

# RECORD OF ORDINANCES

<small>Day in Legat: B.W.L. Inc.</small>	<b>Ordinance No. 12-18-08-1 (Amended)</b>	<small>Page No. 4/4</small>
	<i>Passed</i> _____	2/1

**AN ORDINANCE TO AMEND ORDINANCE 7-21-05-2  
OF THE WALNUT CREEK SEWER DISTRICT TO PROVIDE  
FOR A FIVE PERCENT (5%) YEARLY INCREASE OF THE USER  
RATE AND THE DECLARATION OF AN EMERGENCY**

WHEREAS, the costs of operating the Walnut Creek Sewer System have increased by reasons of inflation and obligations to the Ohio Environmental Protection Agency (OEPA); and

WHEREAS, it is the obligation of the Board of Trustees of the Walnut Creek Sewer District to establish sewer rates to provide adequate revenues to operate the Walnut Creek Sewer System; and

WHEREAS, the District, in order to comply with the orders of the OEPA and having been denied grants it had applied for from the State, will have to resort to loans from the State; and

WHEREAS, such loans necessitate increased revenues to repay the loans; and

WHEREAS, the Board of Trustees, in order to have the new rate schedule in place for the 2009 billing year and thereafter to preserve the immediate health, care, and welfare of the system and its users, declare the necessity of an emergency;

NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

**SECTION 1:** Ordinance 7-21-05-2, which amended Ordinance 3-23-00-3, is hereby amended to read as follows:

**SECTION 1: Determination of User Rates:**

THE RATES TO BE CHARGED FOR SEWER SERVICE PROVIDED BY THE WALNUT CREEK SEWER DISTRICT SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

a) Residential Users and Commercial Users shall include, but not be limited to, the following: Commercial establishments, residential dwellings, multiple dwellings, apartment complexes, trailer parks, mobile home parks, and condominiums. Monthly rates shall be accordance with the following:

Commencing with the March 1, 2009 billing for usage during February, 2009, the minimum monthly usage of one thousand (1,000) gallons of water as metered shall be at the rate of Five and 57/100 Dollars (\$5.57) in addition to the Six and 30/100 Dollars (\$6.30) per month debt service charge per single family or commercial unit. Notwithstanding such rates, no user shall pay less than a minimum rate of Fifteen Dollars and 00/100 (\$15.00) Usage of each additional thousand gallons of water shall be assessed at the rate of Five and 57/100 Dollars (\$5.57) per one thousand (1,000) gallons per month. Commencing with the February 1, 2010 billing for usage during January, 2010, and annually thereafter, the usage portion of the minimum usage rate and the additional gallon usage rate shall be increased by five percent (5%) per year.

b) In the event that any owner of residential property within Walnut Creek Sewer District does not install a water meter for the measurement of water consumption and sewer usage, the property owner shall be billed at a rate of Forty-Three and 52/100 Dollars (\$43.52) per month per dwelling unit. This rate includes the monthly debt service charge of Six and 30/100 Dollars (\$6.30) assessed against each dwelling within the District. This rate, exclusive of the...

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Dorson Legal Clerk, Inc.

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shall increase by five percent (5%) annually starting with the February 1, 2010 bill. In the event that any owner of commercial units within the Walnut Creek Sewer District does not install a water meter for the measurement of water consumption and sewer usage, the commercial customer shall be billed at a rate of Two Hundred Forty-Seven and 62/100 Dollars (\$247.62) per month per commercial unit. This rate includes the monthly debt service charge of Six and 30/100 Dollars (\$6.30) assessed against each property unit within the District. This rate, exclusive of the debt service charge, shall increase by five percent (5%) annually starting with the February 1, 2010 bill. Within thirty (30) days of receipt of written notice from the Walnut Creek Sewer District, every commercial user which does not have a water meter installed to measure water consumption and sewage usage shall install, at their sole cost and expense, a flowmeter approved by the Walnut Creek Sewer District to measure the flow of sewage from the commercial unit into the Walnut Creek Sewer District Sewer System. Upon installation and inspection of the flowmeter by the Walnut Creek Sewer District, the commercial property shall be charged as in section (a) above. All gallonage shall be measured by the flowmeter which every commercial user shall install pursuant to this section. The commercial user shall be responsible for maintaining and repairing said flowmeter to guarantee the accuracy of the meter readings. In the event that the flowmeter is removed or is inoperable, the commercial unit owner shall be billed at the monthly rate determined as being the average monthly sewer usage during the past twelve (12) months when sewer usage was measured by the flowmeter or the average monthly rate for such shorter period of time during which a flowmeter was utilized to measure sewage output in the event that the flowmeter has not been installed for a twelve (12) month period of time. In the event that a commercial or residential property owner elects to utilize a "master meter" for the measurement of water consumption and sewer usage for a single property with multiple dwelling units or commercial units located on said property, then the property owner shall be billed at the rate as provided in section (a) above for each dwelling unit or commercial unit located on the property served by the "master server". The minimum monthly usage shall be assessed as provided in section (a) above.

