



Legislation Details (With Text)

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Title: Repealing Toledo Municipal Code Section 929.03; enacting a new Toledo Municipal Code Section 929.03 to establish new monthly billing for the sewer rates; repealing Toledo Municipal Code Section 929.04(b)(4).

Sponsors:

Indexes:

Code sections:

Attachments: 1. SewerRatesA(old rates), 2. SewerRatesB(new rates), 3. Video: City Council May 22, 2024

Date	Ver.	Action By	Action	Result
6/5/2024	1	City Council		
5/22/2024	1	City Council	First Reading	Pass

DPU052224SEWERRATES
Department of Public Utilities
Douglas Stephens (x1006)
Revised

Repealing Toledo Municipal Code Section 929.03; enacting a new Toledo Municipal Code Section 929.03 to establish new monthly billing for the sewer rates; repealing Toledo Municipal Code Section 929.04(b)(4).

SUMMARY & BACKGROUND:

Ordinance 337-14 established sewer rates for a period of four years 2015 to 2020 with the last increase effective on January 1, 2020. Ordinance 36-20 established monthly sewer rates for all rate payers. This Ordinance establishes competitive rates for sanitary sewer services for the years 2024 through 2029 that will cover existing and future debt service incurred to fund the cost of sewer infrastructure improvement projects, and provide sufficient funds for the sewer distribution system and for the proper operation and maintenance of the water reclamation plant as approved by the voters. The Senior/Homestead discount of 25% will be on volume charges only, as well as adding a Senior Low-Income discount of 40% on volume charges only, and adding a Low-Income discount of 25% on volume charges only which greatly benefits those who qualify. Ordinance 30-06 established the sewer winter average volume charge that is being repealed.

NOW THEREFORE Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Section 929.03, which states as follows:

Each lot, parcel, building or premises situated within and without the City having access to or benefited by the sanitary sewer system of the City, whether or not connected with or discharging to a public sewer, shall

be assessed a sewer service charge as follows effective January 1, 2020 through December 31, 2020:

The sum of the total fixed and total volume charges specified in subsections (a) and (b) below according to the actual or estimated water meter size being utilized as provided by Sections 929.03(a) and (b).

(a) Fixed charge per billing period.

See Attachment A

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

See Attachment A

(b) Volume Charge.

See Attachment A

(c) Miscellaneous Charges.

Users that discharge wastewater with unusual strength or character to the treatment works including, but not limited to, the discharges defined in Section 930.08 shall be charged:

(1) All prevailing user charges provided for in subsections (a) and (b) above, plus

(2) A surcharge equal to ten times the inside industrial volume charge specified in subsection (b) above per cubic foot of wastewater, or such other charge as may be agreed to in writing pursuant to Section 930.08, or ordered pursuant to Section 925.04.

(d) Notification of Operation, Maintenance and Replacement Charges.

The City shall notify each user on an annual basis, in conjunction with a regular bill, of the rate and that portion of the sewer service charge which is attributable to operation, maintenance and replacement costs for water treatment services.

(e) Senior/Homestead Discount Program.

Those sewer customers residing inside the City limits who are eligible for the Senior/Homestead Discount Program as specified in subsection 933.02(a)(7) and 933.02(a)(8), shall pay a quarterly rate of twenty-five percent (25%) less than the rate established herein for the first 2,000 cubic feet of billed consumption and twenty-five percent (25%) less than the rate established herein for the total fixed charge.

is repealed.

SECTION 2. That a new Toledo Municipal Code Section 929.03 is enacted as follows:

Each lot, parcel, building or premises situated within and without the City having access to or benefited by the sanitary sewer system of the City, whether or not connected with or discharging to a public sewer, shall be assessed a sewer service charge as follows effective July 1, 2024 through December 31, 2029:

The sum of the total fixed and total volume charges specified in subsections (a) and (b) below according to the actual or estimated water meter size being utilized as provided by Sections 929.04(a) and (b).

(a) Fixed charge per billing period.

(1) Inside the corporation limits of the City, industrial and nonindustrial user classes.

See Attachment B

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

See Attachment B

(b) Volume Charge.

