

**Supplement**  
**2003 CODE OF ORDINANCES**

*City of Wadsworth, Ohio*  
*[updated September 23, 2003]*

Containing Sections Worded in Accordance with Section Two of Ordinance No. 03-061 Adopted on July 15, 2003  
and Amendments to the Code of Ordinances Adopted after July 15, 2003

**§ 34.24 ALLOCATION OF FUNDS** *[formerly 168.01]*

The funds collected from the city income tax since January 1, 2003 and henceforth shall be applied for the following purposes and in the following order:

(A) Such part thereof as shall be necessary to defray all costs of collecting the taxes and the cost of administering and enforcing the provisions thereof.

(B) Net available income tax receipts received shall be dispersed as follows:

- (1) 66.9183% shall be dispersed to the General Fund (110)
- (2) 8.0988% shall be dispersed to the Recreation Fund (204).
- (3) 20.9506% shall be dispersed to the Street Fund (205)
- (4) 1.4585% shall be dispersed to the Capital Improvement Fund (425).
- (5) 2.5738% shall be dispersed to the City Hall Improvement Fund (430).

('65 Code, § 168.01) (Ord. 10-89, passed 2-7-89; Am. Ord. 34-96, passed - -96; Am. Ord. 97-070, passed 8-5-97; Am. Ord. 99-131, passed 11-2-99; Am. Ord. 00-141, passed 11-7-00; Am. Ord. 01-084, passed 8-7-01; Am. Ord. 02-063, passed 7-2-02; Am. Ord. 02-133, passed 12-17-02; Ord. 03-052, passed 7/1/03, effective 7/31/03)

**§ 35.41 FIRE DEPARTMENT** *[formerly 137.15]*

(A) The number of officers and employees in the Fire Department and their compensation, by compensation grades by reference to the schedules set forth in section 137.121 *[now section 35.47]*, where applicable are as follows:

1 Fire Chief .	PM-6	
1 Fire/EMS Training Officer	PM-3	
1 Secretary II	C-6	
1 Assist Fire Chief (adminis)	\$175 per mo. Plus	service compensation
2 Fire Captains	\$300 per mo. Plus	service compensation
5 Fire Lieutenants	\$250 per mo. Plus	service compensation
2 Firefighter Paramedic Inspectors	L-12	
9 Firefighter Paramedics	L-11	
Part-time firefighter EMTs on hourly basis not to exceed total of 8760 hours per year per hour		\$12.44
6 Supervisors (EMS Division)	\$ 50 per mo. Plus	service compensation
1 Equipment maintenance person	L-4 full time	
2 Equipment maintenance person	L-4 part time	
(Combination of 2 not to exceed 40 hours per week total)		
1 Acting EMS Director	\$100 per mo.	
40 Firefighters	See service compensation	

54 EMT - volunteers See service compensation  
 6 Paramedics L-10 full time  
 6 EMT \$8.50 per hour full time  
 (The total number of full-time Firefighter Paramedics and/or Paramedics and full-time EMTs shall not exceed nine.)  
 6 EMT \$8.50 per hour part time

(B) Employees hired for all other full time Wadsworth EMS positions will have six months from completion of their probationary period to establish residency within a 5 mile radius of the intersection of High and Broad Streets in the City of Wadsworth (town center).

(C) Any employees failing to meet this residency requirement cannot maintain full time employment with the City of Wadsworth.

(D) Service and training compensation for volunteer firefighters shall be as follows:

Volunteer Firefighters	\$10.67 per hour
Firefighters I	\$11.74 per hour
Firefighters II	\$12.81 per hour
Officer Compensation	\$15.94 per hour

(E) The service compensation for the work sessions for EMT-Volunteers shall be as follows:

<u>Level of Certification</u>	<u>First Hour</u>	<u>Additional Hours prorated by quarter hours</u>
Basic	\$10.67	\$2.67
Intermediate	\$11.74	\$2.94
Paramedic	\$12.81	\$3.20

(F) In addition to compensation for runs, EMT-Volunteers shall receive one hour of service compensation for each 12-hour standby period and half of one hour of service compensation for each 6 hours standby period. The service compensation for training sessions for EMT-Volunteers shall be as set forth above.

(G) Officers and employees who are both firefighters and EMT-Volunteers shall receive only one service compensation for the same period of time.

('65 Code, § 137.15; Ord. 47-90, passed 5-30-90; Am. Ord. 93-90, passed 9-4-90; Am. Ord. 98-061, passed 4-21-98; Am. Ord. 99-041, passed 4-20-99; Am. Ord. 00-143, passed 12-5-00; Am. Ord. 01-002, passed 2-6-01; Am. Ord. 01-053, passed 5-1-01; Am. Ord. 01-072, passed 7-3-01; Am. Ord. 02-022, passed 4-9-02; Am. Ord. 02-047, passed 5-21-02; Am. Ord. 02-087, passed 9-3-02; Am. Ord. 02-109, passed 9-17-02; Am. Ord. 02-114, passed 12-3-02; Am. Ord. 03-028, passed 4-01-03; Ord. 03-049, passed 7-1-03)

**§ 50.13 CABLE TELEVISION FOR COMMERCIAL ESTABLISHMENTS**  
*[formerly 929.011]*

The Director of Public Service is hereby authorized to make available cable television service as part of the service provided to residential customers of the Electric Utility of the City of Wadsworth. Cable Television service shall be provided subject to the following conditions and charges:

*(A) Availability and applicability.*

- (1) Available system-wide to all residential consumers who are purchasing electric services from the Wadsworth Municipal Electric Distribution System and have access to the City of Wadsworth communications network. All applications for service should be in accordance with and conform to the Power and Communications Service by-laws and Regulations or subsequent revisions thereof which are prepared by the Director of Public Service and are on file with the Clerk of Council.
- (2) This service is supplied for uses that are ordinarily considered in public utility operations as residential and designated and recognized as individual single family residential home or farm use, including apartments, mobile homes and other individual single family dwelling units or living quarters or apartments. Minimum term of service for billing shall be one month. Disconnection of service for periods less than one month will not reduce the minimum term for billing purposes.

