

TEMPORARY ORDINANCE NO. 41-25

PERMANENT ORDINANCE NO. 43-25

AN ORDINANCE TO AMEND TITLE THREE, CHAPTERS 915 AND 916, BY REPEALING AND REPLACING EXISTING SECTIONS 915.04(a), 915.05(a), AND 916.08(c) OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, OHIO, AND TO DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster owns public wastewater facilities; and

WHEREAS, the City of Lancaster operates these facilities under permits issued by the Ohio Environmental Protection Agency according to their rules and regulations; and

WHEREAS, the City of Lancaster issued bonds for construction of improvements to the wastewater systems that included covenants regarding rates for the operation of the systems; and

WHEREAS, the City of Lancaster obtained loans from the Ohio Water Development Authority (OWDA) for wastewater improvements that included requirements for the adequate operation and maintenance of the systems; and

WHEREAS, in order to meet these requirements a rate study was conducted to ensure adequate funds for the operation, maintenance, and debt service for the systems; and

WHEREAS, the study has recommended user rate adjustments to meet bond and loan requirements; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That existing Section 915.04(a) of the Codified Ordinances of the City of Lancaster, Ohio, is hereby repealed and replaced as follows:

“915.04 USER RATES AND CHARGES.

(a) For the use of and the service rendered by the treatment works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected with the City sanitary system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly into the sanitary sewerage system of the City. Such rates and charges include user charges, debt service costs, excessive strength surcharges and other service charges, which rates shall be payable as hereinafter provided and shall be in an amount determinable as follows:

- (1) The sewer rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use, plus a base charge, except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage service, the water meters shall be read monthly

and the users shall be billed each month. The water usage schedule on which the amount of such rates and charges shall be determined shall be as follows:

RESIDENTIAL/COMMERCIAL:

	Total
2025 Base Rate	\$21.96
2025 Treatment	\$7.57/100cf
Effective January 1, 2026	
Base Rate	\$22.62
Treatment	\$7.57/100cf
Effective January 1, 2027	
Base Rate	\$23.46
Treatment	\$7.62/100cf
Effective January 1, 2028	
Base Rate	\$24.16
Treatment	\$7.85/100cf
Effective January 1, 2029	
Base Rate	\$24.89
Treatment	\$8.09/100cf

(2) For residential users of the sewage works that are not metered water users or from whom accurate meter readings are not available, the monthly charge shall be as follows:

	Total
2025 Total	\$82.55
Effective January 1, 2026	
Total	\$83.18
Effective January 1, 2027	
Total	\$84.46
Effective January 1, 2028	

Total	\$86.99
Effective January 1, 2029	
Total	\$89.59

INDUSTRIAL:

2025		
TIER 1	0-100ccf	\$8.08
TIER 2	101-250ccf	\$6.99
TIER 3	251-2500ccf	\$5.43
TIER 4	>2501ccf	\$5.09
Monthly Customer Charge		\$23.46

<u>Effective January 1, 2026:</u>		
TIER 1	0-100ccf	\$6.56
TIER 2	101-250ccf	\$6.56
TIER 3	251-2500ccf	\$6.56
TIER 4	>2501ccf	\$6.56
Monthly Customer Charge		\$23.46

<u>Effective January 1, 2027:</u>		
TIER 1	0-100ccf	\$7.62
TIER 2	101-250ccf	\$7.62
TIER 3	251-2500ccf	\$7.62
TIER 4	>2501ccf	\$7.62
Monthly Customer Charge		\$23.46

<u>Effective January 1, 2028:</u>		
TIER 1	0-100ccf	\$7.85
TIER 2	101-250ccf	\$7.85
TIER 3	251-2500ccf	\$7.85
TIER 4	>2501ccf	\$7.85
Monthly Customer Charge		\$24.16

Effective January 1, 2029:		
TIER 1	0-100ccf	\$8.09
TIER 2	101-250ccf	\$8.09
TIER 3	251-2500ccf	\$8.09
TIER 4	>2501ccf	\$8.09
Monthly Customer Charge		\$24.89

(3) For the service rendered to the City, the City shall be subject to the same rates and charges hereinabove provided or to charges and rates established in harmony therewith. (Ord. 24-14. Passed 12-8-14.)

(b) The quantity of water discharged into the sanitary sewer system and obtained from sources other than the City shall be determined by the City in such a manner as the City shall reasonably elect, and the sewage service shall be billed at the above appropriate rates; further, as is hereinafter provided in this section, the City may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the City that such quantities do not enter the sanitary sewerage system.

