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City of Willoughby Hills

Council
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ORDINANCE NO. 2017-6

AN ORDINANCE REPEALING ORDINANCE NO. 2013-41 AND ENACTING IN LIEU THEREOF A NEW ORDINANCE AMENDING PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 923 – SEWER RATES, SECTION 923.01 – SEWER RATE CHARGES ESTABLISHED, SUBSECTIONS (c) AND (d) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City Willoughby Hills adopted Ordinance No. 1987-19 on April 9, 1987 establishing a charge for the use of central sanitary sewers in the City which are served by the City of Euclid's Wastewater Treatment Plant; and

WHEREAS, said established charge is necessary to provide funds for the cost of maintenance, repair and capital improvements to the wastewater collection system in the City of Willoughby Hills, wastewater treatment by the City of Euclid, and the use of the wastewater collection system outside of the City; and

WHEREAS, on September 23, 2013 the Utilities Committee of Council met to review the proposed five-year rate increase schedule as prepared by the Finance Director. Upon said review it was the consensus of the committee to recommend to Council to accept the proposed sewer rate schedule; and

WHEREAS, on September 26, 2013 based upon the recommendation of the Finance Director and the Utilities Committee of Council, Ordinance No. 2013-41 was adopted which provided for the following Willoughby Hills sewer rate increases with each increase to be effective as of January 1st, of each year: 2014 - \$40.26; 2015 - \$47.26; 2016 - \$54.26; 2017 - \$57.76; 2018 – \$61.26; and

WHEREAS, on June 2, 2014 the Utilities Committee of Council met to review the status of the sanitary sewer system; as recorded by the then Chair of Utilities the status of the sanitary sewer rates was discussed with the Finance Director to having the sewer rate be based on usage under 10 units. The conclusion was that the sewer rate schedule should stay as set for revenue was on course with the Finance Director's projections; and

WHEREAS, the Utilities Committee of Council met on February 8, 2016 to review and discuss the current sewer rate schedule and the three components that make up the sewer rate: the Willoughby Hills Operating Rate, the Euclid Processing Rate and the Administrative Fee. More importantly, it was noted that since 2011, the Willoughby Hills Operating Rate tripled in comparison to the Euclid Processing Rate which had increased; however, not nearly as drastically as the Willoughby Hill's Operating Rate and this is the component of the sewer rate that the City of Willoughby Hills does have control over; and

WHEREAS, the Utilities Committee of Council met on October 24, 2016 for the purpose of discussing the Willoughby Hills operating rates and the possibility of abating the rate increase scheduled for January 1, 2017; and

WHEREAS, a motion of Council was made at the Regular Council Meeting held on December 8, 2016 to review the scheduled 2017 sewer rate increase the with the hopes to abate it; and

WHEREAS, on December 28, 2016 the Utilities Committee of Council met to review and discuss legislation proposed by the Utilities Chair reducing the schedule 2017 sewer rate of \$57.76 to \$47.26 per mcf; and

WHEREAS, in response to Council’s efforts to lower sewer fees, the Mayor presented the Committee with proposed legislation reducing the 2017 rate to \$54.26 per mcf and reducing the minimum sewer charge from ten (10) to five (5) billing units; and

WHEREAS, the change to the sewer rate as presented within this ordinance is a result of the City’s efforts to provide relief to the majority of the residents who are currently a sanitary sewer customer.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Section 923.01, Subsection (c) and Subsection (d) be amended to read and provide in their entirety as follows:

“923.01 SEWER RATE CHARGES ESTABLISHED.

(c) The sanitary sewerage charge shall be the sum of the rates imposed by the cities of Euclid and Willoughby Hills at a rate as follows for each one thousand (1,000) cubic feet of water consumed on each lot, parcel of land or premises connected with, or which is in the future connected with, the sanitary sewerage system of the City as such water consumption is measured by the water meter reading.

Willoughby Hills Operating Rate:

The rate for maintenance, repair, operations and capital improvement of the sanitary sewage system shall be \$47.26 per one thousand (1,000) cubic feet of water consumed on each lot, parcel of land or premise connected with the sanitary sewage system.

Euclid Processing Rate:

In addition to the Willoughby Hills sewer rate, Euclid’s sewer treatment charges will be that in effect by ordinance adopted from time to time by the City of Euclid per the original Agreement with the City of Willoughby Hills dated April 1, 1998 and the several amendments subsequent to that date.

Administrative Fee:

In addition to the Willoughby Hills and Euclid rates, there is a fixed administration fee equal to the fixed fee charged the City by the Lake County Department of Utilities for water meter reading and billing services. This fee shall be added to each quarterly sewer bill issued by the Lake County Department of Utilities.

Minimum Charge:

Notwithstanding anything contained herein to the contrary, the minimum sanitary sewerage charge shall be the rate charged for five hundred (500) cubic feet of water used plus the Lake County Department of Utilities Administration Fee.

(d) New sewer rates shall be effective in 2017 on the water consumption meter reading date performed by the Lake County Department of Utilities that includes January 1st. Subsequent sewer rate changes shall be effective on the water consumption meter reading date that includes January 1st of the year the change is to be effective unless otherwise specified in the legislation authorizing the rate change.

SECTION 2. Ordinance No. 2013-41 is hereby repealed in its entirety.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operations of a municipal department and further reason being that it will provide for the established sewer rate to take effect as stipulated within this ordinance; wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: January 26, 2017

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this 26 day of JANUARY, 2017

Approved by the Mayor
January 26, 2017

ATTEST:
Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor