



Legislation Details (With Text)

File #: O-643-23 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 11/21/2023 **In control:** Public Utilities Department
On agenda: 12/19/2023 **Final action:** 12/19/2023
Title: Amending portions of Section 933.02 in Title III, Chapter 933 of the Toledo Municipal Code to establish new water rates.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Utility Rates Resolution, 2. Video: Agenda Review 11/28/2023, 3. Video: City Council 12/5/2023, 4. Video: City Council 12/19/2023

Date	Ver.	Action By	Action	Result
12/19/2023	1	City Council	Passage	Pass
12/5/2023	1	City Council	First Reading	Pass

DPU120523WATERRATES

Department of Public Utilities

Ed Moore (x1845)

Amending portions of Section 933.02 in Title III, Chapter 933 of the Toledo Municipal Code to establish new water rates.

SUMMARY & BACKGROUND:

Ordinance No. 538-19 established water rates for a period of four years from 2020 with the last increase effective on January 1, 2023. On November 6, 2018, the citizens of Toledo paved the way for historic regional cooperation through passage of a Charter Amendment allowing the creation of the Toledo Regional Water Commission, charged with continuing to provide a safe and dependable water supply at the lowest cost for all customers. All regional contract jurisdictions have signed 40-year uniform contracts to purchase the City of Toledo produced water. The City of Toledo now can proceed to establish an improved rate design that supports continued infrastructure investment, adds water affordability measures and ties customer costs directly to water use. This ordinance establishes rates for water service for the years 2024 through 2027 that will cover existing and future debt service incurred to fund the cost of water infrastructure improvement projects, and provide sufficient funds for the proper operation and maintenance of the water treatment plant and distribution system. At the completion of these four years all surge charges will be eliminated and all customers will be charged at a true cost of service rate. The amount of the Senior/Homestead discount will remain at 25%, as well as the Senior Low-Income discount at 40%, and a new Low-Income discount will be established at 25% which greatly benefits those who qualify.

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

SECTION 1. That Section 933.02(a) and (b) of the Toledo Municipal Code of the Toledo Municipal Code which reads as follows:

(a) **Retail Rates**

Rates for water consumers, residing inside the Toledo city limits and Lucas County water consumers located outside the boundaries Contract Community service area, shall be based on metered water consumption plus a monthly fixed charge per bill. Consumption shall be based on monthly metered use and billed in increments of one hundred cubic feet effective through December 31, 2023 and on January 1st of each year in years 2020, 2021, 2022, 2023, respectively, as follows:

Net Rate per 1,000 Cubic Feet (in dollars)	Rate Transition Period	2020	2021	2022	2023
(1) Toledo for the first 160,000 cubic feet per month	2020-2027	\$27.42	\$30.17	\$33.18	\$36.50
(2) Toledo for all over 160,000 cubic feet per month	2020-2028	\$15.27	\$16.79	\$18.47	\$20.32
(3) Lucas County for the first 160,000 cubic feet per month	2020-2027	\$43.00	\$42.00	\$41.50	\$41.00
(4) Lucas County for all over 160,000 cubic feet per month	2020-2028	\$43.00	\$42.00	\$41.50	\$35.00
Fixed Charge (in dollars)					
(5) Toledo Fixed Charge per month		\$6.00	\$6.00	\$6.00	\$6.00
(6) Lucas County Fixed Charge per month		\$9.00	\$8.00	\$7.00	\$6.00

Net Rate per 1,000 Cubic Feet (in dollars)	Rate Transition Period	2020	2021	2022	2023
(1) Toledo for the first 160,000 cubic feet per month	2020-2027	\$27.42	\$30.17	\$33.18	\$36.50
(2) Toledo for all over 160,000 cubic feet per month	2020-2028	\$15.27	\$16.79	\$18.47	\$20.32
(3) Lucas County for the first 160,000 cubic feet per month	2020-2027	\$43.00	\$42.00	\$41.50	\$41.00
(4) Lucas County for all over 160,000 cubic feet per month	2020-2028	\$43.00	\$42.00	\$41.50	\$35.00
Fixed Charge (in dollars)					
(5) Toledo Fixed Charge per month		\$6.00	\$6.00	\$6.00	\$6.00
(6) Lucas County Fixed Charge per month		\$9.00	\$8.00	\$7.00	\$6.00

(7) Those water consumers residing inside the city limits who are eligible for the Senior Water Discount Program as specified in subsection (a)(8), and are furnished 667 cubic feet of water per month or less, shall pay a monthly rate which is twenty-five percent (25%) less than the rates established above in subsection Retail Rates (a)(1) and (a)(5). Non-discounted Retail Rates shall apply for all water consumed greater than 667 cubic feet per month.

Those consumers who qualify for the Senior Water Discount Program and have an eligible total income shall pay a monthly rate for all metered water consumption which is forty percent (40%) less than the rates established above in subsection Retail Rates (a)(1) and (a)(5). An eligible total income shall be a household income that is at or below 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).

(8) Consumers eligible for the Senior Water 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.

(9) The Senior Water Discount Program shall only apply to charges levied against the permanent residence of the consumer.

Monthly	2020	2021	2022	2023
(10) A fire service charge per inch of nominal diameter of fire service connection	\$10.86	\$11.94	\$13.14	\$14.45
A fire service charge for each private fire hydrant connected to the distribution system	\$10.86	\$11.94	\$13.14	\$14.45

(11) To use a fire hydrant, a user shall obtain a hydrant meter and permit from the Department of Public Utilities, and shall pay deposit charges and daily rental fees as set by the Director of Public Utilities. Water used shall be paid for at the rates set forth in this section.

