Ordinance No. 2023-37 **Passed:** August 14, 2023

AN ORDINANCE ESTABLISHING SEWER RATES, AND SEWER REGULATIONS FOR THE VILLAGE OF WEST LAFAYETTE, OHIO, AMENDING ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

WHEREAS, the Village of West Lafayette and the City of Coshocton have entered into The Village of West Lafayette, City of Coshocton Water System Transfer Agreement; and

WHEREAS, the agreement has been executed and Contract A, Contract B, and Contract C of the construction process have been completed; and

WHEREAS, after the execution of the agreement, water rates will be determined by the City of Coshocton, according to the constraints set forth within the agreement. Sewer rates will still be based off of water consumption for Village residents that get both municipal water and sewer, however, the rate will be computed in cubic feet (CF) rather than gallons; and

WHEREAS, it has been determined that sewer rates need to be increased by ten percent (10%) each year for the next two (2) years subject to an annual review in July of each year; and

WHEREAS, Village Council after an annual review in July of each year will revise this ordinance as necessary establishing any necessary revisions to sewer rates for the next year for the village effective with the October billing cycle of the same year the review is accomplished; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of West Lafayette, State of Ohio, as follows:

SECTION 1: That the monthly rates for water consumption by residents of the Village of West Lafayette, Ohio for all billings will be set by the City of Coshocton. The new rates are as outlined in "Exhibit A" of this ordinance.

SECTION 2: Sewer rates for residents that also have municipal water will be:

$8.79 per 134 CF **OR** 6.56 cents per 1 CF for residents living inside Village limits. A minimum usage of 268 CF equating to $17.58 per month will be charged to each account.

$13.20 per 134 CF **OR** 9.85 cents per 1 CF for residents living outside Village limits. A minimum usage of 268 CF equating to $26.40 per month will be charged to each account.

SECTION 3: That the monthly sewer rates for Village residents or other members of the public that are serviced by West Lafayette sanitary sewer infrastructure shall be a flat rate, for residential and/or commercial customers. This rate shall be for all billings on the effective date of this ordinance, and shall be as follows:

$26.99 for residential accounts
$62.83 for commercial accounts

SECTION 4: In addition to the charges in Sections 2 and 3 above, the following surcharges shall be added to the monthly bills:

$24.00 for residents involved in the Johnson Street Sewer Project.

$17.16 surcharge for customers serviced by the Fresno Sewer Infrastructure.

SECTION 5: That the monthly rates to be paid by Pearl Valley Cheese for the receipt and treatment of the industrial discharge wastewater from its plant located at 54760 Township Road 90, Fresno, Ohio 43824 shall be:

$3.74 per 1,000 gallons for the first 1,000,000 gallons discharged per month and $2.74 per 1,000 gallons for each additional gallon (or part thereof).

SECTION 6: Residents of the Village, that are both water and wastewater customers, will be eligible to receive a once per year credit for sewer charges for the water utilized to fill a swimming pool located on the property from which the water was used. However, the credit given for the pool filling cannot cause the sewer bill to fall below the dollar amount coinciding with the minimum usage as outlined in Section 2 above.

Residents must contact the Village Administrative Office PRIOR to filling their pool in order to receive this credit so that proper coordination of the credit can occur.

The Village will contact the water billing office at the City of Coshocton to report the credit and the credit will be shown on the following billing cycle.

SECTION 7: A late fee of ten (10) percent of the unpaid balance as of midnight of the due date will be assessed for all delinquent sewer bills.

SECTION 8: That the owners of the real estate for which sewer service is provided individually, jointly and severally are responsible for payment of all sewer bills.

SECTION 9: If any owner of real estate or his legal representative transfers the real estate by any means; including without limitation, Warranty Deed, Quitclaim Deed, Certificate of Transfer, Land Contract, or Foreclosure, the closing agent for the transfer, the seller, transferor, and the new owner shall be responsible for all unpaid sewer bills, and delinquent charges, individually, jointly, and severally.

