

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

ORDINANCE NO. D-8-05-1

AN ORDINANCE TO AMEND THE POLICIES AND RULES FOR NEW CONCORD WATER AND SEWER ACCOUNTS AND DECLARING AN EMERGENCY.

WHEREAS, the Village maintains a water and sewer; and

WHEREAS, it is periodically necessary to establish, restate, and/or amend rules and regulations governing water and sewer use and the conditions for use of the Village water and sewer system; and

WHEREAS, it is in the interest of the health, safety and welfare of the Village to establish water and sewer use rules and regulations.

NOW, THEREFORE be it ordained by the Council of the Village of New Concord, that

Section 1. Collection Precedures for Delinquent Bills.

Owners of property are responsible for water used on premises they own. When water/sewer charges are not paid when due, the Village or designate may do either or both of the following:

- (A) Certify them, together with any penalties, to the County Auditor, who shall place the certified amount on the real property tax list and duplicate against the property served by the connection if the County Auditor also receives from the Village or other official or body additional certification that the unpaid rents or charges have arisen pursuant to service with the property that is served by the connection. The amount placed on the tax list and duplicate shall be a lien from the date placed on the list and duplicate and shall be collected in the same manner as other taxes, except that, notwithstanding Section 323.15 of the Ohio Revised Code, the County Treasurer shall accept partial payment for the full amount of such unpaid water rents or charges and associated penalties. The lien shall be released immediately upon payment in full of the certified amount. The County Treasurer shall place any amounts collected pursuant to certification under this division in the distinct fund established by Section 743.06 of the Ohio Revised Code. Unless the Village or designate determines that a transfer of the property is about to occur, the village designate may only make a certification under this rule if the rents or charges have been due and unpaid for at least sixty days and the Village or designate has provided the owner of the property with written notice of the impending certification. However, no certification may be made directly with the owner of the property served. Owners shall inform any purchaser of property with unpaid water or sewer bills of the delinquent amount prior to any sale of the property.
- (B) Collect them by actions at law, in the name of the City from an owner or any other person who is liable for these charges.

Section 2. Delinquent Bills:

When water or sewer rents or charges are not paid when due, the Village may cause them to be certified to the County Auditor for placement as a lien upon the property served in accordance with the procedures set forth in Ohio R. C. 743.04. Certification of delinquent water charges may be concurrent with certification of delinquent sewer charges.

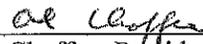
Section 3. The village is not responsible for notifying owners of property of any water and sewer charges at any rental property where the account is in the tenants name unless a request to the Village Administrator is made in writing.

Section 4. Any customer requesting a meter test shall pay the cost to test the accuracy of meters. If a meter is found to over read by more than 2 % by a certified testing agent, the Village shall reimburse the customer for the meter test.

Section 5. All property owners connected to the Village water or sewer system shall enter into an agreement to abide by the rules and regulations for water and sewer service including responsibility for water and sewer bills.

Section 6. For the reasons stated in the preamble hereto, the Ordinance shall be an emergency measure and shall take effect immediately.

PASSED: August 8, 2005

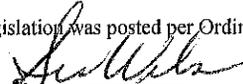

Al Chaffee, President of Council

APPROVED: August 8, 2005


R. Gregory Adams, Mayor

ATTEST: 
Sue Wilson, Clerk/Treasurer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.


Sue Wilson, Clerk