(1) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the City's sanitary sewerage system, either directly or indirectly, is not a user of water supplied by the City, the water used thereon or therein is not measured by a water meter or is measured by a water meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rate or charge provided in this chapter the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

- (2) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the City sanitary sewerage system, either directly or indirectly, is a user of water supplied by the City, and in addition, is a user of water from another source which is not measured by a water meter or is measured by a water meter not acceptable to the City then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rates or charges, the owner or other interested parties shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.
- (3) In the event two or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water or other liquids into the City sanitary sewerage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the base charge and the flow rates and charges shall apply to each of the number of residential lots, parcels of real estate or buildings served through the single water meter.
- (4) In the event a lot, parcel of real estate or building discharges sanitary sewage, industrial waste, water or other liquids into the City's sanitary sewerage system either directly or indirectly, and uses water in excess of 1000 cubic feet per month, and it can be shown to the satisfaction of the City that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewer system, then the owner or other interested party shall, at his own expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.
(Ord. 6-86. Passed 2-10-86.)
- (5) In order that the residential users discharging sanitary sewage not be penalized for sprinkling lawns, washing cars, watering gardens, etc., during the months May, June, July, August, September and October, the billing for sanitary sewer services for residential users for the months of May, June, July, August, September and October (summer average) of a particular year shall be based upon that user's average monthly water usage billed during the months January, February, March, April, November and December (winter average). Residential sanitary sewer services applicable to the Summer Average shall apply to each lot, parcel of real estate, or building which is occupied and used as a residence. The Summer Average shall not apply to any premises which are partially used for commercial or industrial purposes. The Winter Average shall be determined by the customer's actual usage using the previous months November thru April. When the average is calculated, the high and low readings will be discarded. If a customer has less than six (6) readings, the number shall be defaulted to a value of eight hundred (800) cubic feet. For billing purposes, a minimum of three (300) hundred cubic feet shall be set and the lesser of the actual/average (default if used) will be charged."

SECTION 2. That existing Section 915.05(a) of the Codified Ordinances of the City of Lancaster, Ohio, is hereby repealed and replaced as follows:

“915.05 STRENGTH SURCHARGES.

In order that the rates and charges may be justly and equitably adjusted to the service rendered to users, the City shall base its charges not only on the volume, but also on strength and character of the stronger-than-normal domestic sewage and wastes which it is required to treat and dispose of. The City shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly into the sanitary sewer system, in such manner and by such method as the City may deem practicable in the light of the conditions and attending circumstances of the case, in order to determine the proper charge. The user shall furnish a central sampling point available to the City at all times.

- (a) Normal sewage domestic waste strength should not exceed a carbonaceous biochemical oxygen demand of 200 milligrams per liter of fluid or suspended solids in excess of 300 milligrams per liter fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:
 - (1) Rate surcharge based upon CBOD. There shall be an additional charge of thirty seven dollars and sixty-three cents (\$37.63) per 100 pounds of carbonaceous biochemical demand for CBOD received in excess of 200 milligrams per liter of fluid. The rate shall increase to thirty-eight dollars and seventy-six cents (\$38.76) per 100 pounds on January 1, 2026. The rate shall increase to thirty-nine dollars and ninety-two cents (\$39.92) per 100 pounds on January 1, 2027. The rate shall increase to forty-one dollars and twelve cents (\$41.12) on January 1, 2028. The rate shall increase to forty-two dollars and thirty-five cents (\$42.35) on January 1, 2029.
 - (2) Rate surcharge based upon suspended solids. There shall be an additional charge of twenty-two dollars and ninety-four cents (\$22.94) per 100 pounds of suspended solids for suspended solids received in excess of 300 milligrams per liter of fluid. The rate shall increase to twenty-three dollars and sixty-three cents (\$23.63) per 100 pounds on January 1, 2026. The rate shall increase to twenty-four dollars and thirty-four cents (\$24.34) per 100 pounds on January 1, 2027. The rate shall increase to twenty-five dollars and seven cents (\$25.07) on January 1, 2028. The rate shall increase to twenty-five dollars and eighty-two cents (\$25.82) on January 1, 2029.”

SECTION 3. That existing Section 916.08(c) of the Codified Ordinances of the City of Lancaster, Ohio, is hereby repealed and replaced as follows:

“916.08 STRENGTH SURCHARGE.

- (c) Strength surcharges are hereby established as follows:

<u>Pollutant Parameters</u>	<u>Cost Per 100 Pounds</u>
Carbonaceous Biochemical Oxygen Demand	\$37.63
Suspended Solids	\$22.94
Effective January 1, 2026	
Carbonaceous Biochemical Oxygen Demand	\$38.76
Suspended Solids	\$23.63

Effective January 1, 2027
 Carbonaceous Biochemical Oxygen Demand \$39.92
 Suspended Solids \$24.34
 Effective January 1, 2028
 Carbonaceous Biochemical Oxygen Demand \$41.12
 Suspended Solids \$25.07
 Effective January 1, 2029
 Carbonaceous Biochemical Oxygen Demand \$42.35
 Suspended Solids \$25.82"

SECTION 4. That 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 in an open meeting of this Council or committees, and that all deliberations of the Council and any of its committees that resulted in these formal actions were in meetings open to the public, all in compliance with the law.

SECTION 5. That this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace and health of the City, and for further reason that this ordinance is require to be immediately effective in order to comply with the terms and conditions of the Water System Improvement Revenue Bonds, Series 2012 and the Wastewater System Improvement Revenue Bonds, Series 2016; wherefor this ordinance shall be in full force and effective immediately upon its passage and approval of the Mayor.

Passed: 9-22-2025 after 3 reading. Vote: Yeas 10 Nays 0

Approved: September 22, 2025

Clerk: [Signature]
 President of Council [Signature]
 Mayor Don H. M. [Signature]

Offered by: Michael [Signature]

Second by: [Signature]

Requested by Water/Water Pollution Control Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

 Clerk of Council