SECTION 10: If a sewer account becomes 90 days or more past due, the Fiscal Officer will certify to the Coshocton County Auditor the total amount due on the account to include delinquency fees and a $100.00 (one hundred dollar) Processing fee to be assessed against their property taxes. These assessments will be made on a semi-annual basis. The timing of the assessment schedule will be established by the Coshocton County Auditor.

SECTION 11: The following is a non-exclusive listing for sewer tap rules. Other rules may be adopted upon approval of Council.

(1). For the purposes of this section the terms "Sanitary Sewerage" and "Industrial Wastes" are defined as follows:

A. "Sanitary Sewerage" is waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, cellar floor drains, garage and filling station floor drains, bars, soda fountains, refrigerator drips, drinking fountains and stable floor drains.

B. "Industrial Wastes" are any liquid wastes resulting from any commercial, manufacturing, or industrial operations or processes.

(2). No house sewer shall be constructed to connect with a public sewer, nor shall any connection be made to a public sewer within or without the corporate boundaries of the Village until the written permission of the Village Administrator has been obtained by the person, firm, or corporation employed to perform the work. An application for a permit shall be signed by the owner, agent or lessee of the property for which the connection is to be made, and by the person, firm or corporation employed to perform the work, and must describe the property and state the fixtures to be connected and shall be accompanied by a fee of $600.

(3). No house sewer shall be constructed, or connection made to a public sewer by any person who has not been authorized and licensed to perform such work.

(4). The written permission to construct a house sewer or to make a connection to a public sewer shall specify the permissible use of such house sewer and connection and such specification shall be governed by the following requirements:

A. Sewage, including wastes from the water closets, urinals, lavatories, sinks, bathtubs, showers, laundries, cellar floor drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains and other objectionable wastes shall be discharged into a sanitary sewer and in no case into a storm water sewer.

B. Industrial waste shall not be discharged into a storm water sewer but may be discharged into a sanitary sewer if the waste is of such character as not to be detrimental to the sewer system or to the sewage treatment works. Where such waste is detrimental to the sewer system or sewage treatment works, it shall be otherwise disposed of in a manner satisfactory to the Village Administrator or so improved in character as not to be detrimental to the sewer system or sewage treatment works.

C. Surface water, rainwater from roofs, subsoil drainage, building foundation drainage, cistern overflow, clean water from condensers, wastewater from water motors and elevators, and any other clean and unobjectionable wastewater shall be discharged into a storm water sewer and in no case into a sanitary sewer.

D. Connection with a cesspool or a privy vault shall not be made into a sanitary or storm water sewer.

E. A trap for the interception of grease and oil shall be provided on a connection from a hotel, restaurant, club or institutional kitchen and from a public garage, gasoline filling station, or automobile washing station. Such trap shall be satisfactory to the Village Administrator.

F. Sewer taps shall not be permitted within a manhole.

(5). No person shall discharge into a house sewer or tap a house sewer for the purpose of discharging into it any waste or drainage water prohibited by the provisions of this section. Any existing connection in violation of the provisions of this section shall be abandoned and removed.

(6). The house sewer and connection to a public sewer shall be constructed as follows:

A. The house sewer be of best quality salt glazed hub and spigot vitrified sewer pipe, or of best quality plastic sewer pipe, not less than four inches in internal diameter and shall be laid in open trench. The joints shall be made watertight by a method approved by the Village Administrator.

B. In order to permit ventilation of the public sewer and house sewer, no trap shall be placed in the house sewer.

C. After the sewer is laid and before it is covered or used, it shall be inspected and approved by the Village Administrator.

(7). The Village Administrator is authorized and directed to adopt and enforce specifications and regulations in accordance with the provisions of this ordinance for the purpose of providing control of the installation of sewer connections and inspection thereof. The Village Administrator shall maintain accurate and complete records of all permits issued for and inspections made of the construction of house sewers and connections to the public sewers. The Village Administrator shall also require the abandonment and removal of all connections to the public sewers which violate the provisions of this section.

