

ORDINANCE NO. 20-2018

TITLE: SEWER TAP-IN FEES
AMENDING ORDINANCE NO. 201-2010

AN ORDINANCE AMENDING SECTION 1040.11 “TAP-IN FEES” BY ADDING AN EXTENDED PAYMENT PROGRAM FOR CERTAIN CITY OF BARBERTON RESIDENTS WHO TIE-IN TO SEWER LINES, AND DECLARING AN EMERGENCY.

SECTION 1. That Council hereby amends the “Tap-In Fees,” Section 1040.11 by adding sub-sections A and B to Section 1(b) shown in **bold print**, to establish procedures for three (3) tap-in fee extended payment programs.

be and the same that the ordinance to establish Sanitary Sewer System Development Charges (SDCs) is hereby amended to read as follows:

- (a) (1) That Council established and determines that these System Development Charges (SDCs) shall apply to all sanitary sewer connections whether directly or indirectly connected to the City of Barberton sanitary sewer system, including individual services connected within a bulk service area. Indirectly connected shall constitute any service laterals discharging to a sanitary sewer system or portion thereof not owned by the City of Barberton but ultimately discharging to the City of Barberton Wastewater Treatment Plant.
- (2) That Council hereby establishes a system development charge (SDC) per each equivalent residential unit (ERU) according to the following conversion tables relating to water meter size:

A. Residential Dwellings

Single Family Water Meter Size	ERUs per Dwelling Unit	SDC
5/8”	1.0	\$1,600.00
3/4”	1.5	\$2,400.00
1”	2.5	\$4,000.00
Duplex Water Meter Size	ERUs per Dwelling Unit	SDC each
5/8”	0.86	\$1,376.00
3/4”	1.29	\$2,064.00

Each of the two (2) dwelling units must be metered separately and served by a separate sewer lateral.

B. Commercial Dwelling

Water Meter Size Determined by Owner	ERUs per Dwelling Unit	SDC total
3-plex	0.86	\$4,128.00
4-plex	0.86	\$5,504.00
Apartment (5 or more dwelling units)	0.67	\$1,072.00 (per dwelling unit)

C. Commercial (other than Dwelling), Industrial and Institutional

<u>Water Meter Size</u>	<u>ERUs</u>	<u>SDC</u>
5/8"	1.0	\$ 1,600.00
3/4"	1.5	\$ 2,400.00
1"	2.5	\$ 4,000.00
1 1/2"	5.0	\$ 8,000.00
2"	8.0	\$12,800.00
3"	12.0	\$19,200.00
4"	16.0	\$25,600.00
6"	24.0	\$38,400.00

Application Rules and Guidelines.

- A. The use of equivalent residential units (ERUs) is per American Water Works Association (AWWA) criteria for meter sizes 5/8 through 2 inches. For water meter sizes larger than 2 inches, SDC charges will be proportional to the equivalent residential units (ERUs) established for that use.
- B. The City of Barberton reserves the right to require a minimum meter size for any application.
- C. Based on historic data, the minimum meter size for a restaurant shall be a 1-inch meter.
- D. The City of Barberton may increase the SDC up to 3 percent annually.

Fee Collections.

- A. For sanitary sewer customers not connected to the City of Barberton Water Distribution System (directly or indirectly), it will be necessary for the customer to install a City of Barberton water meter and reading device on the well water supply line directly as it enters the premises. Water meter size and location shall be approved by the City Water Distribution Department. Such meter will be used to determine monthly sanitary sewer charges.
- B. Any modification of the fees set forth in this Ordinance is at the sole discretion of Barberton City Council.

System Development Charge Administration.

- A. Revenues from sanitary sewer system development charges shall be accounted for separately from other funds. System development charges and interest earned thereon may be expended only for capital project costs, including interest expenses.
- B. The following situations shall be exempted from payment of the system development charges.
 - 1. Alterations or expansion of an existing building where no additional or larger water meter connections are requested.
 - 2. The replacement of a building or structure with a new building or structure of the same size and use where no additional or larger water connections are requested. For the property owner to retain the exemption from SDCs, the building permit for the replacement structure must be obtained within one (1) year of the date of water service termination.
 - 3. A change in water meter size shall not be exempted from payment of the system development charge; however, a credit shall be given for the current system development charge on the old connection sizes.
 - 4. No system development fee shall be required, nor credited, for

a change in water meter size that results in a decrease in meter size.

- C. A fifty percent (50%) reduction of the SDCs shall be granted to certain residents of the City of Barberton for new residential, owner-occupied, single family dwellings. The reduction shall apply for one year from the date of approval.

(b) The City Council hereby approves special system development charges (SDCs) for all water and sewer connections made at any point on the new water and sewer mains installed to serve the New Haven Project, and any associated developments served by the new infrastructure, either directly or indirectly, as defined by the General System Development Charges established by City Council. Such fees shall be as follows

\$2,045.00	Special Water SDC per ERU
\$1,600.00	Special Sewer SDC per ERU

And may increase by up to five percent annually. Water and sewer SDC's for water meter sizes in excess of 5/8 inch shall be proportional to those fees charged under the standard one thousand-dollar (\$1,000.00) base water SDC (Utility Rules) and one thousand six-hundred dollars (\$1,600.00) base sanitary sewer SDC per the General System Development Charges established by City Council.

- A. **The Director of Public Service or Superintendent of Utilities may establish procedures for three (3) tap-in fee extended payment programs enabling:**

- 1. Financially disadvantaged residents the option of placing the tap-in fee on their property tax duplicate, without interest, for a period not to exceed five (5) years: and**
- 2. Charitable agencies and public institutions the option of placing the tap-in fee on their property tax duplicate, without interest, for a period not to exceed five (5) years; and**
- 3. Community Development Block Grant (CDBG) recipients the option of placing the tap-in fee on their property tax duplicate, without interest, for a period not to exceed five (5) years.**

- B. **All tap-in fees approved for the extended payment programs under subsection (c) of this section shall be certified to the County Auditor as provided by law and placed on the tax list and duplicate, without interest, and collected as other taxes, payable in semi-annual installments for no more than five (5) years for financially disadvantaged residents and charitable agencies and public institutions.**

SECTION 2. That it is hereby 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 of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that the amendments be implemented as soon as possible, and provided it receives the necessary

votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2018

Clerk of Council

President of Council

Approved _____ 2018

Mayor