*(B) Definitions.*

- (1) **INITIAL INSTALLATION.** Service being connected at an address for the first time for a particular customer
- (2) **RE-INSTALLATION.** Service being re-installed at the same address for the same Customer for other than non-payment after service has been disconnected for more than 30 days
- (3) **RE-INSTALLATION (NON-PAYMENT).** Service being re-installed at the same Address for the same customer after disconnection for non-payment
- (4) **SEASONAL DISCONNECT/REINSTALLATION** Service being disconnected/re-Installed once per year, disconnect period for a minimum of 2 months, not To exceed 6 months

*(C) Charges per month for individual dwelling unit.*

	<u>Inside City</u>	<u>Outside City</u>
Basic Service	\$ 7.50	\$ 8.25
Enhanced Service	\$24.14	\$26.55
Premium Service (Individual Channels)	\$10.75/each	\$10.75/each

(HBO, Cinemax, Premium Service Combination 1 (HBO/Cinemax)	\$16.00	\$16.00
Premium Service Combination 2 (Starz/Encore)	\$11.00	\$11.00
DMX Music Service (inc. box and remote)	\$ 6.00	\$ 6.00
DMX Deluxe Remote	\$ 1.30	\$ 1.30
Additional Outlets for cable service	no charge	no charge

*(D) Equipment charges plus applicable sales tax.*

Standard Set-Top Box with remote	\$1.00 per month
In-House Amplifier (one time charge)	\$24.95
Replacement Charge for:	
Standard Set-top Box	\$ 74.00
Set-Top Remote	\$ 5.00

*(E) Installation and other service charges.*

Initial Service Installation	no charge
Additional Outlets installed by City at time of initial install	\$ 9.95 per outlet
Additional Outlets installed by City after initial installation	\$ 9.95 per outlet+\$15.00
Re-Installation of Service(non-payment)	\$15.00
Re-Installation of Service (after 30 days)	\$15.00
Service Call for installation of equipment or service	no charge
Service Call if not cable related problem	\$15.00
Change of Service	no charge
Seasonal Disconnect/re-installation	no charge

('65 Code, § 929.011) (Ord. 97-005, passed 1-7-97; Am. Ord. 00-070, passed 6-6-00; Am. Ord. 01-021, passed 2-20-01; Am. Ord. 01-176, passed 12-18-01; Am. Ord. 03-044, passed 6/3/03)

**§ 50.14 CABLE TELEVISION FOR COMMERCIAL ESTABLISHMENTS**  
*[formerly 929.012]*

The Director of Public Service is hereby authorized to make available cable television service as part of the service provided to commercial customers of the electric utility of the City of Wadsworth. Cable Television service shall be provided subject to the following conditions and charges:

*(A) Availability and applicability.* Available to commercial consumers who have access to the City of Wadsworth communications network. All applications for service should be in accordance with and conform to the Power and Communications Service by-laws and Regulations or subsequent revisions thereof which are prepared by the Director of Public Service and are on file with the Clerk of Council. Minimum term of service for billing shall be one month. Disconnection of service for periods less than one month will not reduce the minimum term for billing purposes.

*(B) Definitions.*

**(1) INITIAL INSTALLATION.** Service being connected at an address for the first time for a particular customer

**(2) RE-INSTALLATION.** Service being re-installed at the same address for the same customer for other than non-payment after service has been disconnected for more than 30 days

**(3) RE-INSTALLATION (NON-PAYMENT).**-Service being re-installed at the same address for the same customer after disconnection for non-payment

**(4) SEASONAL DISCONNECT/REINSTALLATION** service being disconnected/re-installed once per year, disconnect period for a minimum of 2 months, not to exceed 6 months

*(C) Charges per month for commercial customers.*

	<u>Inside City</u>	<u>Outside City</u>
Basic Service	\$ 7.50	\$ 8.25
Enhanced Service	\$24.14	\$26.55
Premium Service (Individual Channels) (HBO, Cinemax)	\$10.75/each	\$10.75/each
Premium Service Combination 1 (HBO/Cinemax)	\$16.00	\$16.00
Premium Service Combination 2 (Starz/Encore)	\$11.00	\$11.00
DMX Music Service (inc. box and remote)	\$36.75	\$36.75
Additional Outlets for cable service	no charge	no charge

*(D) Equipment charges plus applicable sales tax.*

Standard Set-Top Box with remote	\$1.00 per month
In Structure Amplifier (one time charge)	\$24.95

*(E) Installation and other service charges.*

Initial Service Installation	no charge
Additional Outlets installed by City at time of initial install	\$ 9.95 per outlet
Additional Outlets installed by City after initial install	\$ 9.95 per outlet+\$15.00
Re-Installation of Service(non-payment)	\$15.00
Re-Installation of Service (after 30 days)	\$15.00
Service Call for installation of equipment or services	no charge
Service Call if not cable related problem	\$15.00
Change of Service	no charge

(F) *Taverns, hotels and motels.* Shall allow programming cost increases to the City of Wadsworth be passed on directly to commercial customers with 30 day notification of same as determined by the Director of Public Service. Such uses shall require agreements for service to define minimum term of service, installation charges beyond typical, ownership of wiring, programming provided and costs of programming at the time of the agreement as well as special conditions or charges.

