

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2023-02**

**REPEALING OLD SECTION 1048.05 SERVICE CHARGES OF CHAPTER 1048
SEWERS AND SEWAGE OF TITLE FOUR PUBLIC UTILITIES OF PART TEN
STREETS, UTILITIES AND PUBLIC SERVICES OF THE CODIFIED ORDINANCES
OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION
1048.05 SERVICE CHARGES**

WHEREAS, the Village of Yellow Springs, Ohio owns and operates, as a public utility, a municipal water distribution system, the services of which are to be supplied to users located both within and without the corporate limits of the Village; and,

WHEREAS, the Village has retained Courtney & Associates, Public Utility Consultants, Findlay, Ohio to prepare an Water System Rate and Cost of Service Study; and,

WHEREAS, Courtney & Associates has concluded that the Village's existing water rates do not properly reflect the Village's cost of providing this service; and,

WHEREAS, the Village Manager and Courtney & Associates recommend that the Village adopt an water rate escalator which will move rates over a five-year period to properly reflect the Village's cost of providing water service; and,

WHEREAS, this Council concurs with the Village Manager and Courtney & Associates' recommendation; and,

WHEREAS, this Council desires by this Ordinance to establish such new rates and charges,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. *Section 1048.05 Service Charges of Chapter 1048 Sewers and Sewage of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.*

Section 2. A new Section 1048.05 *Service Charges of Chapter 1048 Sewers and Sewage of Title Four Public Utilities of Part Ten Streets, Utilities and Public Services of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as follows with new language in bold and text to be deleted in ~~strikeout~~:*

1048.05 SERVICE CHARGES.

- (a) Each customer connected to the Municipal water system within the Village shall pay a monthly sewer service charge which includes a readiness for service charge (RFS) based upon the customer's water meter size and a sewer charge for each thousand gallons of usage:

<i>Effective Date</i>	<i>RFS Rate Per Month</i>	<i>Consumption charge per 1,000 gallons</i>
January 1, 2015	\$11.80	\$5.70
January 1, 2016	\$11.80	\$6.56
January 1, 2017	\$11.80	\$7.54
January 1, 2018	\$11.80	\$8.67
January 1, 2019	\$11.80	\$9.97
January 1, 2020	\$11.80	\$10.27
April 1, 2023	\$12.39	\$10.78
January 1, 2024	\$13.01	\$11.32
January 1, 2025	\$13.66	\$11.89
January 1, 2026	\$14.34	\$12.48
January 1, 2027	\$15.06	\$13.11

(b) Each customer's actual monthly readiness for service (RFS) charge shall be calculated by multiplying the effective RFS rate shown above by the appropriate readiness for service factor as identified below:

Water Meter Size	Readiness for Service Factor
5/8"	1
3/4"	1
1"	2
1½"	4
2"	7
3"	16
4"	28

(c) Each customer connected to the Municipal sewage disposal system within the Village who is not also connected to the Municipal water system shall install, at his or her own expense, a water meter on his or her water supply line of a type approved by the Village Manager, or in lieu of being charged on the basis of a water meter reading, shall be charged on the basis of water consumption as estimated by the Village Manager.

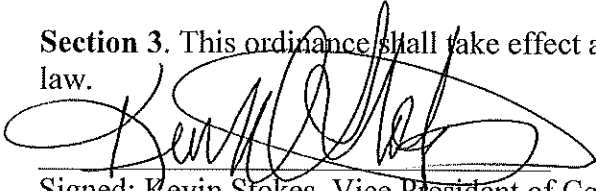
(d) Each customer connected to the Municipal sewage disposal outside the Village shall pay, in addition to the regular monthly charges, a surcharge not more than one hundred percent of the regular service charge. The surcharge shall be uniform, both as to amount and application, to all customers connected to the Municipal sewage system outside the Village.

(e) Sewer service charges shall be due and payable on or before the fifteenth day of the month in which payment is due and a penalty of five percent shall be added to any bill paid after the due date.

(f) All sewer fund receipts above the operational and maintenance funds generated by this change in rates shall be periodically calculated and transferred from the sewer fund to the sewer capital improvements fund which will be established to be used exclusively for replacements and other capital needs of the sewer system.

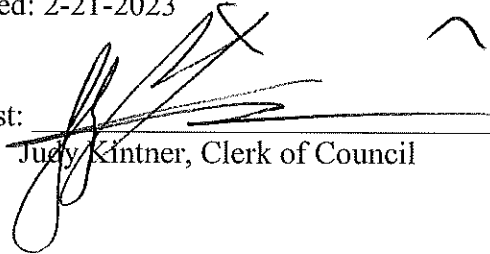
(g) For those residents who apply and are accepted, the Village utility billing office will use that customer's water use in the preceding months of December, January and February as a base line, and will compare it to their use for the following June, July and August. Any summer use that reflects higher consumption than the customer's baseline months of December, January and February will be deducted from that customer's sewer charges *up to a maximum adjustment of 6,000 gallons*. The adjustment will be made in September, based on that customer's actual meter readings to be reflected on the October bill. To qualify to receive the adjustment, the customer must use the water for an approved purpose, such as yard and garden watering that would typically result in a higher water usage during summer months. Since this adjustment is used for outdoor watering in summer months, it is only offered to those who have outdoor areas. Apartments and other multi-unit housing situations that do not have an outdoor area will not be eligible to receive any adjustment. In the case of a complex that does have areas appropriate for watering, when applying, the landlord shall designate the account to which the adjustment should be made.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.


Signed: Kevin Stokes, Vice President of Council

Passed: 2-21-2023

Attest:


Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh _Absent_

Kevin Stokes_Y_ Marianne MacQueen __Y__

Carmen Brown __Y__

Gavin DeVore Leonard __Y__