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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 65 - 2015

AN ORDINANCE AMENDING SECTION 925.06 OF
THE CODIFIED ORDINANCES TO ADJUST THE
SURCHARGE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State of Ohio:

Section 1. That Section 925.06(a)(2) of the Codified Ordinances is hereby amended to read as follows (new text underlined; deleted text in ~~strikethrough~~):

(a) (2) The surcharge amount shall be in effect for and apply to all users located in the surcharge area depicted in Exhibit A attached to original Ordinance 102-1996. The surcharge amount shall be paid by all such users, with a tap-in-permit in the surcharge area depicted in such Exhibit A prior to connection to the system, and said surcharge amount shall be Five Thousand dollars (\$5,000.00) ~~be equal to the following amounts for each calendar year in which a tap-in permit is obtained.~~

Year	Base Surcharge
1996	\$ 5,100.00
1997	5,406.00
1998	5,730.36
1999	6,074.18
2000	6,438.63
2001	6,824.95
2002	7,234.45
2003	7,668.52
2004	8,128.63
2005	8,616.35
2006	9,133.33
2007	9,681.33
2008	10,262.21
2009	10,877.94
2010	11,530.80
2011	12,222.65
2012	12,956.01
2013	13,733.37
2014	14,557.37
2015	15,430.81
2016	16,356.66
2017	17,338.06
2018	18,378.34

51	2019	19,481.04
52	2020	20,649.91
53	2021	21,888.90
54	2022	23,202.24
55	2023	24,594.37
56	2024	26,070.03
57	2025	27,634.23
58	2026	29,292.29
59	2027	31,049.82
60	2028	32,912.81
61	2029	34,887.58
62	2030	36,980.84

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64 ~~Any person planning to connect to the City's sanitary sewer system may pay~~
65 ~~the entire surcharge amount by March 31 of the year of connection in an~~
66 ~~amount equal to the amount that would apply in the year prior to connection;~~
67 ~~provided, however, if the use of applicable property changes by the date of the~~
68 ~~actual connection, the amount due will be adjusted. The owner of a property~~
69 ~~connecting to the City's sanitary sewer shall have an option of paying the~~
70 ~~surcharge in 120 monthly installment payments, which payments increase~~
71 ~~each calendar year. The installment payments to be made each calendar year~~
72 ~~shall be calculated by dividing the lump sum surcharge which would apply as if~~
73 ~~a connection had been made in the year the payment is due by 120. At any~~
74 ~~time a user determine to prepay the remaining installments due by paying an~~
75 ~~amount calculated by dividing the remaining installment payments due by 120~~
76 ~~and multiplying the quotient by the applicable lump sum surcharge for the year~~
77 ~~in which the prepayment is made.~~

78 ~~— In the event a property owner moves before making all 120 payments, the~~
79 ~~new owner of the property shall be responsible for all remaining surcharge~~
80 ~~payments due under this section. The owner of each property is responsible for~~
81 ~~the payment of the surcharge in the event of failure of a tenant to make such~~
82 ~~payment.~~

83 ~~— In the event that within ten years following the payment of all or any portion~~
84 ~~of a surcharge there is a substantial change in the usage of or substantial~~
85 ~~development of any property or facility served by the connection to the City's~~
86 ~~sanitary sewer system which does not result in a new connection to the City's~~
87 ~~system, the Director of Public Service shall determine in his discretion whether~~
88 ~~a new surcharge or an additional surcharge amount shall be imposed.~~

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90 Section 2. That any ordinances or resolutions or portions of ordinances
91 and resolutions inconsistent herewith are hereby repealed, but any ordinances
92 and resolutions not inconsistent herewith and which have not previously been
93 repealed are hereby ratified and confirmed.

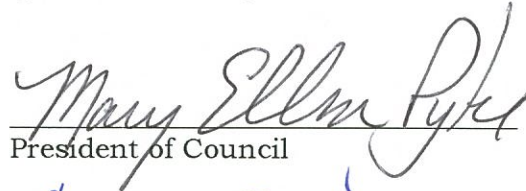
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95 Section 3 That it is found and determined that all formal actions of this
96 Council concerning and relating to the passage of this ordinance were taken in
97 an open meeting of this Council and that all deliberations of this Council and of
98 any committees that resulted in those formal actions were in meetings open to
99 the public, in compliance with all legal requirements including, to the extent
100 applicable, Chapter 107 of the Codified Ordinances.

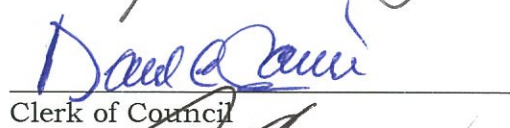
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Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives 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: Sept. 28, 2015

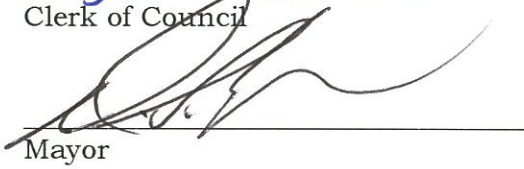


President of Council



Clerk of Council

Approved 10-1-15



Mayor