

RULES AND REGULATIONS GOVERNING THE CONSTRUCTION, MAINTENANCE, OPERATION, USE AND PROTECTION OF SANITARY SEWER SYSTEMS AND THE WATERWORKS SYSTEMS IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND STREETSBORO REGIONAL SEWER DISTRICT NO. 4

Effective: 10/27/2022
Resolution: 22-0627
Adopted: 10/27/2022
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Fixing Rates for Water Supplied in the Portage County Regional Sewer District, Fund 5400

ITEM 1406 – FIXING RATES FOR WATER SUPPLIED IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, FUND 5400

Section 1406.01 Determining to Fix and Collect Rates

It is hereby determined and declared to be necessary to fix and collect rates to be charged for every person, firm or corporation in the "District" whose premises are served by such water system and each political subdivision purchasing water in bulk pursuant to an agreement between this Board and such political subdivision.

Section 1406.02 Water Revenue Fund

The funds received from the collection of the rates hereinafter provided shall be deposited as received with the County Treasurer who shall keep the same in a separate and distinct fund to the credit of the Portage County Regional Sewer District Water Revenue Fund (Fund 5400). That subject to the provisions of any indenture authorizing the issuance of County Water Revenue Bonds for the purpose of improving the water system of the "District", monies in said fund shall be used first for the payment of the cost of the management, maintenance and operation of Water Service Facilities for the use of which such charges are made and second for the payment of interest or principal of any debt incurred for the construction of such improvements, all in accordance with the provision of Section 6103.02 of the Ohio Revised Code. Any surplus thereafter remaining in such funds may be used for the extension or replacement of such Water Service Facilities or other enlargements, replacements or extensions of the water system of the "District".

Section 1406.03 Charges

For the purpose provided in Section 1406.02, there is hereby fixed and charged to each person, firm or corporation, whose premises are served by a water rate to be computed, billed and collected in accordance with the following schedule:

A. Water Service Charge:

1. Quarterly Water Service Charge for the Brimfield Water Service Area excluding the Ohio American Water Company and the Rootstown Water Service Company, and for the Shalersville Water Service Area excluding the Ohio American Water Company and the Cities of Streetsboro and Aurora, and for the Pines Water Service Area:

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For the period:

For the period:	0-1500 Cubic Feet Minimum bill	NEXT 3500 Cubic Feet per Thousand	OVER 5000 Cubic Feet per Thousand
12/01/11 – 11/30/12	\$66.63	\$40.91	\$38.92
12/01/12 – 11/30/13	\$67.80	\$41.63	\$39.60
12/01/13 – 11/30/14	\$68.98	\$42.35	\$40.29
12/01/14 – 11/30/15	\$70.19	\$43.10	\$41.00
12/01/15 – 11/30/16	\$71.42	\$43.85	\$41.72
12/01/16	\$72.67	\$44.62	\$42.45

- Quarterly Water Service Charge for the Pines Water Service Area (Non-Metered Customers) the minimum quarterly flat rate for non-metered customers shall be billed and collected in accordance with the following schedule:

For the period:	Amount per Unit:
12/01/11 – 11/30/12	\$88.93
12/01/12 – 11/30/13	\$90.49
12/01/13 – 11/30/14	\$92.07
12/01/14 – 11/30/15	\$93.68
12/01/15 – 11/30/16	\$95.32
12/01/16	\$96.99

Note: should a meter be installed at a unit now located within the Pines Service area the rate of billing shall be the same as charged in the Shalersville Water Service Area.

- Quarterly Water Service Charge for the Rivermoor Water Service Area, and for the Infirmary Road Water Service Area.

For the period:

For the period:	0-1500 Cubic Feet Minimum bill	NEXT 3500 Cubic Feet per Thousand	OVER 5000 Cubic Feet per Thousand
1/01/12 – 12/31/12	\$66.63	\$40.91	\$38.92

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1/01/13 – 12/31/13	\$67.80	\$41.63	\$39.60
1/01/14 – 12/31/14	\$68.98	\$42.35	\$40.29
1/01/15 – 12/31/15	\$70.19	\$43.10	\$41.00
1/01/16 – 12/31/16	\$71.42	\$43.85	\$41.72
1/01/17 –	\$72.67	\$44.62	\$42.45

4. Monthly Water Service Charge for the Village of Mantua Service Area.

For the period prior to January 4, 2021, the water rates for users within the Village Mantua shall be as follows:

Residential Service Rate

For the period:	0-235 Cubic Feet	236-2,667 Cubic Feet Per Hundred	OVER 2,667 Cubic Feet per Hundred
12/01/20 – 1/03/21	\$22.81	\$5.28	\$2.86

Commercial Service Rate

For the period:	0-235 Cubic Feet	236-2,667 Cubic Feet Per Hundred	OVER 2,667 Cubic Feet per Hundred
12/01/20 – 1/03/21	\$22.81	\$6.95	\$2.86

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For the period after January 4, 2021, the residential and commercial water user rates within the Village of Mantua Service Area shall be as follows:

For the period:	0-500 Cubic Feet Minimum Bill	NEXT 1,167 Cubic Feet per Thousand	OVER 1,167 Cubic Feet per Thousand
1/04/21 – 12/31/21	\$24.23	\$44.62	\$42.45

B. Surcharge

1. Village of Mantua Service Area Surcharge: In addition to the monthly water service charge all existing Village of Mantua residences, businesses, and institutions receiving potable water service from the Village of Mantua water system on the date of transfer or thereafter per the Agreement between the Portage County Board of Commissioners and Village of Mantua Council shall pay the Monthly Surcharge Fee calculated based on the Water Surcharge Rate multiplied times the Equivalent Surcharge Units calculated in Section 1401.03. The Water Surcharge Rate shall never be less than the amount needed to pay the sum of the Debt received from the Village of Mantua on the date of transfer plus the cost estimated for the uncompleted Identified Needs plus the cost incurred by the County to complete the Identified Needs plus the cost of any debt incurred to complete the Identified Needs. This monthly Surcharge Fee shall not be reduced by the Portage County Discount Program identified in 1406.05. This surcharge shall not be applied to existing Portage County customers outside the Mantua Village Service Area receiving water service from the Village of Mantua water system prior to the date of the Agreement.

C. Fixed Charge

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Section 1406.04

Billing and Payment of Charges Penalty

The Water Resources Department shall bill the charges herein provided for at the end of each regular billing period. The amount billed shall be due and payable within 21 days of being mailed; except those rates applicable to properties owned or leased by political subdivisions, of the State of Ohio shall be due and payable without penalty no later than the 30th day following the billing date. A penalty equal to 10 percent of the unpaid current billing that has not been received by the close of business on the last day such bill is due and payable without penalty shall be added to the unpaid amount of that bill. The “due date” (the date by which payment may be received without penalty) will be shown on the bill. This penalty may be waived at the

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discretion of the Sanitary Engineer.

Section 1406.05 Discount Program

The Portage County Discount Program (“Discount Program”) will apply to qualified residential customers. A discount of 10% will be deducted from the total water charge for qualified residential customers.

A “qualified residential customer” shall be defined as: (1) an individual who receives water service from Portage County Water Resources Department, and (2) is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and (3) is responsible for the payment of the water utility bill.

Section 1406.06 Water Billing Date

Billing will begin when the water is turned on at the curb box by an employee of the Water Resources Department.

Section 1406.07 Charges and Certification

A. Non-Payment Of Charges.

The amount of any charges, as set forth in 1406.03, which are not received by the due date may be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as property taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue water service to the non-paying user’s premises or any other premises of that user served by a connection to the System.

B. Final Certification List.

The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent water service charges in September of each year, which this Board will certify, to the Portage County Auditor for collection with real estate taxes.

Section 1406.08 Shut Off of Delinquent Account

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In addition to any other remedy available to the County for collection of delinquent water charges, the County Sanitary Engineer is hereby authorized to disconnect any premises with respect to which any water charges have not been paid within a period of 30 days after such charges are due and payable.