	<u>Inside City</u>	<u>Outside City</u>
Taverns first 1-10 outlets (basic)	\$ 7.50	\$ 8.25
Taverns first 1-10 outlets (enhanced)	\$24.14	\$26.55
Taverns, each additional outlet beyond 10	\$2.00/outlet	\$2.00/outlet
Hotels, Motels	\$2.00/outlet	\$2.00/outlet
	+programming	+programming

(Ord. 99-058, passed 6-15-99; Am. Ord. 99-095, passed 9-21-99; Am. Ord. 00-070, passed 6-6-00; Am. Ord. 01-021, passed 2-20-01; Am. Ord. 01-176, passed 12-18-01; Am. Ord. 03-044, passed 6/3/03)

**§ 50.16 INTERNET FOR COMMERCIAL ESTABLISHMENTS**

*[formerly 929.015]*

The Director of Public Service is hereby authorized to make available Internet service as part of the service provided to commercial customers of the electric utility of the City of Wadsworth. Internet service shall be provided subject to the following conditions and charges:

(A) *Availability and applicability.* Available system-wide to all commercial consumers located within or outside the corporation limits of the City of Wadsworth who have access to the City of Wadsworth communications network. All Applications for service should be in accordance with and conform to the Power and Communications Service by-laws and Regulations or subsequent revisions thereof which are prepared by the Director of Public Service and are on file with the Clerk of Council. End user agreements and contract terms may be negotiated by the Director of Public Service for issues such as server co-location, web hosting, customer firewall and network requirements, static IP addressing, contract conditions, customer hardware requirements and other services to be provided. Such by-laws may also include minimum specifications for hardware and equipment for end-users.

(B) *Charges per month for commercial customers.*

128K Internet Access one Personal Computer	\$ 37.95
256K Internet access for one personal computer	\$ 52.95
512K Internet access for one personal computer	\$ 67.95
1.0Mbps Internet access	\$250.00
1.5Mbps Internet access	\$385.00
Modem Rental	\$ 9.00
Additional personal computers	\$ 19.95/each

(C) *Equipment charges plus applicable sales tax.*  
 Cable Modem \$ 219.00

(D) *Installation and other service charges.*

Initial Service Installation, including non-profit accounts	\$ 89.95
Additional Outlets installed by City at time of initial install	\$ 9.95 per outlet
Additional Outlets installed by City after initial install	\$9.95per outlet+\$15.00
Re-Installation of Service(non-payment)	\$15.00
Re-Installation of Service (after 30 days)	\$15.00
Service Call for installation of equipment or services	no charge
Service Call if not cable related problem	\$15.00
Change of Service	no charge
<i>Network Interface Card installation</i>	<i>\$ 45.00</i>

Customers seeking 1.0Mbs or 1.5Mbs service shall be charged installation costs on a case by case basis dependent on material, equipment and labor costs for such installations as determined appropriate by the Director of Public Service.

(Ord. 00-077, passed 7-27-00; Am. Ord. 01-176, passed 12-18-01; Am. Ord. 02-108, passed 10-1-02; Am. Ord. 03-044, passed 6/3/03)

**§ 50.17 INTERNET FOR NON-PROFIT ORGANIZATIONS**  
*[formerly 929.016]*

Non-profit organizations, including schools, hospitals, libraries, which are registered with the State of Ohio as non-profit corporations and other similar organizations shall be subject to monthly rates and conditions as defined in section 929.014 for services and installation charges and availability and applicability as defined in section 929.15. Such organizations must separately seek approval for service to verify non-profit status.  
 (Ord. 01-176, passed 12-18-01; Am. Ord. 03-044, passed 6/3/03)

**§ 50.23 SPECIAL RATES** *[formerly 929.022]*

The Director of Public Service shall allow establishment of incentive rate structures including, but not limited to:

- (A) One time prepayment of 12 months of service for the cost of 10 months of the monthly rate as quoted in sections 50.15 and 50.16 *[formerly 929.014 and 929.015]*.
- (B) Introductory rates of 30% less than the current quoted monthly rates established in sections 50.15 and 50.16 *[formerly 929.014 and 929.015]* for a maximum of two months.
- (C) Waiver of service call charge for former customer returning to city system within designated time period.

(Ord. 02-108, passed 10-1-02; Am. Ord. 03-044, passed 6/3/03)

**§ 53.35 SCHEDULE OF RATES** [formerly 933.01, 933.02 and 933.03]

(A) *Single-family residential sewage rates:*

(1) *Applicability.*

- (a) This section applies to all individually metered and/or billed single family dwelling units or dwelling units or dwelling quarters. Where more than one dwelling unit is connected to the same service line, the general sewage rates provided for in division (B) of this section shall apply.
- (b) The furnishing and utilization of sewage service, including system extensions or enlargements and the financing of same, shall conform to the city's application form and bylaws and regulations which are and may in the future be established by the Director of Public Service pursuant to R.C. § 729.51.