c) In the event that the owner of any residential or commercial unit within the Walnut Creek Sewer District shall refuse, neglect, or fail to connect to the sewer system within ninety (90) days from the official notification to connect, the property owner shall be billed at the rate set forth in subsection b) above for residential or commercial users. Said rates shall include the debt service fee and shall assume the sewer usage rates set forth therein for residential and commercial users."

**SECTION 2: Repeal of Inconsistent Ordinance or Parts Thereof:**

That any Ordinance, or part of any ordinance, inconsistent with or contrary to the provisions of this Ordinance shall be, and the same is hereby repealed.

**SECTION 3: Effective Date:**

This ordinance shall be adopted as an emergency measure for the proper operation of the Walnut Creek Sewer District and to raise the necessary funds to repair, maintain, and upgrade the existing sewer system for the welfare of the District.



W.C.S.D SEWER SERVICE RATES					AS OF February 1, 2015				
	MONTHLY CHARGE:				WATER USAGE:	MONTHLY CHARGE:			
	New Base	DBS	O&M	Total		New Base	DBS	O&M	Total
1000	8.70	6.3	10	25	5800	43.32	6.3	10	59.62
1100	8.70	6.3	10	25	5900	44.07	6.3	10	60.37
1200	8.96	6.3	10	25.26	6000	44.82	6.3	10	61.12
1300	9.71	6.3	10	26.01	6100	45.56	6.3	10	61.86
1400	10.45	6.3	10	26.75	6200	46.31	6.3	10	62.61
1500	11.20	6.3	10	27.5	6300	47.06	6.3	10	63.36
1600	11.95	6.3	10	28.25	6400	47.81	6.3	10	64.11
1700	12.70	6.3	10	29	6500	48.55	6.3	10	64.85
1800	13.44	6.3	10	29.74	6600	49.30	6.3	10	65.60
1900	14.19	6.3	10	30.49	6700	50.05	6.3	10	66.35
2000	14.94	6.3	10	31.24	6800	50.79	6.3	10	67.09
2100	15.68	6.3	10	31.98	6900	51.54	6.3	10	67.84
2200	16.43	6.3	10	32.73	7000	52.29	6.3	10	68.59
2300	17.18	6.3	10	33.48	7100	53.03	6.3	10	69.33
2400	17.92	6.3	10	34.22	7200	53.78	6.3	10	70.08
2500	18.67	6.3	10	34.97	7300	54.53	6.3	10	70.83
2600	19.42	6.3	10	35.72	7400	55.28	6.3	10	71.58
2700	20.17	6.3	10	36.47	7500	56.02	6.3	10	72.32
2800	20.91	6.3	10	37.21	7600	56.77	6.3	10	73.07
2900	21.66	6.3	10	37.96	7700	57.52	6.3	10	73.82
3000	22.41	6.3	10	38.71	7800	58.26	6.3	10	74.56
3100	23.15	6.3	10	39.45	7900	59.01	6.3	10	75.31
3200	23.90	6.3	10	40.2	8000	59.76	6.3	10	76.06
3300	24.65	6.3	10	40.95	8100	60.50	6.3	10	76.80
3400	25.39	6.3	10	41.69	8200	61.25	6.3	10	77.55
3500	26.14	6.3	10	42.44	8300	62.00	6.3	10	78.30
3600	26.89	6.3	10	43.19	8400	62.75	6.3	10	79.05
3700	27.64	6.3	10	43.94	8500	63.49	6.3	10	79.79
3800	28.38	6.3	10	44.68	8600	64.24	6.3	10	80.54
3900	29.13	6.3	10	45.43	8700	64.99	6.3	10	81.29
4000	29.88	6.3	10	46.18	8800	65.73	6.3	10	82.03
4100	30.62	6.3	10	46.92	8900	66.48	6.3	10	82.78
4200	31.37	6.3	10	47.67	9000	67.23	6.3	10	83.53
4300	32.12	6.3	10	48.42	9100	67.97	6.3	10	84.27
4400	32.86	6.3	10	49.16	9200	68.72	6.3	10	85.02
4500	33.61	6.3	10	49.91	9300	69.47	6.3	10	85.77
4600	34.36	6.3	10	50.66	9400	70.22	6.3	10	86.52
4700	35.11	6.3	10	51.41	9500	70.96	6.3	10	87.26
4800	35.85	6.3	10	52.15	9600	71.71	6.3	10	88.01
4900	36.60	6.3	10	52.9	9700	72.46	6.3	10	88.76
5000	37.35	6.3	10	53.65	9800	73.20	6.3	10	89.50
5100	38.09	6.3	10	54.39	9900	73.95	6.3	10	90.25
5200	38.84	6.3	10	55.14	10000	74.70	6.3	10	91.00
5300	39.59	6.3	10	55.89	10100	75.44	6.3	10	91.74
5400	40.34	6.3	10	56.64	10200	76.19	6.3	10	92.49
5500	41.08	6.3	10	57.38	10300	76.94	6.3	10	93.24
5600	41.83	6.3	10	58.13	10400	77.69	6.3	10	93.99
5700	42.58	6.3	10	58.88	10500	78.43	6.3	10	94.73