Section 1406.09 Bulk User Rates

For the purpose provided in Section 1406.02, there is hereby fixed and charged to the Aqua Ohio Water Company, the Rootstown Water Service Company, and the City of Streetsboro, which now purchases water in bulk, a monthly water rate to be computed, billed and collected as follows:

Date Effective:	Per 1,000 cubic feet
January 1, 2012	\$23.61
January 1, 2013	\$24.02
January 1, 2014	\$24.44
January 1, 2015	\$24.87
January 1, 2016	\$25.31
January 1, 2017	\$25.75

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Section 1406.10 Aurora User Rates (Per Agreement)

For the purpose provided in Section 1406.02, there is hereby fixed and charged to the City of Aurora, which now purchased water through a twenty year agreement with the County, a monthly water rate to be computed, billed and collected as follows:

Date Effective:	Per 1,000 cubic feet
January 1, 2012	\$23.61
January 1, 2013	\$24.02
January 1, 2014	\$24.44
January 1, 2015	\$24.87
January 1, 2016	\$25.31
January 1, 2017	\$25.75

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Section 1406.11 Water Tampering & Non-Access Penalty

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In the event that the water is turned on by anyone other than an employee of the Portage County Water Resources Department billing shall start on the date the service line was installed and the water bill will be prepared using the equivalency chart in Section 1401.02 plus 50%. Unless a proper meter is installed prior to the next quarterly billing event, or within three months of notice for customers receiving a monthly bill, the percent increase to the customer’s rate as required by this section will step up with each notice period in which the customer fails to resolve the matter to the satisfaction of the Sanitary Engineer, in accordance with the percentages and customer notices in the below table of this section 1406.11.

Should a water customer, without permission of the Sanitary Engineer, remove, tamper with, or fail to provide reasonable access to the metering system, the bill will be calculated using previous meter readings plus 50% or the equivalency chart in Section 1401.02 plus 50%, whichever is greater. Unless resolved prior to the next quarterly billing event, or within three months of notice for customers receiving a monthly bill, the percent increase to the customer’s rate as required by this section will step up with each notice period in which the customer fails to resolve the matter to the satisfaction of the Sanitary Engineer, in accordance with the percentages and customer notices in the below table of this section 1406.11.

Rate Schedule	
Noncompliance w/	Increase
1st notice	50%
2nd notice	75%
3rd notice	100%
Final Notice	100% + Sheriff

The assistance of the County Sheriff’s Department may be utilized in accordance with Section 1406.13 of these Rules, but the authority given by such section shall not be limited hereby. The Sanitary Engineer/Water Resources Director reserves the right to set and/or change standards pertaining to the installation of water service lines and meters.

Section 1406.12 Hydrant Water Use & Penalty

Customers that purchase water from a county owned water hydrant shall be billed at the rate provided in Section 1406.03. All such water rates shall be due and payable within 21 days of being mailed. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the above paragraph, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

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Section 1406.13 Inspection and Meter Readings on Private Property

The County Sanitary Engineer is hereby authorized and directed to designate personnel within the County’s Water Resources Department who shall have the right to enter upon private property to take water meter readings and from meters installed thereon. In the event a user of the System refuses to permit authorized County personnel to enter and take such readings, those authorized personnel shall request the assistance of County Sheriff’s Department and shall make the inspection accompanied by an officer of the Sheriff’s Department. The County Sheriff is hereby required to provide such assistance. After a user’s refusal to permit entry of authorized County personnel to take such readings, the County Sanitary Engineer may elect to bill the user a charge as determined and also may terminate the user’s water service.

Section 1406.14 Duties of County Sanitary Engineer

The County Sanitary Engineer is hereby charged with the responsibility for administering and enforcing this Item, classifying users of the system and determining changes that occur in premises or the use thereof which result in changes of user classification or applicable rate. The Sanitary Engineer is hereby authorized to review the operation, maintenance and replacement costs of the system each year for the preceding year and to prepare and review an expense projection for the coming year. This projection shall be prepared in accordance with and based upon generally accepted accounting principles consistently applied and upon an analysis of the operation, maintenance and replacement costs of the system and the covenants of any resolutions, trust indentures or trust agreements pertaining to the system.

Section 1406.15 Severability

This Item is severable and the invalidity of any section, phrase or provision herein shall not affect the validity of any other section, phrase or provision.

Section 1406.98 Expiration of Fees and Charges

The rates established in Item 1406 – Fixing Rates For Water Supplied In The Portage County Regional Sewer District, Fund 5400 shall remain in full force and effect until the Board of Commissioners, modifies or deletes said rate.