

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2024-18

By: Councilwoman Mary K. Brown Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

TO ENACT SECTION 311.19, WATER DISTRIBUTION FEE, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA TO ESTABLISH A WATER DISTRIBUTION FEE FOR THE EXPRESS PURPOSE OF SUPPLEMENTING FUND 510 TO PAY FOR COSTS ASSOCIATED WITH THE MAINTENANCE, UPKEEP, REPAIR, AND REPLACEMENT OF THE WATER DISTRIBUTION SYSTEM AND ASSOCIATED EXPENSES.

WHEREAS, in the last forty (40) years, the water rates charged to customers of the Berea water system were raised just once in 2007; and

WHEREAS, the City has refrained from seeking increased revenue since 2007 due to the unprecedented increases in the fees charged by the Northeast Ohio Regional Sewer District and the economic impact to customers due to the Great Recession and the COVID-19 Pandemic; and

WHEREAS, R.C. 743.04 states that for the purpose of paying the expenses of conducting and managing the waterworks of a municipal corporation, including operating expenses and the costs of permanent improvements, the Director of Public Service or any other city official or body authorized by Charter, may assess and collect a water rent or charge of sufficient amount and in such a manner as the Director, other official, or body determines to be the most equitable from all tenements and premises supplied with water; and

WHEREAS, since 2007, the regulatory requirements imposed by the Ohio Environmental Agency have significantly increased the cost of operating a water plant; and

WHEREAS, according to the Federal Reserve, the cumulative rate of inflation since 2007 is approximately 49.7 percent, which has resulted in significant cost increases for the supplies and materials required to maintain the water plant, including but not limited to personnel costs, building materials, chemicals, security, computers and software improvements; and

WHEREAS, due to all of these factors, it has been necessary to transfer monies from other funds in order to continue the maintenance and improvement of the Berea waterworks system; and

WHEREAS, transferring monies from other funds to offset the costs of maintaining and improving the waterworks system results in other worthy projects being delayed or cut; and

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WHEREAS, we have been informed that the City will no longer be eligible for grants and low-interest loans from the State if additional revenue is not generated; and

WHEREAS, the Administration proposes enacting a fee, based on water consumption, to supplement Fund 510, Water Revenue Fund, for the express purpose of maintaining and improving the waterworks system and to offset the costs of current and future debt payments from water projects; and

WHEREAS, this Council finds that it is both reasonable and necessary to increase revenues for water service, and further determines that a fee, based on consumption, is both necessary and equitable to consumers of the Berea waterworks system.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, County of Cuyahoga, and State of Ohio:

SECTION 1. That Section 311.19, Water Distribution Fee, is hereby enacted and shall read as follows:

311.19 – Water Distribution Fee

To pay part of the cost and expense of maintaining, operating, and improving the water distribution system, and to offset costs of current and future debt payments from water projects, there is, in addition to the Water Rental Rates set forth in Section 311.13 and Section 311.14 herein, levied upon each lot and premises on which is located any building which has installed thereon or therein any connection to the water distribution system, a quarterly fee, based on water consumption.

Residential fees apply to properties classified as residential by the Cuyahoga County Fiscal Office and excludes properties that are required to have a multiple-occupancy permit by the City. Those properties required to have a multiple-occupancy permit shall be subject to the Commercial Water Distribution Fee.

Commercial Water Distribution fees apply to properties requiring a multiple-occupancy permit, all non-residential properties and tax-exempt properties.

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(A) Water Distribution Fee – July 1, 2024 – December 31, 2025

1. Berea Residential Fee
 - a. Consumption of 0 – 5,000 gallons: \$10.00
 - b. Consumption of 5,001 – 10,000 gallons: \$20.00
 - c. Consumption of 10,001 – 50,000 gallons: \$30.00
 - d. Consumption in excess of 50,001 gallons: \$40.00
2. Commercial Fee
 - a. Consumption of 0 – 5,000 gallons: \$10.00
 - b. Consumption of 5,001 – 10,000 gallons: \$20.00
 - c. Consumption of 10,001 – 50,000 gallons: \$30.00
 - d. Consumption in excess of 50,001 gallons: \$40.00
3. Customers Outside the City of Berea Fee
 - a. Consumption of 0 – 5,000 gallons: \$10.00
 - b. Consumption of 5,001 – 10,000 gallons: \$20.00
 - c. Consumption of 10,001 – 50,000 gallons: \$30.00
 - d. Consumption in excess of 50,001 gallons: \$40.00
4. Customers Qualifying for a Homestead Exemption Fee
 - a. Consumption of 0 – 5,000 gallons: \$ 6.00
 - b. Consumption of 5,001 – 10,000 gallons: \$12.00
 - c. Consumption of 10,001 – 50,000 gallons: \$18.00
 - d. Consumption in excess of 50,001 gallons: \$24.00

