

VILLAGE OF GEORGETOWN, OHIO

ORDINANCE NO. 1106

AN ORDINANCE AMENDING SUBSECTIONS 52.01, 52.02 AND 52.03 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GEORGETOWN TO INCREASE THE SURCHARGE TO NON-RESIDENTS OF THE VILLAGE OF GEORGETOWN FOR UTILITIES AND OTHER SERVICES PROVIDED BY THE VILLAGE OF GEORGETOWN

WHEREAS, the Village of Georgetown provides water and sewer services to the residents of the Village of Georgetown; and

WHEREAS, the Village of Georgetown also provides such services to certain non-residents of the Village of Georgetown who are adjacent to or in close proximity to the Village of Georgetown; and

WHEREAS, the Council of the Village of Georgetown believes that the non-resident surcharge for such services should be increased to encourage annexation to the Village of Georgetown by those non-residents receiving such services and to benefit the residents of the Village of Georgetown to the extent that increased costs of operation of such utilities can be deferred;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Georgetown, a majority or more of all members thereof concurring as follows:

SECTION 1. That new subsection 52.01(C) of the Codified Ordinances of the Village of Georgetown be and hereby is enacted as a part of Title V, Public Works, of said Codified Ordinances as follows:

52.01 WATER RATES

(C) In the event the owner or owners of a parcel of land which is outside of the corporate limits of the Village of Georgetown but which said parcel of land is connected to the Village of Georgetown water distribution system refuses or fails to annex or refuses or fails to join in an annexation petition to have such parcel of land annexed to the Village of Georgetown, the water rents and charges for water delivered to such parcel of land by the Village of Georgetown shall have an additional fifty percent (50%) surcharge added to the applicable rate provided by subsection 52.01(A) over and above the fifty percent (50%) surcharge imposed by subsection 52.01(B).

(1) In the event that the owner or owners of a parcel of land described in subsection 52.01(C) of the Codified Ordinances of the Village of Georgetown is able to demonstrate to the satisfaction of the Village Administrator of the Village of Georgetown that

such parcel of land cannot lawfully be annexed to the Village of Georgetown through no fault of such owner or owners, the Village Administrator shall be authorized to relieve the surcharge imposed by subsection 52.01(C) but shall not relieve the surcharge imposed by subsection 52.01(B).

(2) In the event the legal impediment to annexation contemplated by the provisions of subsection 52.01(C)(1) is removed such that said parcel of land could lawfully be annexed to the Village of Georgetown but such owner or owners of a parcel of land which is outside of the corporate limits of the Village of Georgetown but which said parcel of land is connected to the Village of Georgetown water distribution system still refuses or fails to annex or refuses or fails to join in an annexation petition to have such parcel of land annexed to the Village of Georgetown, the Village Administrator of the Village of Georgetown shall re-impose the fifty percent (50%) surcharge provided for in subsection 52.01(C).

SECTION 2. That existing subsection 52.02(B) of the Codified Ordinances of the Village of Georgetown, as last amended by Ordinance No. 1049 of the Ordinances of the Village of Georgetown be repealed.

SECTION 3. That new subsection 52.02(B) of the Codified Ordinances of the Village of Georgetown be and hereby is enacted as a part of Title V, Public Works, of said Codified Ordinances as follows:

52.02 SEWER RATES

(B) Sewer customers outside the corporation limit of the village shall have a fifty percent (50%) surcharge added to the applicable rate provided by subsection 52.02(A). In the event that the Georgetown Utilities Department does not furnish water to a nonresident sewer customer, the sewer bill shall be calculated by the Georgetown Utilities Department in such a manner as to most accurately and fairly bill the customer from all available evidence. If such customer is served by another water company and if access to the water meter is available to the Georgetown Utilities Department, actual meter readings shall be used; otherwise, the sewer bill may be estimated.

(1) In the event the owner or owners of a parcel of land which is outside of the corporate limits of the Village of Georgetown but which said parcel of land is connected to the Village of Georgetown sewer collection system refuses or fails to annex or refuses or fails to join in an annexation petition to have such parcel of land annexed to the Village of Georgetown, the sewer rents and charges for sewerage collected from such parcel of land by the Village of Georgetown shall have an additional fifty percent (50%) surcharge added to the applicable rate provided by subsection 52.02(A) over and above the fifty percent (50%) surcharge imposed by subsection 52.02(B).

