120.34
2017	\$60.43	\$122.44

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$43.81	\$112.27
2013	\$44.58	\$114.23
2014	\$45.36	\$116.23
2015	\$46.15	\$118.27
2016	\$46.96	\$120.34
2017	\$47.78	\$122.44

Zone 2 year begins on December 1

2. Zone 3 - Atwater Sewer Service Area (AT-1), West Branch Service Area (CH-1) Ravenna Regional Sewer Service Area (RV-O), Fairlane Estates Sewer Service Area (SU-1), Rivermoor Sewer Service Area, (SU-2) and the New Milford Sewer Service Area.

The quarterly sewer service charge for single family residential users shall be:

2012	\$112.27
2013	\$114.23
2014	\$116.23
2015	\$118.27

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2016	\$120.34
2017	\$122.44

During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$55.41	\$112.27
2013	\$56.38	\$114.23
2014	\$57.37	\$116.23
2015	\$58.37	\$118.27
2016	\$59.39	\$120.34
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In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$43.81	\$112.27
2013	\$44.58	\$114.23
2014	\$45.36	\$116.23
2015	\$46.15	\$118.27
2016	\$46.96	\$120.34
2017	\$47.78	\$122.44

3. Randolph Sewer Service Area (RA-3).

The quarterly sewer service charge for single family residential users shall be:

2012	\$94.00
2013	\$95.65
2014	\$97.32
2015	\$99.02
2016	\$100.75
2017	\$102.52

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During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$65.69	\$118.77
2013	\$66.84	\$120.85
2014	\$68.01	\$122.96
2015	\$69.20	\$125.12
2016	\$70.41	\$127.30
2017	\$71.64	\$129.53

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$54.83	\$118.77
2013	\$55.79	\$120.85
2014	\$56.77	\$122.96
2015	\$57.76	\$125.12
2016	\$58.77	\$127.30
2017	\$59.80	\$129.53

4. Allen Aircraft – Quarterly Sewer Service Charge

In the case of the Allen Aircraft Products Industrial Waste connection, Zone 3, the quarterly sewer service charge shall be:

	Per 1,000 Cubic Ft	Minimum Bill
2012	\$27.63	\$112.27
2013	\$28.11	\$114.23
2014	\$28.61	\$116.23
2015	\$29.11	\$118.27
2016	\$29.62	\$120.34
2017	\$30.13	\$122.44

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B. Surcharge

1. Extra Strength Waste & Excessive Flow Surcharge

Users that discharge extra strength waste into the sanitary sewer system or exceed original permit design flow to the system shall be surcharged for such flow. The surcharge rate shall be established under Item 1011. The surcharge shall be in conjunction with the Quarterly Sewer Service Charge per Section 1405.04 and Section 1405.05.

2. Project Construction Surcharge

i. Zone 2

1. Aurora Meadows Surcharge: In addition to the quarterly sewer service charge all residential, commercial, commercial food service and industrial users connected to the Aurora Meadows Sanitary Sewer System (M-1 06-190) will pay a capital surcharge of \$43.45 per equivalent resident unit per quarter for a period of 40 years.

ii. Zone 3

1. Black Horse Surcharge: In addition to the quarterly sewer service charge all existing residences, businesses, and institutions in the Black Horse Service Area will pay a capital surcharge of \$30.60 per equivalent resident unit per quarter until a total amount of \$612.00 per residential equivalent unit is paid, (in place of normal front foot charges). This is due to the availability of Community Development Block Grant and Ohio Public Works Commission (fka "Issue 2") funding. All future customers in the Black Horse Service Area without existing on site systems are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

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2. New Milford Surcharge: In addition to the quarterly sewer service charge all existing residences, businesses, and institutions in the New Milford Service Area will pay a capital surcharge of \$110.00 per equivalent resident unit per quarter until a total amount of \$1760 per residential equivalent unit is paid, (in place of normal front foot, trunk, and plant charges). This is due to the availability of Community Development Block Grant and Ohio Public Works Commission (fka "Issue 2") funding. All future customers in the New Milford Service Area without existing on site systems, are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.
 3. Randolph Surcharge: Additionally all residences in the Randolph Service Area will pay a capital surcharge of \$62.25 per equivalent resident unit per quarter for a period of 40 years, ending December 31, 2046. Note: A duplex shall be considered as one residential unit for surcharge purposes only.