See Attachment B

*The total volume charge per 100 cubic feet shall be prorated for a portion of 100 cubic feet used.

**Users outside the City may also be subject to additional user and capital charges imposed by other governmental entities in the manner provided by Section 929.09.

(c) Miscellaneous Charges.

Users that discharge wastewater with unusual strength or character to the treatment works including, but not limited to, the discharges defined in Section 930.08 shall be charged:

(1) All prevailing user charges provided for in subsections (a) and (b) above, plus

(2) A surcharge equal to ten times the inside industrial volume charge specified in subsection (b) above per cubic foot of wastewater, or such other charge as may be agreed to in writing pursuant to Section 930.08, or ordered pursuant to Section 925.04.

(d) Senior/Homestead/Low-Income Sanitary Sewer Discount Programs.

(1) Those sanitary sewer consumers residing inside the city limits who are eligible for the Senior Sanitary Sewer Discount Program as specified in subsection (d)(2), and are furnished 667 cubic feet of water per month or less, shall pay a monthly sanitary sewer volume rate which is twenty-five percent (25%) less than the rates established above in subsection (b) Volume Charge. Non-discounted sanitary sewer volume rates shall apply based on all water consumed greater than 667 cubic feet per month.

Those consumers who qualify for the Senior Sanitary Discount Program and have an eligible total income shall pay a monthly sanitary sewer volume rate based on all metered water consumption which is forty percent (40%) less than the rates established above in subsection (b) Volume Charge. An eligible total income shall be a household income that is at or below 200% of the poverty guidelines updated periodically in the *Federal Register* by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

Those consumers, including those entered into a landlord tenant agreement, who have an eligible total income shall pay a monthly sanitary sewer volume rate based on all metered water consumption which is twenty five percent (25%) less than the rates established above in subsection (b) Volume Charge. An eligible total income shall be a household income that is at or below 200% of the poverty guidelines updated periodically in the *Federal Register* by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902 (2).

(2) Consumers eligible for the Senior Sanitary Sewer Discount Program shall be any consumer who satisfies all of the criteria immediately below:

A. Is receiving service by means of a single meter for a single unit utilized solely for residential purposes

that is owned and occupied by the consumer;

- B. Is the contract holder or spouse of the contract holder for DPU's utility services; and
- C. Has been certified or whose spouse has been certified by the Director of Public Utilities as being sixty-five years of age or older or permanently and totally disabled at any age. For the purposes of this section, the terms "sixty-five years of age or older" and "permanently and totally disabled" shall be defined in a like manner as provided for in the State of Ohio Homestead Exemption, under Ohio R.C. 323.151.

(3) The Senior Sanitary Sewer Discount Program shall only apply to charges levied against the permanent residence of the consumer.

(4) Consumers eligible for the Low-Income Program shall be any consumer who satisfies all of the criteria immediately below:

- A. Is receiving service by means of a single meter for a single unit utilized solely for residential purposes and is occupied by the consumer;
- B. Is the contract holder, spouse of the contract holder, or entered into a landlord tenant agreement for DPU's utility services; and
- C. Total income has been certified annually by the Director of Public Utilities as being at or below 200% of the poverty guidelines in the *Federal Register* by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

SECTION 3. That Toledo Municipal Code Section 929.04(b)(4), which states as follows

(4) The quarterly volume charge for a single or duplex residential user shall be subject to winter averaging provided that a water meter is utilized at the premises to measure metered water consumption and there is a regularly scheduled water consumption reading available which is suitable for determining the volume of water consumed for the first billing cycle after January 15th of each calendar year. The volume of water used in the first billing cycle after January 15th shall be the "winter average" and shall be the volume utilized for each of the subsequent three quarters. In the event that the metered water consumption established by an actual or estimated meter reading is less than the winter average volume, then the volume charge shall be established using the metered water consumption.

is repealed.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed: June 5, 2024: yeas 10, nays 0.

Attest:

Julie A. Gibbons
Clerk of Council

Carrie Hartman
President of Council

Approved:

June 10, 2024
Wade Kapszukiewicz
Mayor