(a) **Contract Community Rates**

Rates for each Contract Community shall be based upon their signed contract and on monthly metered use billed in increments of one hundred cubic feet effective through December 31, 2023 and on January 1st of each year in years 2020, 2021, 2022, 2023, respectively, as follows:

Net Rate per 1,000 Cubic Feet (in dollars)					
Contract Community	Rate Transition Period	2020	2021	2022	2023
Sylvania	2020-2025	\$43.00	\$42.00	\$41.50	\$41.00
South Monroe County	2020-2025	\$43.00	\$42.00	\$41.50	\$41.00
Wood County (Rossford, et al)	2020-2025	\$43.00	\$42.00	\$41.50	\$41.00
Fulton County	2020-2022	\$32.73	\$32.50	\$34.57	\$35.62
Whitehouse	2020	\$31.42	\$32.05	\$34.57	\$35.62
Wood County Main NWWSD	2020-2027	\$24.88	\$27.61	\$30.37	\$33.13
Maumee	2020-2027	\$23.65	\$26.37	\$29.33	\$32.29
Penysburg	2020-2027	\$23.30	\$26.06	\$29.08	\$32.09

be and the same is repealed.

SECTION 2. That amending Section 933.02 by adding new Sections 933.02 (a) and (b) of the Toledo Municipal Code effective January 1, 2024 through December 31, 2027 are enacted to read as follows:

(a) Retail Rates

Rates for water consumers, residing inside the Toledo city limits and Lucas County water consumers located outside the boundaries Contract Community service area, shall be based on metered water consumption plus a monthly fixed charge per bill. Consumption shall be based on monthly metered use and billed in increments of one hundred cubic feet at the rates listed below effective January 1st of each year in years 2024, 2025, 2026, 2027:

<i>Net Rate per 1,000 Cubic Feet</i>	<i>Rate Transition Period</i>	<i>2024</i>	<i>2025</i>	<i>2026</i>	<i>2027</i>
(1) Toledo for the first 160,000 cubic feet per month	2020-2027	\$40.15	\$44.17	\$48.58	\$51.50
(2) Toledo for all over 160,000 cubic feet per month	2020-2027	\$22.35	\$24.59	\$27.05	\$29.75
(3) Lucas County for the first 160,000 cubic feet per month	2020-2027	\$40.15	\$44.17	\$48.58	\$51.50
(4) Lucas County for all over 160,000 cubic feet per month	2020-2027	\$30.00	\$24.59	\$27.05	\$29.75
Fixed Charge					
(5) Toledo Fixed Charge per month		\$6.00	\$6.00	\$6.00	\$6.00
(6) Lucas County Fixed Charge per month		\$6.00	\$6.00	\$6.00	\$6.00

(7) Those water consumers residing inside the city limits who are eligible for the Senior Water Discount Program as specified in subsection (a)(8), and are furnished 667 cubic feet of water per month or less, shall pay a monthly rate which is twenty-five percent (25%) less than the rates established above in subsection Retail Rates (a)(1) and (a)(5). Non-discounted Retail Rates shall apply for all water consumed greater than 667 cubic feet per month.

Those consumers who qualify for the Senior Water Discount Program and have an eligible total income shall pay a monthly rate for all metered water consumption which is forty percent (40%) less than the rates established above in subsection Retail Rates (a)(1) and (a)(5). An eligible total income shall be a household income that is at or below 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 rate for all metered water consumption which is twenty five percent (25%) less than the

rates established above in subsection Retail Rates (a)(1) and (a)(5). 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).

(8) Consumers eligible for the Senior Water 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.

(9) The Senior Water Discount Program shall only apply to charges levied against the permanent residence of the consumer.

(10) 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).

<i>Monthly</i>	<i>2024</i>	<i>2025</i>	<i>2026</i>	<i>2027</i>
(11) A fire service charge per inch of nominal diameter of fire service connection	\$15.90	\$17.48	\$19.23	\$20.39
A fire service charge for each private fire hydrant connected to the distribution system	\$15.90	\$17.48	\$19.23	\$20.39

(12) To use a fire hydrant, a user shall obtain a hydrant meter and permit from the Department of Public Utilities, and shall pay deposit charges and daily rental fees as set by the Director of Public Utilities. Water used shall be paid for at the rates set forth in this section.

(a) Contract Community Rates

Rates for each Contract Community shall be based on their signed contract and on monthly metered use and billed in increments of one hundred cubic feet at the rates listed below effective January 1st of each year in

years 2024, 2025, 2026, 2027:

<i>Net Rate per 1,000 Cubic Feet</i>					
<i>Contract Comm</i>	<i>Rate Transition</i>	<i>2024</i>	<i>2025</i>	<i>2026</i>	<i>2027</i>
	<i>Period</i>				
Sylvania	2020-2025	\$40.50	\$36.97	\$37.70	\$38.44
South Monroe C	2020-2025	\$40.50	\$36.97	\$37.70	\$38.44
Wood County (R al.)	2020-2025	\$40.50	\$36.97	\$37.70	\$38.44
Fulton County	2020-2022	\$35.29	\$36.97	\$37.70	\$38.44
Whitehouse	2020	\$35.29	\$36.97	\$37.70	\$38.44
Wood County M	2020-2027	\$34.16	\$35.79	\$37.12	\$38.44
Maumee	2020-2027	\$33.51	\$35.24	\$36.78	\$38.44
Perrysburg	2020-2027	\$33.36	\$35.13	\$36.72	\$38.44

SECTION 3. This council finds and determines that all formal actions of this council and any of its committees concerning and relating to the passage of this ordinance were taken, and that all deliberations of this council and any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

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

Passed: _____: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council
_____.

Attest: _____
Clerk of Council