

Resolution

Distribution

Stark County Commissioners

Sanitary Engineer
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Adopted November 27, 2024

Subject

A Resolution Establishing Rates for the Stark County Metropolitan Sewer District and Superseding the Resolutions Adopted June 29, 1971 and as Amended September 7, 1972; December 19, 1974; August 4, 1977; December 21, 1978; December 30, 1980; December 22, 1982; December 20, 1984; November 13, 1986; March 31, 1987; December 24, 1987; December 13, 1989; December 27, 1990; January 16, 1992; January 12, 1993; January 4, 1994; January 12, 1995; November 26, 1996; December 14, 1999; November 16, 2000; January 13, 2004; July 4, 2005; June 5, 2008; March 19, 2014; August 7, 2019; and August 10, 2022.

Commissioner Regula moved for the adoption of the following resolution which was seconded by Commissioner Smith:

WHEREAS, this Board, has heretofore, by resolution adopted June 29, 1971; and amended by resolutions adopted September 7, 1972; December 19, 1974; August 4, 1977; December 21, 1978; December 30, 1980; December 22, 1982; December 20, 1984; November 13, 1986; March 31, 1987; December 24, 1987; December 13, 1989; December 27, 1990; January 16, 1992; January 12, 1993; January 4, 1994; January 12, 1995; November 26, 1996; December 14, 1999; November 16, 2000; January 13, 2004; July 4, 2005; June 5, 2008; March 19, 2014; August 7, 2019; and August 10, 2022 (such resolution as so amended being referred to herein as the "Existing Resolution"), has established sanitary sewer rates pertaining to the Metropolitan Sewer District; and

WHEREAS, this Board has determined that the Existing Resolution should now be superseded so as to revise rates applicable to all of the territory in the Stark County Metropolitan Sewer District, it being further determined that such revised rates are fair, reasonable, and equitable, are commensurate with the sewer service provided and anticipated to be provided to users of the sanitary sewer facilities of the District and are dictated by, and consistent with, actual and anticipated cost factors.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Stark County, Ohio, that:

Section 1.00.0 - Rate Schedules

The following sanitary sewer rate schedules are established to become effective on February 1, 2025, as herein below set forth, for the Stark County Metropolitan Sewer District, and the users of the County's Sanitary Sewer Systems in such District shall be charged in accordance with the following schedules.

The rate for a single-family residence shall further increase by \$2.50 on January 1st of each calendar year 2026 and 2027. The rates in schedules A and B below shall increase, in both 2026 and 2027, in the same percentage as the single-family residence rate increases for those years.

SCHEDULE A

<u>Classification</u>	<u>Monthly Rate</u>
Single Family Residence	\$ 29.00
Multiple Family Residences & Apartments	\$ 29.00 per unit
House Trailers & Mobile Homes	\$ 29.00 each
Hotels and Motels	\$ 9.74 for each bedroom
Hospitals; Nursing, Rest and Convalescent Homes	\$ 16.96 per bed
Church (Minimum) (May be charged per seat calculated from SFE's in Permit Resolution or by water flow records)	\$ 29.00 for < or equaling 250 Seats \$ 58.00 for >250 but < or equaling 500 Seats SFE's per water use records for > 500
Schools	\$1.58 for each pupil & each employee
Athletic Stadiums & Fieldhouses	75% of Schedule B (All 12 months)
Parks & Recreation Camps	75% of Schedule B (All 12 months)
Industrial Establishments and Warehouses (Sanitary waste only)	\$ 2.90 for each person regularly employed or engaged in service on the premise plus process flows. The minimum charge will be that as identified in SCHEDULE B for one toilet.

Car Wash	\$ 29.00 for each single stall manual \$ 290.00 for each single stall Automatic, drive-thru \$ 261.00 for each automatic conveyor
Laundromat	\$ 29.00 per machine
Stores, Restaurants, Bars, Garages, Gasoline Service Stations, Professional and Business Offices and Buildings, Barber Shops, Beauty Parlors, Bowling Alleys, Theatres, Lodges, Clubs, Roller Rinks, Public Buildings.	SEE SCHEDULE B

SCHEDULE B - The minimum charge in Schedule B will be the rate for one toilet.

<u>Classification</u>	<u>Monthly Rate</u>
Each toilet	\$ 33.80
Each urinal	\$ 33.80
Each kitchen sink	\$ 14.52
Each slop sink	\$ 9.74

Section 1.00.1 – Surcharges for Users in the Former Nimishillen Water and Sewer District

That users of the Stark County Metropolitan Sewer District System owning properties either now connected or in the future to be connected to such system that are located in the boundaries of the area formerly known as the Nimishillen Water and Sewer District and identified in Exhibit A attached hereto shall be subject to an additional surcharge which shall be over and above the rates and charges hereinabove set forth.

Section 1.00.2 – Nimishillen Surcharge

That such surcharge shall be \$12.25/month effective with bills rendered for service provided on or after August 1, 2016 and shall continue as to service provided through May 2026.