WATER USAGE:				MONTHLY CHARGE:				WATER USAGE:				MONTHLY CHARGE:			
	New Base	DBS	O&M	Total		New Base	DBS	O&M	Total		New Base	DBS	O&M	Total	
10600	79.18	6.3	10	95.48	12700	94.87	6.3	10	111.17						
10700	79.93	6.3	10	96.23	12800	95.61	6.3	10	111.91						
10800	80.67	6.3	10	96.97	12900	96.36	6.3	10	112.66						
10900	81.42	6.3	10	97.72	13000	97.11	6.3	10	113.41						
11000	82.17	6.3	10	98.47	13100	97.85	6.3	10	114.15						
11100	82.91	6.3	10	99.21	13200	98.60	6.3	10	114.90						
11200	83.66	6.3	10	99.96	13300	99.35	6.3	10	115.65						
11300	84.41	6.3	10	100.71	13400	100.10	6.3	10	116.40						
11400	85.16	6.3	10	101.46	13500	100.84	6.3	10	117.14						
11500	85.90	6.3	10	102.20	13600	101.59	6.3	10	117.89						
11600	86.65	6.3	10	102.95	13700	102.34	6.3	10	118.64						
11700	87.40	6.3	10	103.70	13800	103.08	6.3	10	119.38						
11800	88.14	6.3	10	104.44	13900	103.83	6.3	10	120.13						
11900	88.89	6.3	10	105.19	14000	104.58	6.3	10	120.88						
12000	89.64	6.3	10	105.94	14100	105.32	6.3	10	121.62						
12100	90.38	6.3	10	106.68	14200	106.07	6.3	10	122.37						
12200	91.13	6.3	10	107.43	14300	106.82	6.3	10	123.12						
12300	91.88	6.3	10	108.18	14400	107.57	6.3	10	123.87						
12400	92.63	6.3	10	108.93	14500	108.31	6.3	10	124.61						
12500	93.37	6.3	10	109.67	14600	109.06	6.3	10	125.36						
12600	94.12	6.3	10	110.42	14700	109.81	6.3	10	126.11						

**HOW TO FIGURE CHARGES:**

MINIMUM CHARGE IS \$15.00 FOR THE FIRST 1,000 GALLONS OF WATER USAGE METERED

\$7.47 PER 1,000 GALLONS OVER THE FIRST 1,000 GALLONS CHARGED  
OR 7.47 PER 100 GALLONS

1000 GALLONS TREATED X \$7.47 PLUS \$6.30 PLUS \$10.00

**FOR SEWER ONLY USERS:**

RATE IS \$49.86 + \$6.30 + \$10.00 total of \$66.16 PER MONTH PER DWELLING

**COMMERCIAL USERS:**

RATE IS FOR SEWER ONLY \$331.83 PER MONTH PER COMMERCIAL UNIT