

VILLAGE OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2016- 04

AN ORDINANCE AMENDING ORDINANCE NO. 2013-10 RELATING TO THE
VILLAGE OF SOUTH LEBANON'S WATER SHUT OFF POLICY, AND
DECLARING AN EMERGENCY

WHEREAS, the Council adopted Ordinance No. 2013-10 on August 15, 2013 that established the Village's water shut-off policy, and abolished the Water Review Board and,

WHEREAS, it was recently determined that changes are required to be made to the Village's "Water Shut-Off Policy"; and,

WHEREAS, immediate action is required to improve the Village's Utilities Department efficiency and effectiveness, and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. That the Council does hereby amend Resolution No. 2013-10; accordingly, the Council does hereby adopt the attached Water Shut Office Policy and Procedures and incorporate the same by reference herein.

Section 2. That the Council is acting in its legislative capacity in adopting this Ordinance.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That this Ordinance is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Ordinance shall be in full force and effective immediately upon its passage.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an

open meeting of Council in compliance with all legal requirements, including
Section 121.22 of the Ohio Revised Code.

Adopted this 18th day of February, 2016.

Attest:

Sharon Louallen

Sharon Louallen, Fiscal Officer/Clerk

James D. Smith

James D. Smith, Mayor

Rules Suspended: 2/18/2016 (if applicable)

Effective Date – / /2016

Vote - 6 Yeas

_____ Nays

First Reading – / /2016

Effective Date – / /2016

Second Reading – / /2016

Third Reading – / /2016

Vote - _____ Yeas

_____ Nays

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: _____

Date: 2/18/16

VILLAGE OF SOUTH LEBANON

WATER SHUT OFF POLICY

The billing for water services furnished by the Village shall be governed by the requirements hereinafter provided in this water billing policy. It is stipulated as a condition of the granting of water service by the Village that all persons now using such water service, or who may hereafter make application for water service, shall be considered as having agreed to be bound by all the rules and regulations as are herein or as may hereafter be prescribed.

I. RULES AND REGULATIONS.

The Village Administrator and the Utilities Clerk are authorized to adopt and enforce, subject to the approval of the Village Administrator, such rules and regulations as they deem necessary in the execution of their responsibilities and duties prescribed in this policy.

II. BILLING

Charges for services furnished for the Village and its inhabitants and other users by the waterworks system shall be rendered monthly by the Utilities Clerk. In the event that utility bills are mailed by the Village after the first of the month in which they are due, the Village Administrator shall have the authority to establish a later due date for that billing cycle so as not to penalize the ratepayer.

III. DELINQUENT ACCOUNTS.

The bill for any service rendered for water, sanitation, and sewer service shall be paid by the 15th of each month following the billing thereof, and if not paid within that time, a penalty of ten percent (10%) shall be added thereto. If the 15th of the month falls on a weekend or a holiday, the bill shall be paid by the first business day following the 15th. If the delinquent bill is not paid within fourteen (14) days of the date it was due, together with the penalty thereon, the Utilities Clerk shall cause the service to be discontinued; and it shall be resumed only on payment by the ~~property owner or~~ user of the full amount of the account, plus an additional fifty dollars (\$50.00) turn-on fee. The utility service deposit may be applied to any past due amount. Prior to resuming service, any amount deducted from the security deposit for past due amounts must be replenished by the customer. If the bill is not paid within sixty (60) days, the Village Administrator and the Fiscal Officer may certify the delinquent bill to the County Auditor for collection as and at the same time that other taxes and assessments are collected. In any event, no applicant with a delinquent utility account with the Village of South Lebanon shall be approved for water service until any and all delinquent amounts to the Village of South Lebanon Utility Department are paid in full.

~~IV. OWNER AND LESSEE LIABLE FOR WATER SERVICE.~~

~~The owner of private property which is served by the waterworks system by pipes connected with said system to furnish water thereto shall, as well as the lessee of the premises, be liable to the Village for all water service from said system to said premises.~~

VILLAGE OF SOUTH LEBANON, OHIO
99 High Street
South Lebanon, OH 45065
Ph. (513) 494-2296

USER APPLICATION FOR WATER SERVICE

ACCOUNT No: _____ DATE: _____
NAME(S) OF APPLICANT(S): _____
NAME(S) OF PROPERTY OWNER(S): _____
TELEPHONE No. (Landline): (_____) _____; (Cellular): (_____) _____
ADDRESS WHERE SERVICE IS REQUIRED: _____
BILLING ADDRESS: _____
SECURITY DEPOSIT PAID: _____ METER SIZE: _____
DATE SERVICE STARTED: _____ DATE SERVICE ENDED: _____
FORWARDING ADDRESS OF APPLICANT UPON REQUEST TO DISCONTINUE SERVICE: _____
DEPOSIT REFUNDED: DATE: _____ AMOUNT: _____
REMARKS (if any): _____

The undersigned Applicant(s) certify that I/We shall be responsible for payment of all bills with respect to above requested water service until notification to discontinue service is received by the Village of South Lebanon. Discontinuing service must be requested in writing and delivered to the Village of South Lebanon at the address listed above. If all user bills owed to the Village of South Lebanon have not been paid, then the security deposit will be applied to the unpaid balance. Any unpaid balance in excess of the security deposit shall remain the sole responsibility of Applicant(s). In the event Applicant(s) fails to satisfy the unpaid balance in full, and the Village of South Lebanon institutes legal proceedings to collect the unpaid balance, Applicant(s) shall indemnify the Village of South Lebanon for all court costs and expenses relating thereto, including reasonable attorney fees. The undersigned Applicant(s) acknowledge and understand that any refund due from the security deposit as provided herein shall be refunded only to the person(s) whose name(s) appear on the account when service is discontinued, provided the amount is greater than \$10.00. When the account is registered in two or more names, any refund of the security deposit as provided herein will be payable jointly.

The undersigned Applicant(s) certify that I/We have received a complete copy of the Village of South Lebanon Ordinance No. ~~2013-10~~ [Water Service Rules & Regulations], which are incorporated herein and made a part hereof, and water service to the address listed above is subject to such Rules and Regulations.

DATE: _____ APPLICANT'S SIGNATURE: _____
XX

RECEIPT FOR SECURITY DEPOSIT

DATE: _____

THIS IS TO CERTIFY THAT _____ has paid _____
DOLLARS (\$ _____) for a Security Deposit for Water Service as provided above.

Received by Village of South Lebanon, Ohio

Account No. _____

By _____
Clerk, Water Department