(2) *Net rate per month or part thereof.* The billing for sewage is based on the metered quantity of water used. The net billing shall be the sum of charges (A) + (B) + (C) set forth below. The city may elect to read meters monthly or bi-monthly. If read bi-monthly, the customer charge and rate blocks shall be multiplied by two.

(a) *Monthly customer charge.*

	<b>Effective Bills Payable after October 1, 2003</b>	<b>Effective Bills Payable after June 1, 2004</b>
OM&R	\$5.20	\$5.20
Local Capital	<u>\$2.30</u>	<u>\$2.30</u>
Total	\$7.50	\$7.50

(b) *Monthly commodity charge.* Rate per 1,000 gallons:

	<b>Effective Bills Payable after October 1, 2003</b>	<b>Effective Bills Payable after June 1, 2004</b>
OM&R	\$2.22	\$2.92
Local Capital	<u>\$0.25</u>	<u>\$0.29</u>
Total	\$2.47	\$3.21

(c) *Monthly system capacity charge.:*

**Effective Bills**

**Effective Bills**

Size of Service **	Payable after October 1, 2003			Payable after June 1, 2003		
	OM&R	Local Capital	Total	OM&R	Local Capital	Total
0.75"	-0-	-0-	-0-	-0-	-0-	-0-
1.00"	\$1.24	\$2.36	\$3.60	\$1.24	\$2.36	\$3.60
1.50"	\$4.96	\$9.44	\$14.40	\$4.96	\$9.44	\$14.40

\*\* Size of Service shall be the nominal diameter rating of the water meter supplying customer. When the water meter size is larger than 1.5", the general sewage rate set forth in Division (B) of this section applies.

(3) *Minimum charge per month or part thereof.* The total billing per month or part thereof shall hereafter be the sum of the foregoing charges, but not less than the following:

(a) *Monthly minimum charge where water is metered.*

Water Meter Size	Effective Bills Payable After October 1, 2003			Effective Bills Payable After June 1, 2004		
	OM&R	Local Capital	Total	OM&R	Local Capital	Total
0.75"	\$5.20	\$2.30	\$7.50	\$5.20	\$2.30	\$7.50
1.00"	\$12.92	\$4.68	\$17.60	\$12.92	\$4.68	\$17.60
1.50"	\$17.54	\$5.86	\$23.40	\$17.54	\$5.86	\$23.40

(b) *Monthly minimum charge where water is unmetered.*

Est. Water Meter Size	Effective Bills Payable After October 1, 2003			Effective Bills Payable After June 1, 2004		
	OM&R	Local Capital	Total	OM&R	Local Capital	Total
0.75"	\$11.23	\$11.77	\$23.00	\$12.23	\$13.21	\$25.44*
1.00"	\$16.12	\$16.88	\$33.00	\$17.12	\$18.32	\$35.44*
1.50"	\$36.64	\$38.36	\$75.00	\$36.64	\$38.36	\$75.00*

\*Subject to increase as determined by City's estimate of sewage discharge. City reserves the right to require user to install, operate and maintain at his expense a suitable water meter to meter user's water requirements.

(4) *Annual review of rates.*

(a) The Director of Public Service shall at the end of each year review

the financial operations of the city's sanitary sewage treatment facilities and related matters and thereby determine if the revenues produced by the foregoing rates and charges are proportionate and adequate to cover all sewage costs including capital improvement financing.

- (b) In the event it is determined that said rates and charges are either not adequate or not proportionate the Director of Public Service shall submit to City Council for its approval, a schedule of revised rate and charges as will enable said system to be self supporting on an annual basis at all times.

*(5) Deposit and responsibility for payment of bills.*

- (a) For all services furnished, the current property owner of record of the land involved is responsible for all bills for sewage service irrespective of who incurred such unpaid bills or when such bills were incurred or who owned or occupied the property at the time such bills were incurred.
- (b) Failure to pay any sewage bill will cause the water service to be turned off.
- (c) Unpaid sewage service bills may be assessed as a tax lien against the property involved.
- (d) Without relieving the property owner of his responsibility for payment of all sewage bills for service furnished, the City reserves the right to require a suitable deposit to secure payments of sewage bills.

*(6) Terms of payment.* The foregoing rates and charges are net and if all accounts are not paid on or before the date specified on bill, the gross rates which are 10% higher shall apply.

*(7) System capacity and tap charges.* The initial establishment of sewage service to any property is subject to payment by the property owner of city's applicable sewerage system, capacity charge and distribution line tap charge as specified in this section.

*(8) Sewage service line installation standards.* The sewage service line installation standards shall be as provided in the bylaws and regulations established by the Director of Public Service pursuant to R.C. § 729.51.

*(9) Sewer line extensions.* Where an extension or enlargement of city's sewer line is required, same shall be paid for by the consumers involved and in accordance

with the provisions set forth in this code and the bylaws and regulations established by the Director of Public Service.

*(10) Other conditions.*

- (a) Where sewage is discharged into city's sewer system and water is obtained from a source other than from the city, the city reserves the right to require property owner to install at his own expense suitable, frost free, water or sewage metering equipment (to be approved by the city), in order to determine the amount of sewage being discharged into the city's sewer system and to properly apply the foregoing rates and charges.
- (b) Where consumer's water supply is from a source from other than the city and proper water or sewage metering equipment is not installed, city shall estimate the monthly sewage charge which would otherwise be made for a residence of comparable size and sewage discharge. Such estimated charge shall be not less than the applicable minimum charge set forth in this section.
- (c) Where sewage service is furnished outside the corporate limits of city and it becomes necessary to renew or replace sewage treatment facilities, including pumps and other appurtenances, the rates and charges set forth herein are subject to increase to the extent necessary in order to pay for such additional costs.

*(B) General sewage service rates.*

*(1) Applicability.*

- (a) This section applies to all non-residential users of the city's treatment facilities and to residential users not covered by the rates established in division (A) of this section.
- (b) The rates and charges set forth herein are based on water usage and/or the sewage discharged into City's sanitary sewer system.
- (c) The furnishing and utilization of sewage service, including system extensions or enlargements and the financing of same shall conform to the bylaws and regulations adopted by the Director of Public Service pursuant to R.C. § 729.51.

*(2) Net rate per month or part thereof per service.* The net billing shall be the sum of the charges set forth under (a), (b) and (c) below. The City may elect to read meters monthly or bi-monthly. If read bi-monthly, the applicable

charges set forth in (a) and (c) below shall be multiplied by two.

(a) *Monthly customer charge.*

	<b>Effective Bills Payable after October 1, 2003</b>	<b>Effective Bills Payable after June 1, 2004</b>
<b>OM&amp;R</b>	\$5.20	\$5.20
<b>Local Capital</b>	<u>\$2.30</u>	<u>\$2.30</u>
<b>Total</b>	\$7.50	\$7.50

(b) *Commodity charge.* Based on water usage or sewage volume discharged into City's sewer system per 1,000 gallons.

	<b>Effective Bills Payable after October 1, 2003</b>	<b>Effective Bills Payable after June 1, 2004</b>
<b>OM&amp;R</b>	\$2.22	\$2.92
<b>Local Capital</b>	<u>\$0.25</u>	<u>\$0.29</u>
<b>Total</b>	\$2.47	\$3.21

**Plus surcharges for excessive sewage strength \***

	<u><b>All OM&amp;R</b></u>
Biochemical Oxygen Demand (BOD)	\$0.26 per pound
Suspended Solids (SS)	\$0.22 per pound
Total Phosphorus (P)	\$0.96 per pound

\* When applicable for major contributing industry or activity. For determination of excessive sewage strength surcharges, see subsection (11) of this division.

(c) *Monthly system capacity charge.*

<b>CAPACITY OF SERVICE*</b>	<b>AMOUNT OF CHARGE</b>		
	<b>Effective Bills Payable after October 1, 2003</b>		
	<u><b>OM&amp;R</b></u>	<u><b>Local Capital</b></u>	<u><b>Total</b></u>
0.75" or less	-0-	-0-	-0-
1.00"	\$7.72	\$2.38	\$10.10
1.50"	\$9.94	\$5.86	\$15.80
2.00"	\$12.15	\$9.45	\$21.60
3.00"	\$19.98	\$18.92	\$38.90
4.00"	\$26.64	\$29.46	\$56.10
6.00"	\$47.52	\$59.08	\$106.60
8.00"	\$72.58	\$94.42	\$167.00

CAPACITY OF SERVICE*	AMOUNT OF CHARGE		
	Effective Bills Payable after June 1, 2004		
	<u>OM&amp;R</u>	<u>Local Capital</u>	<u>Total</u>
0.75" or less	-0-	-0-	-0-
1.00"	\$7.72	\$2.38	\$10.10
1.50"	\$9.94	\$5.86	\$15.80
2.00"	\$12.15	\$9.45	\$21.60
3.00"	\$19.98	\$18.92	\$38.90
4.00"	\$26.64	\$29.46	\$56.10
6.00"	\$47.52	\$59.08	\$106.60
8.00"	\$72.58	\$94.42	\$167.00

\*Capacity of service shall be determined by the city and shall normally be equal to the nominal inside diameter in inches of the water service line installed by the property owner, extending from the water tap on city's main to consumer's meter.

At city's option the capacity of service charge may be based on meter size for 1.00" service lines.

The billing as determined above, shall be subject to the applicable minimum charge. Where more than one establishment discharges sewage into the same sewage service line connection, see "Billing Multiple Establishments" in subsection (4) of this section.

(3) *Billing and meter readings.* Each metered water use shall be separately billed and no meter readings shall be combined for billing purposes. The rate and minimum charges shall be applied as written, with no proration of same for a fractional billing period.

(4) *Minimum charge per month or part thereof.* After sewage service has been established, the total billing for each month or part thereof shall thereafter be the sum of the foregoing charges (a), (b) and (c), but not less than the following:

**METERED SERVICE:**

Size of Service	Effective Bills Payable after October 1, 2003			Effective Bills Payable after June 1, 2004		
	OM&R	Local Capital	Total	OM&R	Local Capital	Total
0.75"	\$4.33	\$1.97	\$6.30	\$5.20	\$2.30	\$7.50
1.00"	\$10.76	\$3.94	\$14.70	\$12.92	\$4.68	\$17.60
1.50"	\$14.58	\$4.92	\$19.50	\$17.54	\$5.86	\$23.40
2.00"	\$16.43	\$7.87	\$24.30	\$19.75	\$9.45	\$29.20
3.00"	\$22.95	\$15.75	\$38.70	\$27.48	\$18.92	\$46.40
4.00"	\$28.50	\$24.60	\$53.10	\$34.24	\$29.46	\$63.70

6.00"	\$45.90	\$49.20	\$95.10	\$55.02	\$59.08	\$114.10
8.00"	\$66.78	\$78.72	\$145.50	\$80.18	\$94.42	\$174.60

**MONTHLY MINIMUM CHARGE WHERE WATER IS UNMETERED**

Est. Water Meter Size	OM&R	Effective Bills Payable After October 1, 2003		Effective Bills Payable After June 1, 2004		
		Local Capital	Total	OM&R	Local Capital	Total
0.75"	\$11.23	\$11.77	\$23.00	\$12.23	\$13.21	\$25.44*
1.00"	\$16.12	\$16.88	\$33.00	\$17.12	\$18.32	\$35.44*
1.50"	\$36.64	\$38.36	\$75.00	\$36.64	\$38.36	\$75.00*

\* As determined under "Capacity of Service."