(8). It is hereby determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the Village of West Lafayette to levy and collect charges or rentals upon all lots, lands and premises served by having connections with the sanitary sewerage system and the sewage disposal plant of said Village, the proceeds of such charges or rentals do derived to be for the use of the sanitary sewerage system and the sewage disposal works of said village.

SECTION 12: Adjustments under Four Hundred Ninety-Nine and ($499.00) Dollars may be made to water and sewer billing with the approval of the Office Manager, Fiscal Officer, and the Village Administrator. Adjustments over Four Hundred Ninety-Nine ($499.00) Dollars may be made only with approval of Council.

SECTION 13: That this ordinance shall be and is hereby declared to be an emergency measure for the reason that the Village must have the Ordinance passed in order to comply with the aforementioned October billing cycle effective date, so to preserve the health and safety of the citizens of the Village therefore this

ordinance shall be effective immediately upon passage, signing by the Mayor, and posting.

PASSED IN COUNCIL THIS 14 day of August 2023.

Stephen Bordenkircher, Mayor

ATTEST:

Amy Bourne, Fiscal Officer

Revision Log:

Date:	Revision:
2/5/15	Changed Ordinance Number from 2013-29 to 2015-04.
2/5/15	Increased rates in Section 1% for all categories except Over 11,000 gallons.
2/5/15	Increased rates in Section 1, 1.5% for Over 11,000 gallons.
2/5/15	Increased rate in Section 2 by 1%.
2/5/15	Changed Section Numbers, 9 to 10, 8 to 9, and 7 to 8.
2/5/15	Added new Section 7.
2/5/15	Changed Fiscal Officer from Lisa Stiteler to Roberta Moore.
2/5/15	Removed "WHEREAS..... capital improvement" statement.
2/5/15	In Section 1 changed "on or after August 26, 2013" to "on the effective date of this ordinance".
2/5/15	In Section 2 changed "on or after January 1, 2012" to "on the effective date of this ordinance".
2/5/15	In Section 4, changed: "Exceptions to this section may be approved by Village Council" to "unless otherwise stated in this ordinance".
7/23/2018	Adjusted rate schedule
9/10/2018	Added Section 3 and adjusted following sections as necessary
10/14/2019	Revised rate schedule
8/24/2020	Revised rate schedule, increase sewer 6%
01/25/2021	Revised language in the forward sections of the ordinance. Revised the rate Schedule as outlined in the newly attached Exhibit A. Revised Sections 1-11.
03/22/2021	Revised sewer rates to include minimum usage rates
06/14/2021	Added Section 7, 8, 9, 10, 11, and 12. Revised Sections 3, 4, 5, and 6.
09/27/2021	Updated Section 2, 3, 5, and 11.
9/26/2022	Updated Section 2, 3 and 5 and Exhibit A.
8/14/2023	Updated Sections 2, 3, 5 and 10 and Exhibit A

Exhibit A

City of Coshocton Water Charges

Inside Rates

First	367 CF per month	$22.20	(Minimum)
Next	3,334 CF per month	$48.91	per 1000 CF
Over	3,335 CF per month	$33.16	per 1000 CF

Outside Rates

First	367 CF per month	$33.31	(Minimum)
Next	3,334 CF per month	$73.35	per 1000 CF
Over	3,335 CF per month	$49.73	per 1000 CF

West Lafayette Conversions

The Village of West Lafayette bills in Gallons. The City of Coshocton bills in Cubic Feet (CF). The below example is provided to illustrate the conversion from gallons to CF.

CF = Cubic Foot
1 CF = 7.48 Gallons

First 367 CF = 2,745 Gallons = $22.20

Next 3,334 CF = 24,938 Gallons = $48.91 per 7.480 gallons or $6.54 per 1,000 gallons

Next 3,335 CF = 24,946 Gallons = $33.16 per 7.480 gallons or $4.43 per 1,000 gallons