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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 49 - 2021

6
7 AN ORDINANCE AMENDING AND/OR SUPPLEMENTING
8 TITLE 5, PUBLIC UTILITIES, CHAPTER 925.06,
9 WOODRIDGE SANITARY SEWER SYSTEM CAPITAL COST
10 SURCHARGES, TO CEASE THE COLLECTION OF SANITARY
11 SEWER EXTENSION SURCHARGES IN THE WOODRIDGE
12 SANITARY SEWER DISTRICT, AND DECLARING AN
13 EMERGENCY.

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15
16 WHEREAS, the City of Cuyahoga Falls owns and operates a sanitary sewer system
17 serving the residential, commercial and industrial users of the City; and

18
19 WHEREAS, in Chapter 925 of the City's Codified Ordinances, this Council has
20 established rates to be charged users of the sanitary sewer system to pay costs of
21 operating and maintaining the system; and

22
23 WHEREAS, the City no longer has the need to collect new sanitary sewer system
24 extension surcharges in the Woodridge Sanitary Sewer System.

25
26 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
27 Falls, County of Summit, and State of Ohio, that:

28
29 Section 1. Title 5, Public Utilities, Chapter 925.06, Woodridge Sanitary Sewer
30 System Capital Cost Surcharges, is hereby amended and/or supplemented as follows
31 (new text double underlined; deleted text in ~~strikethrough~~):

32
33 **CHAPTER 925.06**
34 **WOODRIDGE SANITARY SEWER SYSTEM CAPITAL COST SURCHARGES.**

35
36 (a) The Director of Public Service is authorized and directed to require that every
37 person or business located in the Surcharge Areas as defined in Ordinance No.
38 102-1996 duly passed by City Council on July 8, 1996 and now on file in the
39 office of the Clerk of Council and served or to be served by a connection to the
40 City's sanitary sewer system, shall pay, in addition to the other charges provided
41 in this Chapter the capital cost surcharges calculated as follows:

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43 (1) The surcharge amount shall be calculated by multiplying the base surcharge,
44 as set forth in the table below, by the number of capital surcharge units
45 assigned or anticipated to be assigned as of the date of connection to the
46 sanitary sewer system, determined as follows:

47
48 A. Each single-family residential unit shall be assigned one capital
49 surcharge unit.

50 B. A multi-family residential or nonresidential building, structure, or other
51 facility shall be assigned capital surcharge units or portion thereof to the
52 nearest one-hundredth as is arrived at by dividing the assumed average
53 daily sewage flow for the structure by 400. Such daily sewage flow shall
54 be determined from the "Suggested Sewage Flow Guide" which guide is
55 on file with the Clerk of Council and incorporated herein by reference.

56
57 C. A nonresidential building, structure or other facility, the daily sewage
58 flow of which is not set forth in "Suggested Sewage Flow Guide", shall be
59 assigned such number of capital surcharge benefits or portions thereof
60 to the nearest one-hundredth as determined by the Director of Public
61 Service who shall review the preliminary plans of the building, structure,
62 or other facility together with other pertinent information, and based
63 upon accepted engineering practices, determine the anticipated average
64 daily sewage flow to be generated by such building, structure, or other
65 facility. This quantity divided by 400 shall be the number of surcharge
66 benefits units assigned.

67
68 (2) The surcharge amount shall be in effect for and apply to all users located in
69 the surcharge area depicted in Exhibit A attached to original Ordinance 102-
70 1996. The surcharge amount shall be paid by all such users, with a tap-in
71 permit in the surcharge area depicted in such Exhibit A prior to connection
72 to the system, and said surcharge amount shall be five thousand dollars
73 (\$5,000.00).

74
75 (b) Upon completion of construction of all lines and facilities necessary to serve the
76 Woodridge Sanitary Sewer System, and at five year intervals thereafter, City
77 Council shall evaluate the costs of construction, the revenue being generated,
78 and the projected development within the Surcharge Areas and may determine
79 to modify the amount of the surcharge, to extend the time for payment of the
80 surcharge, or to discontinue the surcharge as Council determines to be
81 appropriate to accomplish the equitable reimbursement of the City's actual costs
82 of the improvements in the Surcharge Areas as set out herein.

83
84 (c) The tap-in service charge provided in Chapter 931 and surcharge provided in
85 925.06 will be waived to the extent Lump Sum Surcharge payments under this
86 section have been paid or to the extent improvements are constructed at no cost
87 to the City to the extent provided by ordinances enacted by City Council.

88
89 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions
90 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
91 inconsistent herewith and which have not previously been repealed are hereby ratified
92 and confirmed.

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

99 Section 4. This ordinance is hereby declared to be an emergency measure necessary
100 for the preservation of the public peace, health, safety, convenience and welfare of the
101 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
102 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
103 take effect and be in force immediately upon its passage and approval by the Mayor;
104 otherwise it shall take effect and be in force at the earliest period allowed by law.
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106 Passed: 6-28-2021

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108 President of Council

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110 Clerk of Council

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114 Approved: 6-29-2021

115 

116 Mayor

117 6/14/21

118 \\cf-file01\ldpublic\Council\2021ords\06-14-21\Amend Cod Ord Title 5 Ch 925
119 Woodridge Sanitary Sewer System Capital Cost Surcharges.docx