For non-profit public activities such as fairs, athletic fields, swimming pools, and the like, the minimum charge shall be applicable during the months that service is turned on, but not less than three consecutive months. The minimum charge shall apply every month that a bill is rendered for water service and/or consumer's sewage plumbing is connected to City's sewer system.

(5) *System capacity and tap charge.* The initial establishment of sewage service to any property is subject to payment by the property owner of City's applicable sewerage system capacity charge and distribution line tap charge as specified in this section.

(6) *Optional special metering for sewage billing purposes.* For water use that results in a clean wastewater discharge that does not enter city's sanitary sewer system (lawn sprinkling, irrigation, air conditioning, etc.) such water will not be subject to City's sewage charge providing the following conditions have been complied with:

- (a) That the Director of Public Service has determined that such wastewater will consist substantially 100% of unpolluted or "clean wastewater," free from objectionable odor and will have no harmful or objectionable polluting affect either directly or indirectly upon any streams, underground water supply or other body of water into which such "clean wastewater" will ultimately be discharged.
- (b) That it can be demonstrated to the satisfaction of the Director of Public Service that it will be impossible for the water usage in question to discharge into City's sanitary sewer system. To meet this requirement, such unpolluted water must be discharged into City's storm sewer system or into the ground or into the street

gutter or natural outlet. Furthermore, such water shall not be discharged into any combination storm and sanitary sewer.

- (c) That the property owner shall separate his plumbing so that the water input that is ultimately discharged as "clean wastewater" will be separately metered in order to determine the volume involved.

The entire plumbing and meter installation shall meet city's specifications and approval and shall be installed, owned and maintained at property owner's expense. The meter installation and location shall be specified by the city.

(7) *Billing where the city does not furnish water service.*

(a) *Metered sewage service.*

1. At property owner's expense, the city may require or property owner may, at his option, elect to install a separately metered and plumbed water system, to be approved by city, that will accurately measure the water input and resultant sewage discharge into the city's sanitary sewer system.
2. In the event that said separately metered water input method is impractical or not equitable, as an alternate plan, a suitable sewage flow meter (to be specified by the city and installed at property owner's expense) may be installed which will meter the actual quantity of sewage discharged into City's system.
3. Under this plan, the foregoing rates and charges shall apply, and the companion water service line size used to determine the "Capacity of Service" charge.

(b) *Unmetered sewage service billing based on number of employees.*

1. Entirely at city's option, in place of method (a) above, and if the city determines that substantially all of user's sewage discharged into city's system consists of normal sanitary sewage with no industrial waste, the city may elect to base the billing for sewage on the number of employees on user's payroll. User's records as to number of employees shall be subjected to inspection by the city for verification purposes.
2. User shall furnish the city, on or before the 15th of each month, the number of employees on user's payroll as of the end of the previous month, which shall be used for the following month's billing. The billing shall be calculated

as follows:

Number of Employees (end of previous month)	MONTHLY CHARGE PER EMPLOYEE		
	OM&R	Local Capital	Total
First 25 or less	\$34.14	\$31.86	\$66.00 (min.)
Over 25 employees	\$1.96	\$0.24	\$2.20/employee

3. The resultant sewage charge by this method (b) shall be in no event less than that derived under Plan (c) below. This method will be unavailable for any service established after January, 1980.

(c) *Unmetered sewage service - based on equivalent water service capacity.*

1. Entirely at the city's option, in place of methods (a) and (b) above, and if the city determines that substantially all of consumer's sewage discharged into the city's system consists of normal sanitary sewage with no industrial waste, the city can elect to determine the sewage service billing on the size of the water service line that would otherwise be normally installed and resultant water use estimated by the city discharged into the city's sanitary sewage system. Such estimated monthly sewage charge shall be no less than the applicable minimum charges set forth in subsection (4) of this division.
2. The resultant bill under plan (c) shall in no event be less than that obtained under plan (b).
3. Under this plan, the foregoing rates and charges apply plus the companion water service line size used to determine the capacity of service charge.

(8) *Terms of payment.* The foregoing rates and charges are net and already reflect the discount applicable from the gross rates if all accounts are paid on or before the date specified on bill. If all accounts are not so paid, the gross rates and charges, which are 10% higher than the foregoing net rates and charges shall apply.

(9) *Deposit and responsibility for payment of bills.*

- (a) For all service furnished within corporate limits of the city, the current property owner of record of the land involved is responsible for all bills for sewage service. This liability for bill payment applies irrespective of who incurred such unpaid bills or when such bills were incurred or who owned or occupied the

property at the time such bills were incurred. Unpaid service bills may also be assessed as a tax lien against the property involved.

- (b) Failure to pay any sewage bill shall subject the water service to be turned off or restricted to a flow of one gallon per hour.
- (c) Without relieving the property owner of his responsibility for payment of all sewage bills for service furnished within the corporate limits and in all cases where service is furnished outside the corporate limits, the city reserves the right to require a suitable deposit to secure payment of sewage bills.

*(10) Restrictions as to acceptability of sewage waste into city's sewer system.* Wastes discharged into the city's sewer system that are deleterious to the normal operation of the city's sewage treatment plant are prohibited. The Director of Public Service shall determine by analysis the tests whether or not wastes or rate of flow of same are deleterious or objectionable to the operation of the city's sewage system, based upon the kind of waste and its volume, rate of flow and frequency of discharge into the city's sewer system, plus other factors.

*(11) Excessive sewage strength, surcharge determination.* When the Director of Public Service determines an industry or other activity is "Major Contributing" the surcharges to be added to the commodity charge set forth under (B)(2)(b) of this section shall be determined as follows:

- (a) The formula for applying wastewater quality charges for excessive biochemical oxygen demand (BOD) loadings is as follows:

$$Bs = V \times Be \times F \times Bc$$

Where:

Bs = wastewater quality surcharge for excessive strength biochemical oxygen demand (BOD)

V = volume of wastewater in gallons

Be = waste concentrations for BOD as sampled in excess of 200 parts per million (PPM), (Excess PPM x 10<sup>-</sup>)

F = factor to convert PPM to pounds per gallon (8.345)

Bc = unit charge per pound of excess BOD

- (b) The formula for applying wastewater quality charges for

excessive suspended solids (SS) loading is as follows:

$$S_x = V \times S_e \times F \times S_c$$

Where:

$S_s$  = wastewater quality surcharge for excessive suspended solids (SS) loadings.

$V$  = volume of wastewater in gallons

$S_e$  = wastewater concentrations for SS as sampled in excess of 240 parts per million (PPM), (excess PPM x 10<sup>-</sup>)

$F$  = factor to convert PPM to pounds per gallon (8.345)

$S_c$  = unit charge per pound of excess SS

*(12) Sewage service line installation standards.* Sewage service line installation standards shall be as established by the Director of Public Service in his bylaws and regulations.

*(13) Sewer line extensions.* Where an extension or enlargement of the city's sewer line is required, same shall be financed in conformance to the codified ordinances of the city and the bylaws and regulations established by the Director of Public Service pursuant to R.C. § 729.51.

*(14) Other provisions and conditions.* The installation, operation and all other matters pertaining to sewers shall be subject to all of the regulations, requirements and provisions set forth in the bylaws and regulations adopted by the Director of Public Service pursuant to R.C. § 729.51.

*(15) Annual review of rates.*

- (a) The Director of Public Service shall at the end of each year review the financial operations of the city's sanitary sewage treatment facilities and related matters and thereby determine if the revenues produced by the foregoing rates and charges are proportionate and adequate to cover all sewage costs including capital improvement financing.
- (b) In the event it is determined that said rates and charges are either not adequate or not proportionate, the Director of Public Service shall submit to City Council for its approval a schedule of revised rates and charges as will enable said system to be self supporting on an annual basis at all times.

('65 Code, § 933.02; Ord. 03-073 passed 9/16/03)

(C) *Medina County Sewage District No. 2 sanitary sewer rates:*

(1) *Applicability.*

- (a) This schedule is applicable for treating the sanitary sewage of the Medina County Sewer District No. 2 that is discharged into the Interceptor Sewer Collection Line of the City of Wadsworth, at the location set forth on Exhibit "C" of the City-County Agreement dated December 15, 1975.
- (b) The sewage discharge from said Sewer District No. 2 shall be subject to and conform to the bylaws and regulations established by the Director of Public Service relating to the discharge of sewage into the City's sanitary sewer system and the treatment and disposal of same by the City.
- (c) The rates and charges that follow shall be substituted and supersede those referred to in subsection (D), Exhibit "D" of said agreement.

(2) *Net rate per month.* The net billing shall be the sum of the charges set forth under (a) and (b) that follow:

(a) *Monthly capacity and customer charge.*

	<b>Effective Bills Payable after October 1, 2003</b>	<b>Effective Bills Payable after June 1, 2004</b>
OM&R	\$837.60	\$1,004.40
Local Capital	<u>\$2,812.40</u>	<u>\$3,375.60</u>
Total	\$3,650.00	\$4,380.00

(b) *Commodity or volume charge per 1,000 gallons.*

	<b>Effective Bills Payable after October 1, 2003</b>	<b>Effective Bills Payable after June 1, 2004</b>
OM&R	\$2.22	\$2.92
Local Capital	<u>\$0.25</u>	<u>\$0.29</u>
Total	\$2.47	\$3.21

Plus surcharges for excessive sewage strength\*

	<b>All OM&amp;R</b>
Biochemical Oxygen Demand (BOD)	\$0.26 per pound
Suspended Solids (SS)	\$0.22 per pound
Total Phosphorous (P)	\$0.96 per pound

\* For determination of excessive sewage strength, see division (B)(11) of this section.

(3) *Annual review of rates as to adequacy.*

(a) The above rates and charges were determined by a detailed independent study of the projected costs to operate and maintain city's sanitary sewage treatment facilities that are necessary to accept and treat the sanitary sewage discharges from Medina Sewer District No. 2.

(b) In order to determine the adequacy of the revenues produced by the foregoing rates and charges to cover the costs involved, the Director of Public Service shall at the end of each calendar year review said costs for the year just ended. In developing the new costs, the cost allocations shall be made in a manner similar to that approved by the EPA and derived in said July 1979 Study of Costs, Exhibits No. III-1,2,3, & 4 as revised May 18, 1979. Said projected new costs shall be adjusted to reflect known increases or variations in expenses actually experienced during the year ended.