Section 1.01.0 – Surcharge for Industrial Wastes – MASSILLON SERVICE AREA

That any person, firm, or corporation served by a sewer connection which discharges sanitary sewage, industrial wastes, water, or other liquids into the waste water treatment system, which are of unusual strength, volume, or character, but acceptable to the City of Massillon for treatment, including where required to provide pretreatment and a permit from the City, shall be subject to an additional surcharge which shall be over and above the rates and charges herein above set forth.

Section 1.01.1 – Maximum Wastewater Strength

The maximum allowable discharge strength above which a surcharge shall be collected:

5-day BOD (BOD ₅)	300 mg/l
Suspended Solids (SS)	250 mg/l
Phosphorous	20 mg/l
NH ₃	15 mg/l

Section 1.01.2 – Surcharge Calculation

The surcharge for the parameters listed in 1.01.1 shall be calculated as follows:

For BOD₅: Flow (MGD) X 8.34 X (BOD₅ mg/l – 300 mg/l) X \$0.247 = Surcharge

For SS: Flow (MGD) X 8.34 X (SS mg/l – 250 mg/l) X \$0.379 = Surcharge

The discharger's daily concentration for each of the pollutants in section 1.01.1 shall be determined from composite/grab samples taken at the discharger's monitoring manhole or facilities. Sampling data from the City of Massillon's monitoring program may also be used. These samples shall be taken once per week with the resultant overage and surcharge assumed for 5 days until the next weekly sample is taken. Each sample during which the violation of the maximum concentration of any or all of the parameters is found shall constitute a separate offense.

Section 1.01.3 – Monitoring Facilities

When required by the City or Sanitary Engineer, the owner of any property discharging wastes to the County sanitary sewer shall install a suitable chamber with gauging and sampling equipment at a location, as agreed to by the Sanitary Engineer, that best represents the discharge quantity and quality from the premises for the purpose of measuring the volume and quality of said wastewater discharge. Said chamber shall be installed by and at the cost of the owner and shall be constructed and equipped in accordance with plans approved by the Sanitary Engineer.

Section 1.02.0 – Surcharge for Industrial Wastes – NAVARRE SERVICE AREA

That any person, firm, or corporation served by a sewer connection which discharges sanitary sewage, industrial wastes, water, or other liquids into the waste water treatment system, which are of unusual strength, volume, or character but acceptable to the Village of Navarre for treatment, including where required to provide pretreatment and a permit from the Village, shall be subject to an additional surcharge which shall be over and above the rates and charges herein above set forth.

Section 1.02.1 – Maximum Wastewater Strength

The maximum allowable discharge strength above which a surcharge shall be collected:

5-day BOD (BOD ₅)	210 mg/l
Suspended Solids (SS)	185 mg/l
Phosphorous	20 mg/l
NH ₃	15 mg/l

Section 1.02.2 – Surcharge Calculation

The surcharge for the parameters listed in 1.02.1 shall be calculated as follows:

Flow (MGD) X 8.34 X (Parameter Concentration as measured – Max allowable concentration of 1.02.1) mg/l X \$0.25 = Surcharge

The discharger's daily concentration for each of the pollutants in section 1.02.1 shall be determined from 24-hour composite samples taken at the discharger's monitoring manhole or facilities. Each day during which the violation of the maximum concentration of any or all of the parameters shall constitute a separate offense.

Section 1.02.3 – Monitoring Facilities

When required by the Village or Sanitary Engineer, the owner of any property discharging wastes to the County sanitary sewer shall install a suitable chamber with gauging and sampling equipment at a location, as agreed to by the Sanitary Engineer, that best represents the discharge quantity and quality from the premises for the purpose of measuring the volume and quality of said wastewater discharge. Said chamber shall be installed by and at the cost of the owner and shall be constructed and equipped in accordance with plans approved by the Sanitary Engineer.

Section 1.03.0 – Surcharge for Industrial Wastes – CANTON SERVICE AREA

That any person, firm, or corporation served by a sewer connection which discharges sanitary sewage, industrial process waste water or other liquids into the wastewater treatment system, which are of unusual strength, volume, or character, but acceptable to the City of Canton for treatment, including where required to provide pretreatment and a permit from the City, shall be subject to an additional surcharge which shall be over and above the rates and charges herein above set forth.

Section 1.03.1 – Maximum Wastewater Strength

The maximum allowable discharge strength above which a surcharge shall be collected:

5-day BOD (BOD ₅)	300 mg/l
COD	400 mg/l
Suspended Solids (SS)	250 mg/l
Phosphorous	20 mg/l
NH ₃	25 mg/l

Section 1.03.2 – Surcharge Calculation

The surcharge for the parameters listed in 1.03.1 shall be calculated as follows:

For BOD₅: Flow (MGD) X 8.34 X (BOD₅ mg/l – 300 mg/l) X \$0.3358 = Surcharge

For COD: Flow (MGD) X 8.34 X (COD mg/l – 400 mg/l) X \$0.3358 = Surcharge

For SS: Flow (MGD) X 8.34 X (SS mg/l – 250 mg/l) X \$0.347 = Surcharge

For NH₃: Flow (MGD) X 8.34 X (NH₃ mg/l – 25 mg/l) X \$2.9325 = Surcharge

For PO₄: Flow (MGD) X 8.34 X (PO₄ mg/l – 20 mg/l) X \$5.7866 = Surcharge

The discharger's daily concentration for each of the pollutants in section 1.03.1 shall be determined from 24-hour composite or a composite of grab samples taken at the discharger's monitoring manhole or facilities. Sampling data from the City of Cantons monitoring program may also be used. Each day during which the violation of the maximum concentration of any or all of the parameters shall constitute a separate offense.