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(B) Water Distribution Fee – January 1 – December 31, 2026

1. Berea Residential Fee
 - a. Consumption of 0 – 5,000 gallons: \$12.00
 - b. Consumption of 5,001 – 10,000 gallons: \$24.00
 - c. Consumption of 10,001 – 50,000 gallons: \$36.00
 - d. Consumption in excess of 50,001 gallons: \$48.00
2. Commercial Fee
 - a. Consumption of 0 – 5,000 gallons: \$12.00
 - b. Consumption of 5,001 – 10,000 gallons: \$24.00
 - c. Consumption of 10,001 – 50,000 gallons: \$36.00
 - d. Consumption in excess of 50,001 gallons: \$48.00
3. Customers Outside the City of Berea Fee
 - a. Consumption of 0 – 5,000 gallons: \$12.00
 - b. Consumption of 5,001 – 10,000 gallons: \$24.00
 - c. Consumption of 10,001 – 50,000 gallons: \$36.00
 - d. Consumption in excess of 50,001 gallons: \$48.00
4. Customers Qualifying for a Homestead Exemption Fee
 - a. Consumption of 0 – 5,000 gallons: \$ 7.20
 - b. Consumption of 5,001 – 10,000 gallons: \$14.40
 - c. Consumption of 10,001 – 50,000 gallons: \$21.60
 - d. Consumption in excess of 50,001 gallons: \$28.80

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(C) Water Distribution Fee – January 1, 2027 until revised

1. Berea Residential Fee
 - a. Consumption of 0 – 5,000 gallons: \$13.00
 - b. Consumption of 5,001 – 10,000 gallons: \$26.00
 - c. Consumption of 10,001 – 50,000 gallons: \$39.00
 - d. Consumption in excess of 50,001 gallons: \$52.00
2. Commercial Fee
 - a. Consumption of 0 – 5,000 gallons: \$13.00
 - b. Consumption of 5,001 – 10,000 gallons: \$26.00
 - c. Consumption of 10,001 – 50,000 gallons: \$39.00
 - d. Consumption in excess of 50,001 gallons: \$52.00
3. Customers Outside the City of Berea Fee
 - a. Consumption of 0 – 5,000 gallons: \$13.00
 - b. Consumption of 5,001 – 10,000 gallons: \$26.00
 - c. Consumption of 10,001 – 50,000 gallons: \$39.00
 - d. Consumption in excess of 50,001 gallons: \$52.00
4. Customers Qualifying for a Homestead Exemption Fee
 - a. Consumption of 0 – 5,000 gallons: \$ 7.80
 - b. Consumption of 5,001 – 10,000 gallons: \$15.60
 - c. Consumption of 10,001 – 50,000 gallons: \$24.00
 - d. Consumption in excess of 50,001 gallons: \$32.40

SECTION 2. That the revenue from the Water Distribution Fee, as newly set forth in Section 311.19, shall be deposited in Fund 510, Water Revenue Fund, and shall be used only for the purposes stated therein.

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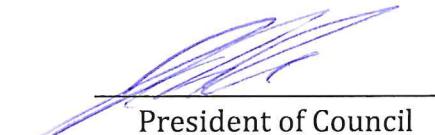
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SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public or as otherwise permitted by the Charter of the City of Berea and Section 121.22 of the Revised Code.

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

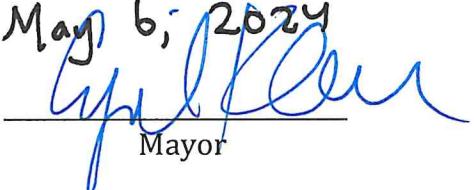
PASSED: May 6, 2024



President of Council

ATTEST: Alys E
Clerk of Council

APPROVED: May 6, 2024



Mayor

APPROVED AS TO FORM:



Director of Law