C. Fixed Charge

In addition to the amounts calculated in accordance with Section 1405.04, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Section 1405.05 Charges – County Operated Facilities

There is hereby fixed and charged to each person, firm or corporation owning sewer facilities and using the Portage County Water Resources Lab Facilities, payable as hereinafter provided in the respective amounts per quarter as follows:

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A. Quarterly Sewer Service Charge:

1. Southeast School Sewage Treatment Plant, Zone 3

The quarterly sewer service charge for services provided by the Water Resources Department shall be:

For the period: Rate Per Quarter:

1-01-2012 to 12-31-2012	\$1,316.35
1-01-2013 to 12-31-2013	\$1,339.39
1-01-2014 to 12-31-2014	\$1,362.83
1-01-2015 to 12-31-2015	\$1,386.67
1-01-2016 to 12-31-2016	\$1,410.94
1-01-2017 to 12-31-2017	\$1,435.63

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Section 1405.06 Quarterly Billing and Payment of Charges Penalty

The Water Resources Department shall bill the charges herein provided for at the end of each quarter. The amount billed shall be due and payable within 21 days of being mailed; except those rates applicable to properties owned or leased by political subdivisions, of the State Of Ohio shall be due and payable without penalty no later than the 30th day following the billing date. A penalty equal to 10 percent of the unpaid current billing that has not been received by the close of business on the last day such bill is due and payable without penalty shall be added to the unpaid amount of that bill. The "due date" (the date by which payment may be received without penalty) will be shown on the bill. This penalty may be waived at the discretion of the Sanitary Engineer.

Section 1405.07 Discount Program

The Portage County Discount Program ("Discount Program") will apply to qualified residential customers. A discount of 10% will be deducted from the sewer charge for qualified residential customers.

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A "qualified residential customer" shall be defined as: (1) an individual who receives sanitary sewer service from Portage County Water Resources Department, and (2) is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and (3) is responsible for the payment of the sanitary sewer utility bill.

Section 1405.08 Effective Date of New Connection

The effective date of connection to the sanitary sewer system for new building construction shall be the first day of the first month after 90 days has elapsed from the date of lateral installation or the date of occupancy, whichever comes first. If the connection is to an existing building, modular unit, prefab unit or trailer unit the billing shall begin the day of such connection as certified by the County's Sanitary Engineer. Billing shall be prorated from the effective date of connection. If the building (commercial or residential) is on the Portage County Water System, billing starts the date the water is turned on.

Section 1405.09 Continuing Charge in the Absence of Disconnection

So long as the premises of a person, firm or corporation are connected to the Sanitary Sewer System, whether occupied or vacant, the applicable charge shall be billed to such user. The effective date of disconnection of a user from the System shall be the day such disconnection is approved by the County's Sanitary Engineer.

An exception to the above paragraph shall be made provided that the premises are also connected to the Portage County Water System and are billed as a Portage County Water Resources retail customer. In such cases, the sewer charge will not be applied if a permit to turn the water off has been purchased and the water for the same premises is shut off. Such services shall remain off until a permit to turn the water on is purchased and water service is restored.

Section 1405.10 Charges and Certification

A. Non-Payment Of Charges:

The amount of any charges, as set forth in Section 1405.03 and Section 1405.04, which are not received by the due date shall be certified,

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together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as other taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue sewer service to the non-paying user's premises or any other premises of that user served by a connection to the System.

B. Final Certification List:

The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent sewer service charges in September of each year which the Board will certify to the Portage County Auditor for collection with real estate taxes.

Section 1405.11 Leased Premises

The lessor of any premises, which are served by a connection to the System, shall be liable for payment of the charges billed with respect to the leased premises, together with any penalty relating to the delinquent payment thereof. The County shall have the right to collect those charges and any penalty from the lessor.