Section 1.03.3 – Monitoring Facilities

When required by the City or Sanitary Engineer, the owner of any property discharging wastes to the County sanitary sewer shall install a suitable chamber with gauging and sampling equipment at a location, as agreed to by the Sanitary Engineer, that best represents the discharge quantity and quality from the premises for the purpose of measuring the volume and quality of said wastewater discharge. Said chamber shall be installed by and at the cost of the owner and shall be constructed and equipped in accordance with plans approved by the Sanitary Engineer.

Section 1.04.1 – Other users Based on Volume

Facilities that use water or other fluids for processing or manufacturing that are discharged into the County's sanitary sewer system, for which no basic rate has hereby been established in section 1.00.0 of this resolution shall be charged and pay a rate based on the volume of such waste discharged into the system. The volume shall be determined by the County Sanitary Engineer by use of accepted engineering practices. The rate shall relate to and be determined by the volume and shall correspond and be equivalent to the \$29.00 per month rate for the period commencing February 1, 2025 for a one-family residence and for which the average discharge is presently computed at the rate of 300 gallons per day.

Section 1.04.2 – Method of Determining Volume Based Billing

The County Sanitary Engineer shall determine the gallons of industrial or commercial process waters, cooling waters or other non-domestic wastewater discharged into the County's collection system by:

- a. Metering said discharge
- b. Metering the potable water supply to the discharging facility, or
- c. Through the use of other accepted engineering practices.

Section 1.04.3 – Volume Billing Based on Potable Water Use

Where potable water use records are available for commercial properties, sewer billing may be based on historic water use records converted to residential equivalents by averaging the number of gallons used by the entity over the past year, dividing it by 365 days in the year and dividing the result by 300 gallons per day which is considered to be the average water consumption of a single-family residence. The derived number of single-family equivalents is then to be multiplied by the billing rate herein set forth for a single-family residence to calculate the monthly sewer billing rate for the entity for the coming year.

Section 1.04.4 –Section 1.00 Schedules A and B do not apply

Rate schedules A and B in section 1.00.0 shall not apply to a user when billing is based on sections 1.04.1 through 1.04.4 of this section.

Section 2.00.0 - Determining Charges for Schools

The determination of charges for schools for any given year shall be based on the number of pupils and employees enrolled or employed at said school on December 1st of the year prior to the year in which the billing applies.

Section 3.00.0 – Monthly Billing

All users of the sewer district shall be billed bi-monthly.

Section 3.10 – 10% penalty

A 10% penalty shall be added to any bill unpaid after the due date.

Section 4.00.0 – Billing Effective Date

The effective date for the start of sewer billing for a new sewer customer shall be the date the connection is made active as certified by the County's sewer inspector. Charges shall be for a full month's service if such connection occurs on or before the 15th of the month and there shall be no charge for the month if the connection occurs after the fifteenth of the month.

Section 5.00.0 – Discontinuation of Sewer Use Charges

County sewer use charges shall continue on a property until said property is physically disconnected from the sewer system and said disconnection is documented by a county sewer inspector. Such disconnection must be made in accordance with Sanitary Engineers specifications. There shall be no charge for the month of disconnection if the disconnection is made on or before the 15th of the month. A full month's charge shall be invoiced if the disconnection is made after the 15th of the month.

Section 6.00.0 – Charges are a Lien Upon the premises

Each sewer charge authorized and levied in concert with this resolution is hereby made a lien upon the premises therewith and any invoices not paid when due shall be deemed delinquent and together with all penalties shall be certified by this Board to the Stark County Auditor who shall place the same upon the County property tax duplicate against the property served by the connection and such charge shall be a lien on such property from the date the same is placed upon the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

Section 7.00.0 – Duties of County Sanitary Engineer

The County Sanitary Engineer is hereby charged with the responsibility for:

- Administering and enforcing this resolution
- Determining the classification of users, schedules and the number of persons, seats, etc. upon which the charges are based.
- Documenting changes in use on premises that will result in a change in the customers' user charge.

Section 8.00.0 – Repeal of Existing Resolution

Effective as of February 1, 2025, the existing resolution is hereby superseded.

Section 8.00.1 – Effective Date

This resolution shall take effect as of February 1, 2025, pursuant to the discretionary power of the Board of Commissioners to establish sanitary sewer rates, charges and penalties as conferred by Section 6117.02 of the Ohio Revised Code.

Upon roll call the vote resulted as follows:

Mr. Regula yes Mr. Smith yes Mrs. Creighton

C-E-R-T-I-F-I-C-A-T-E

I, the Assistant Clerk of the Board of Stark County Commissioners, hereby certify that the foregoing is a true and correct record of the resolution of said Board.

Quinn R. Odey