

**Village of Mantua, Ohio**  
**ORDINANCE 2020-27**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE VILLAGE OF MANTUA IN ORDER TO PERMIT PRORATION OF THE MONTHLY MINIMUM WATER AND SEWER CHARGES AND THE MONTHLY CAPITAL IMPROVEMENT CHARGES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mantua Village Service Committee has recommended amending various sections of the Codified Ordinances of the Village of Mantua in order to permit proration of the monthly minimum water and sewer charges and the monthly capital improvement charges; and

**WHEREAS**, this Council has determined that it is necessary to amend sections 921.08(b), 941.14(k) and 941.18(e)(4) of the Codified Ordinances of the Village of Mantua in order to address this recommendation.

**NOW THEREFORE**, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, two-thirds or more of the members elected thereto concurring, that:

**SECTION 1:** Existing sections 921.08(b), 941.14(k) and 941.18(e)(4) of the Codified Ordinances of the Village of Mantua are hereby repealed.

**SECTION 2:** Section 921.08(b) of the Codified Ordinances of the Village of Mantua is hereby enacted as follows:

Fixed Water Capital Improvement Charge. Each dwelling, structure, unit, building for business or commercial enterprise, or location for industrial operation, and any other location where a municipal water meter is installed, shall pay a service charge in the amount of twenty-two dollars (\$22.00) per billing month. Said service charge shall be billed with and due at the same time as the regular monthly water and sewer billings. In the event the service charge is not paid when due, it shall be subject to the delinquency charges set forth in Section 941.21 of these Codified Ordinances. *In rendering final bills where customers move out or request service discontinuation at odd times in the month, the charge for the month will be prorated.* The payments received as the result of this service charge shall be placed in the Water Capital Improvement Fund to be used as permitted by law and as directed by the Mantua Village Council.

**SECTION 3:** Section 941.14(k) of the Codified Ordinances of the Village of Mantua is hereby enacted as follows:

Fixed Sewer Capital Improvement Charge. In addition to the sewer service charge, each person, firm or corporation whose premises are served by a connection with the sewer facilities under the jurisdiction of the Village, or otherwise discharges sewage, industrial wastes or water or other liquids,

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either directly or indirectly, into such sewers, shall pay an additional fixed charge of two dollars (\$2.00) per month. Said fixed charge shall be billed with and due at the same time as the regular monthly water and sewer billings. In the event the fixed charge is not paid when due, it shall be subject to the delinquency charges set forth in Section 941.21 of these Codified Ordinances. In rendering final bills where customers move out or request service discontinuation at odd times in the month, the charge for the month will be prorated. The payments received as the result of this fixed charge shall be placed in the Sewer Capital Improvement Fund to be used as permitted by law and as directed by the Mantua Village Council.

**SECTION 3:** Section 941.18(e)(4) is hereby enacted as follows:

In rendering final bills where customers move out or request service discontinuation at odd times in the month, if less than the minimum usage has been consumed, the minimum charges will be prorated.

**SECTION 4:** All other provisions of the Codified Ordinances of the Village of Mantua shall remain in full force and effect.

**SECTION 5:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 6:** This Ordinance is hereby declared an emergency measure, in order that the policy set forth herein will be in effect for the billing cycle beginning the first day of the calendar month following its passage, and shall be immediately effective upon its passage by at least two-thirds of the members elected to the Mantua Village Council.

**PASSED AS EMERGENCY** this 18<sup>th</sup> day of August, 2020.

ATTEST:

\_\_\_\_\_  
Linda Clark, Mayor

\_\_\_\_\_  
Jenny August, Clerk-Treasurer

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I hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on this the \_\_\_\_ day of \_\_\_\_ August \_\_\_\_, 2020.

\_\_\_\_\_  
Jenny August, Clerk-Treasurer

Approval as to legal form by:

\_\_\_\_\_  
Michele Stuck, Solicitor