(4) *Metering and sewage sampling.*: As set forth in the City–County Agreement of December 15, 1975, Medina County shall at the specified location, install, own, operate, and maintain at its expense adequate sewage flow metering equipment and sewage sampling facilities and the installation of same shall conform to city's specifications.

(5) *Terms of payment.* The foregoing rates and charges are net and if not paid on or before the date specified on bill, the gross amount shall be payable which is 10% greater than the net rates and charges.

('65 Code, § 933.03) (Ord. 98-114, passed 10-20-98; Am. Ord. 01-044, passed 4-17-01; Ord. 03-073, passed 9/16/03)

**§ 72.69 SQUEALING TIRES, "PEELING," CRACKING EXHAUST NOISES; ENGINE BRAKING** [formerly 331.36]

(A) No person shall unnecessarily race the motor of any vehicle and no person shall operate any motor vehicle, except in an emergency, in such a manner that the vehicle is so rapidly accelerated or started from a stopped position that the exhaust

system emits a loud, cracking or chattering noise unusual to its normal operation, or whereby the tires of such vehicle squeal or leave tire marks on the roadway, commonly called "peeling".

(B) No person shall apply an engine brake or engine retarder (a practice commonly known as "jake braking") when operating a motor vehicle upon a street or highway.

('65 Code, § 331.36; Ord. 106-79, passed 8-7-79; Ord. 03-048, passed 6/3/03, effective 7/3/03)

***NEW SECTION under Chapter 70***

**SPECIAL EVENTS AND STREET VENDING**

- (A) The Director of Public Safety may establish by administrative regulation a procedure for the issuance of special events permits to event sponsoring organizations for special events to be held in the downtown business district. For purposes of this section, the downtown business district shall include the public right of ways of Broad Street from Lyman Street to High and Main Streets, of Main Street from Mills Street to College and Broad Streets, of College Street from Pardee Street to High and Main Streets and High Street from King and Maple Streets to College and Broad Streets. The Director of Public Safety may also establish by administrative regulation a procedure for additional public right of way areas outside the downtown business district to be used for parades whether or not the parade is incidental to a special event to be held in the downtown business district.
- (B) During the time period when a special event permit is in effect, streets may be closed to traffic, parking spaces may be closed to parking and street and parking lot vending may be permitted on public right of ways and public parking lots in the downtown business district. Street vending shall be subject to the following conditions:
- (1) Street vendors shall have obtained a street or parking lot vending permit from the Director of Public Safety after providing such information as the Director of Public Safety may reasonably require and subject to such restrictions as the Director of Public Safety may reasonably impose. The permit shall be for a specific location and shall not be issued unless the applicant has received approval for the permit to be issued both from the sponsoring organization of the special event and, if the permit location is to be on the public right of way, from the owner of the land adjacent to the proposed vendor location. For purposes of this section, the "owner of the land adjacent" shall be the person or persons legally entitled to possession of the land.
  - (2) The specific locations for street vending permitted pursuant to this section shall be limited to the following:
    - (a) If streets are not closed to traffic, street vending may be permitted only on sidewalks and in parking lots.
    - (b) If streets are closed to traffic, street vending may be permitted on sidewalks, parking lots, and traffic lanes.

- (c) No street vending shall be permitted at any location that the Director of Public Safety determines should be left available for the use of emergency vehicles.
  - (d) All property of street or parking lot vendors incidental to street or parking lot vending shall be removed from the permit location by the time of expiration of the permit.
- (C) No person shall engage or attempt to engage in street or parking lot vending on public rights of way or public parking lots without a street or parking lot vending permit from the Director of Public Safety. Whoever violates this provision is guilty of unlawful street or parking lot vending, a minor misdemeanor. If the offender persists in the aforesaid conduct after reasonable warning or request to desist by a law enforcement officer, unlawful street or parking lot vending is a misdemeanor of the fourth degree.
- (D) Nothing in this section shall be deemed to require a permit for merchants to use the sidewalk immediately adjacent to their own businesses nor for the placement of newspaper sale boxes on the sidewalk, provided that the movement of pedestrians on the sidewalk is not unreasonably impeded.

(Ord. 03-031, passed 4/15/03, effective 5/16/03)

### **§ 154.157 AREA AND HEIGHT REGULATIONS.**

- (a) Minimum Lot Area: 20,000 square feet
- (b) Minimum Lot Width at Front Building Line: 100 feet
- (c) Minimum Lot Depth: 150 feet
- (d) Minimum Lot Frontage: 75 feet
- (e) Minimum Front Yard Depth: 50 feet
- (f) Minimum Rear Yard Depth: 40 feet
- (g) Minimum Side Yard Width: 10 feet
- (h) Maximum Floor Area Ratio: Proportion of floor area of all structures to total lot area shall not exceed twenty-five percent (25%)
- (i) Height Regulations: No structure shall exceed 35 feet.
- (j) Adjacent to Residential: Yards adjacent to residential districts shall meet the front and side yard requirements of the adjacent residential district but shall not be less than 25 feet.
- (k) Parking and Loading Requirements: As required in sections 154.405 through 154.409 of this code.

('65 Code, § 1335.03) (Ord. 98-072, passed 7-21-98; Ord. 03-087, passed 9/16/03)