(a) In the event that the owner or owners of a parcel of land described in subsection 52.02(B)(1) of the Codified Ordinances of the Village of Georgetown is able to demonstrate to the satisfaction of the Village Administrator of the Village of Georgetown that such parcel of land cannot lawfully be annexed to the Village of Georgetown through no fault of such owner or owners, the Village Administrator shall be authorized to relieve the surcharge imposed by subsection 52.02(B)(1) but shall not relieve the surcharge imposed by subsection 52.02(B).

(2) In the event the legal impediment to annexation contemplated by the provisions of subsection 52.02(B)(1)(a) is removed such that said parcel of land could lawfully be annexed to the Village of Georgetown but such owner or owners of a parcel of land which is outside of the corporate limits of the Village of Georgetown but which said parcel of land is connected to the Village of Georgetown water distribution system still refuses or fails to annex or refuses or fails to join in an annexation petition to have such parcel of land annexed to the Village of Georgetown, the Village Administrator of the Village of Georgetown shall re-impose the fifty percent (50%) surcharge provided for in subsection 52.02(B)(1).

SECTION 4. That existing subsection 52.03(B) of the Codified Ordinances of the Village of Georgetown, as last amended by Ordinance No. 1087 of the Ordinances of the Village of Georgetown be and the same is hereby repealed.

SECTION 5. That new subsection 52.03(B) of the Codified Ordinances of the Village of Georgetown be and hereby is enacted as a part of Title V, Public Works, of said Codified Ordinances as follows:

52.03 MINIMUM WATER AND SEWER CHARGES

(B) Water and sewer customers outside the corporation limit of the village shall have a fifty percent (50%) surcharge added to the minimum monthly rates and charges provided by subsection 52.03(A).

(1) In the event the owner or owners of a parcel of land which is outside of the corporate limits of the Village of Georgetown but which said parcel of land is connected to the Village of Georgetown water distribution system or sewer collection system refuses or fails to annex or refuses or fails to join in an annexation petition to have such parcel of land annexed to the Village of Georgetown, the minimum water and sewer rates provided by subsection 52.03(A) for such parcel shall be increased by an additional fifty percent (50%) surcharge added to the applicable rate provided by subsection 52.03(A) over and above the fifty percent (50%) surcharge imposed by subsection 52.03(B).

(a) In the event that the owner or owners of a parcel of land described in subsection 52.03(B)(1) of the Codified Ordinances of the Village of Georgetown is able to demonstrate to the satisfaction of the Village Administrator of the Village of Georgetown that


such parcel of land cannot lawfully be annexed to the Village of Georgetown through no fault of such owner or owners, the Village Administrator shall be authorized to relieve the surcharge imposed by subsection 52.02(B)(1) but shall not relieve the surcharge imposed by subsection 52.02(B).

(2) In the event the legal impediment to annexation contemplated by the provisions of subsection 52.03(B)(1)(a) is removed such that said parcel of land could lawfully be annexed to the Village of Georgetown but such owner or owners of a parcel of land which is outside of the corporate limits of the Village of Georgetown but which said parcel of land is connected to the Village of Georgetown water distribution system still refuses or fails to annex or refuses or fails to join in an annexation petition to have such parcel of land annexed to the Village of Georgetown, the Village Administrator of the Village of Georgetown shall re-impose the fifty percent (50%) surcharge provided for in subsection 52.03(B)(1).

SECTION 6. That all other subsections of Chapter 52 of the Codified Ordinances of the Village of Georgetown not specifically repealed or amended herein shall be and remain in full force and effect.

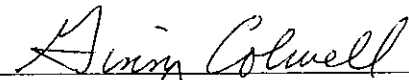
SECTION 7. That this Ordinance shall be effective from and after the earliest date allowed by law.

PASSED: 4/14, 2011



Dale E. Cahall, Mayor

ATTEST:



Ginny Colwell, Fiscal Officer