

ORDINANCE NO. 1012

AN ORDINANCE FIXING RATES AND CHARGES FOR SANITARY SEWERAGE SYSTEM AND SEWAGE DISPOSAL SERVICE TO THE VILLAGE OF RIPLEY, OHIO, ITS INHABITANTS AND OTHER USERS.

WHEREAS, the Village of Ripley, Brown County, Ohio, has determined, pursuant to professional consultation with a sanitary sewerage system engineering firm, and through studies conducted by a sewer committee formed by the Village Council, that the revenues currently being charged for rates and charges for sanitary sewerage service and disposal by the Village is insufficient to meet current and anticipated requirements to operate said sanitary sewerage system and sewage disposal service and further meet the requirements of providing for paying the cost of repairing and improving said sanitary sewerage system and sewer disposal facilities within the Village pursuant to requirements of Ordinance #514, specifically Section 8 therein, and

WHEREAS, in order to comply with the requirements of state and federal regulations, and

WHEREAS, it is necessary to raise additional funds in order to offset increased costs and expenses to operate said sanitary sewerage system and sewage disposal facilities. Now, Therefore, BE IT ORDAINED, by the Council of the Village of Ripley, State of Ohio, all of its members elected thereto concurring:

SECTION 1: (A) Except as provided in subparagraph (B) of this subsection, the following shall be the sewer rates charged by the Village of Ripley for service rendered or to be rendered by its sewer system to it and its inhabitants and other users who are or will be directly or indirectly using the service thereof based on water usage:

|                            |                        |                          |
|----------------------------|------------------------|--------------------------|
| Effective November 1, 1995 | First 1,000 gallons    | \$6.00 minimum           |
|                            | All over 1,000 gallons | \$2.30 per 1,000 gallons |

(B) Due to the increased costs of servicing outside users, sewer customers outside the corporation limit of the Village shall have a fifty percent (50%) surcharge added to the above rate. In the event the Ripley Utilities Department does not furnish water to a nonresident sewer customer, the sewer bill shall be calculated by the Ripley Utilities Department in such a manner as to most accurately and fairly bill the customer from all available evidence. If such customer is served by another water company and if access to the water meter is available to the Ripley Utilities Department, actual meter readings shall be used; otherwise, the sewer bill may be estimated.

Said sewer charges shall be payable at the Office of the Ripley Utilities and shall be billed on the same statement and collected in the aggregate with the charge for water service. Payment of the charge for water shall not be accepted without the payment for sewer service. Said sewer charge shall be billed, together with Village water charge, by the 10th of each month and be paid and payable by the 5th of the following month.

In case of failure to pay any bill for sewer charges when due, a penalty of 10% of such charge shall be added to such bill. The foregoing charges are minimum charges, and not maximum charges, and the Village reserves the right and is obligated to increase the same at any time should the revenues of the sewer system prove insufficient to pay the operating and maintenance expenses and the debt service and other security charges of proposed issue of mortgage revenue bonds.

The foregoing sewer rates and charges are an integral part of the financing revenue bonds referred to in Ordinance # 514 and this Ordinance, as well as the mortgage revenue bond ordinance, shall constitute a contract with the holders of said issue of mortgage revenue bonds.

The said revenues from the sewer system shall not be comingled with other Village monies, but shall be placed in a Revenue Fund established by the ordinance authorizing the issuance of the proposed first mortgage sewer revenue bonds, and shall be disbursed only as provided in said ordinance.

SECTION 2: Should the bill rendered to any property or user served by the sewer system remain unpaid for a period of thirty (30) days, water and sewer service to such property or user shall thereupon be suspended and shall only be resumed upon payment of the past due charge and an additional fee of \$10.00. Any sewer bill which has been unpaid for more than ninety (90) days shall become delinquent and shall be certified to the County Auditor of Brown County and shall become a lien against the property served and shall be collected as other taxes are collected.

SECTION 3: The owner of private property which is served by the sewer system, as well as the lessee or tenant of the premises, shall be liable to the Village for all charges herein levied. No free service shall be provided for any user.

SECTION 4: The Village Council shall make and enforce such rules and regulations as it may deem necessary for the enforcement of the provisions hereof, for the proper determination and collection of the rates and charges herein provided, and for the safe, efficient and economical management of the sewer system; and such rules and regulations when not repugnant to the existing ordinances of the Village of Ripley or the laws of the State of Ohio shall have the same force and effect as an ordinance of Council.

SECTION 5: In the event any part of this ordinance is hereafter found to be invalid, the remaining provisions shall continue in force, it being the intention herein that such remaining provisions would have been passed notwithstanding the invalid part or parts.

Passed and adopted by all members duly elected to Council at a legally convened meeting of Council held on *Oct 10*, 1995

*Larry D. Fulton*  
Mayor

Attest: *Hilda Krebs*  
Clerk