Section 1405.12 Water Meters Required for Non-Residential Users; Flow Meters

The County Sanitary Engineer requires that each future non-residential user of the System install, at the user's cost, a water meter on its premises to measure its water consumption.

Any current non residential customers (except for trailer parks) that does not have a proper meter installed will be assigned a number of service units (minimum of one) as specified in Section 1405.03 and charged for the service units plus 50%. This additional 50% charge will continue to be charged until the user installs a proper meter. A trailer park without a meter will be billed in accordance with Section 1405.03 without an additional 50% charge.

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Should a customer remove (without approval of the Sanitary Engineer), tamper with or fail to provide reasonable access to the metering system, the bill will be calculated using previous meter readings plus 50% or Section 1405.03 plus 50%, whichever is greater.

In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards, that a portion of the water consumption measured by a water meter installed on a non-residential user's premises does not enter or is not capable of entering the System, then such user may install, at his expense, a separate discharge flow meter measuring to the satisfaction of the Sanitary Engineer applying accepted engineering standards, the volume of wastewater discharged from the user's premises into the System. In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards that the volume of wastewater discharged from a non-residential user's premises into the System exceeds the volume of water consumed by that user as measured by the water meter installed on the user's premises, the Sanitary Engineer may require that user to install, at the user's cost and expense, a separate discharge flow meter to measure the volume of wastewater discharged from that user's premises into the System. Notwithstanding any provision to the contrary contained in these Rules and Regulations, in the event a separate discharge flow meter is installed by a user as herein provided, the user charge to be billed to that user shall be determined on the basis of the volume of wastewater discharged to the user's premises into the System, rather than on the basis of the volume of water consumed as measured by the water meter installed on the user's premises.

Section 1405.13

Multiple Buildings – One Owner

Properties that have more than one building that are connected to the sanitary sewer system, exist on the same parcel and have the same county parcel identification number, are metered through one common meter, and have at least one building connected to the county sewer system that is recognized as a commercial building may be combined and billed as one metered account. Such change in property billing shall not take place until such information is verified and a written request for such change in service is received at the office of the Water Resources Department.

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The Portage Airport Condominium Association (PACA) located at the Portage County Regional Airport is permitted to install one common water meter per hanger building owned by PACA to calculate the billing.

This change is subject to periodic review to determine that no change in property status has occurred. If a representative of the Water Resources Department is denied access to verify account status then billing shall be as per Section 1405.12.

Section 1405.14 Inspection and Meter Readings on Private Property

The County Sanitary Engineer is hereby authorized and directed to designate personnel within the County's Water Resources Department who shall have the right to enter upon private property to take water meter readings and flow meter readings and composite samples from meters and samples installed thereon. In the event a user of the System refuses to permit authorized County personnel to enter and take such readings and samples, those authorized personnel shall request the assistance of County Sheriff's Department and shall make the inspection accompanied by an officer of the Sheriff's Department. The County Sheriff is hereby required to provide such assistance. After a user's refusal to permit entry of authorized County personnel to take such readings and samples, the County Sanitary Engineer may elect to bill the user a charge as determined and also may terminate the user's sewer service.

Section 1405.15 Duties of County Sanitary Engineer

The County Sanitary Engineer is hereby charged with the responsibility for administering and enforcing this Item, classifying users of the system and determining changes that occur in premises or the use thereof which result in changes of user classification or applicable rate. The Sanitary Engineer is hereby authorized to review the operation, maintenance and replacement costs of the system each year for the preceding year and to prepare and review an expense projection for the coming year. This projection shall be prepared in accordance with and based upon generally accepted accounting principles consistently applied and upon an analysis of the operation, maintenance and replacement costs of the system and the covenants of any resolutions, trust indentures or trust agreements pertaining to the system.

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Section 1405.16 Severability

This Item is severable and the invalidity of any section, phrase or provision herein shall not affect the validity of any other section, phrase or provision.

Section 1405.98 Expiration of Fees and Charges

The rates established in Item 1009 – Fixing Charges For The Use Of The Sanitary Sewerage System In The Portage County Regional Sewer District, Fund 5200 shall remain in full force and effect until the Board of Commissioners, modifies or deletes said rate.

- END OF ITEM -