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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 124 - 2023

7
8 AN ORDINANCE AMENDING SECTION 925.02 OF THE
9 CODIFIED ORDINANCES OF THE CITY OF CUYAHOGA
10 FALLS AND DECLARING AN EMERGENCY

11
12 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
13 County of Summit, and State of Ohio:

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15 Section 1. That Paragraph (b) of Section 925.02 of the Codified Ordinances is hereby
16 amended to read in full as follows (new text double underlined; deleted text in
17 ~~strikethrough~~):

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19 (b) For all bills issued on or after ~~January 1, 2005~~ January 1, 2024, the
20 Operating Charge for residential, commercial and industrial users of the City's
21 sanitary sewer system shall be ~~\$1.727~~ \$1.900 per hundred cubic feet of water
22 used as measured or estimated by City Water Department meters.

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24 (c) For all bills issued on or after January 1, 2025, the Operating Charge for
25 residential, commercial and industrial users of the City's sanitary sewer
26 system shall be \$2.850 per hundred cubic feet of water used as measured or
27 estimated by City Water Department meters.

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29 (d) For all bills issued on or after January 1, 2026, the Operating Charge for
30 residential, commercial and industrial users of the City's sanitary sewer
31 system shall be \$3.563 per hundred cubic feet of water used as measured or
32 estimated by City Water Department meters.

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34 (e) For all bills issued on or after January 1, 2027, the Operating Charge for
35 residential, commercial and industrial users of the City's sanitary sewer
36 system shall be \$4.454 per hundred cubic feet of water used as measured or
37 estimated by City Water Department meters.

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39 (f) For all bills issued on or after January 1, 2028, the Operating Charge for
40 residential, commercial and industrial users of the City's sanitary sewer
41 system shall be \$5.568 per hundred cubic feet of water used as measured or
42 estimated by City Water Department meters.

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44 ~~(e)~~ (g) The treatment charge for residential, commercial and industrial users
45 of the City's sanitary sewer system shall be determined and adjusted annually
46 by the Director of Public Service based on rates charged by the City of Akron
47 and County of Summit for transportation and treatment of the City's sewage.
48 The treatment charges shall be expressed in terms of dollars per hundred
49 cubic feet of water used as measured or estimated by City Water Department
50 meters.

55 (d) (h) The charge to be made and the price to be paid for sewage service
56 rendered to any lot, parcel of land, building, or premises situated without the
57 corporate limits of the City and currently being served by the City sewage
58 system shall be the same charge as heretofore set forth for the lots, parcels of
59 land, building, premises or connections situated within the corporate limits of
60 the City, plus an additional twenty-five percent (25%) for return on capital
61 investment.

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63 (e) (i) For all bills issued on or after January 1, 2004, the Utility Billing charge
64 for residential, commercial, and industrial users of the City's sanitary sewer
65 system shall be \$2.00 per month per user to recover the cost of meter reading,
66 billing, and collecting and accounting for sanitary sewer service charges.

67
68 (f) (j) Assigned sewage strengths (BOD and SS) for each user class and charges
69 for waste in excess of the assigned sewage strengths shall be identical to those
70 established by Section 50.33 of Title 5, Chapter 50, of the Code of Ordinances
71 of the City of Akron, Ohio.

72
73 (g) (k) The Director is authorized to establish extra charges, in addition to the
74 extra charges for excess BOD and SS, for any user for the discharge of any
75 other pollutant into the sanitary sewerage system or for any other reason that
76 he deems necessary and appropriate and which discharge or pollutant or other
77 reason results in additional costs not covered by the rates and charges
78 established hereby.

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80 (h) (l) The rates and charges hereinbefore established are deemed and are
81 hereby found to be just and equitable.

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83 (i) (m) The Director is hereby directed to review the rates and charges for usage
84 of the City's sanitary sewerage system on at least an annual basis in order to
85 ensure that each user of the City's sanitary sewerage system is paying its
86 proportionate share of the cost of operation, maintenance, replacement and
87 repair thereof and that such rates and charges are recovering the operation,
88 maintenance, replacement and repair cost.

89
90 ~~(j) Sewer bills not paid on or before the date of the next billing shall be~~
91 ~~considered late and an amount equal to three percent (3%) of the previous~~
92 ~~monthly sewer bill shall be added to the current monthly sewer bill.~~

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94 ~~(k) (n) The Director is hereby directed to annually notify each user, if~~
95 ~~requested, of the City's sanitary sewerage system, in conjunction with a~~
96 ~~regular bill, of the rates and charges for usage of the sewerage system, and~~
97 ~~what portion thereof are attributable to the cost of operation, maintenance~~
98 ~~and repair of such sewerage system.~~

99
100 ~~(l) The Director is hereby directed to annually prepare a list of users of the~~
101 ~~City's sanitary sewerage system which are delinquent in paying the rates and~~
102 ~~charges established hereby, the total amount of each delinquency and the~~
103 ~~total amount of all delinquencies, after which Council shall determine whether~~
104 ~~or not to certify such delinquencies to the County Auditor for collection with~~
105 ~~property taxes.~~

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Section 2. The amendments set forth in Section 1 of the ordinance shall be effective January 1, 2024, or the effective date in this ordinance, whichever is later.

Section 3. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, provided it receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 12-11-2023



President of Council



Clerk of Council

Approved 12-11-2023



Mayor

11/27/23

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