

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2022-12

By Bick Skoczen Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

AMENDING SECTION 311.13, WATER RATES, OF CHAPTER 311, WATER, IN TITLE THREE, PUBLIC UTILITIES, OF PART THREE, STREETS, UTILITIES AND PUBLIC SERVICES CODE, AND AMENDING SECTION 1311.06, NON-RESIDENTIAL ALTERATION, RENOVATIONS AND MISCELLANEOUS BUILDING PERMIT FEES, OF CHAPTER 1311, NON-RESIDENTIAL CONSTRUCTION AND INSPECTION FEE SCHEDULE, OF PART THIRTEEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA AND AMENDING SECTION 1312.04, RESIDENTIAL BUILDING PERMITS, OF CHAPTER 1312, RESIDENTIAL CONSTRUCTION AND INSPECTION FEE SCHEDULE, OF PART THIRTEEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA TO INCLUDE BULK WATER INFORMATION AND TO PROVIDE CONSISTENCY ACROSS SECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, it is important to periodically review and appropriately amend the Codified Ordinances of the City of Berea to ensure that it serves the best interest of the City and its residents and businesses; and

WHEREAS, upon review of existing Chapter 311, it is apparent that bulk water rates, permits and meter fees were not incorporated; and

WHEREAS, the Administration and Council of the City of Berea wish to amend Sections 311.13, 1311.06 and 1312.04.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That current Section 311.13(a), Water Rates, attached hereto as Exhibit "A" and incorporated herein by reference, shall be, and the same is hereby amended to new Section 311.13(a)(b), attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION 2. That current Section 1311.06, Non-Residential Alteration, Renovations and Miscellaneous Building Permit Fees, attached hereto as Exhibit "C" and incorporated herein by reference, shall be, and the same is hereby amended to new Section 1311.06, attached hereto as Exhibit "D" and incorporated herein by reference.

SECTION 3. That current Section 1312.04, Residential Building Permits, attached hereto as Exhibit "E" and incorporated herein by reference, shall be, and the same is hereby amended to new section 1312.04, attached hereto as Exhibit "F" and incorporated herein by reference.

SECTION 4. That the remaining Sections and Subsections of Chapters 311, 1311 and 1312 shall be and remain in full force and effect as previously written and codified.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it is immediately necessary to address the upcoming landscaping/construction season and the Spring to allow for proper permitting and enforcement by the Water Division, Building Department and Service Department. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

COUNCIL CHAMBER

City of Berea, Ohio

Ord. _____ No. 2022-12

By Skolzen Sponsored By Mayor Klein

PASSED: April 4, 2022

ATTEST: [Signature]
Clerk of Council

APPROVED AS TO FORM:

[Signature]
Director of Law

[Signature]
President of Council

APPROVED: April 5, 2022

[Signature]
Mayor

EXHIBIT "A"

311.13 WATER RATES

(a) To pay part of the cost and expense of maintaining and operating the water distribution system and water treatment works, there is levied upon each lot and premises on which is located any building which has installed thereon or therein any water connection with the water system, a direct quarterly charge according to Schedule 1 – Residential Class and Scheduled 2 – Non-Residential Class.

Schedule 1 applies to properties classified as residential by the Cuyahoga County Fiscal Office and excludes properties that are required to have a multiple-occupancy permit by the City.

(1) SCHEDULE 1 – Residential rate class.

SCHEDULE A – RESIDENTIAL RATES					
Per Quarter Gallon Usage Range	2003	2004	2005	2006	2007 until revised
0 – 5,000	\$1.77	\$2.56	\$3.38	\$3.72	\$4.09
5,001 – 10,000	\$2.05	\$2.95	\$3.90	\$4.30	\$4.75
10,001 – 50,000	\$2.14	\$3.11	\$4.10	\$4.51	\$4.96
50,001 ++	\$2.23	\$3.23	\$4.26	\$4.69	\$5.16

(2) SCHEDULE 2 – Non-residential rate class.

SCHEDULE B – NON-RESIDENTIAL RATES					
Per Quarter Gallon Usage Range	2003	2004	2005	2006	2007 until revised
0 – 5,000	\$2.03	\$2.94	\$3.88	\$4.27	\$4.69
5,001 – 10,000	\$2.35	\$3.40	\$4.50	\$4.95	\$5.50
10,001 – 50,000	\$2.46	\$3.56	\$4.70	\$5.17	\$5.69
50,001 ++	\$2.55	\$3.70	\$4.89	\$5.38	\$5.91

EXHIBIT "B"

311.13 WATER RATES

(a) To pay part of the cost and expense of maintaining and operating the water distribution system and water treatment works, there is levied upon each lot and premises on which is located any building which has installed thereon or therein any water connection with the water system, a direct quarterly charge according to Schedule 1 – Residential Class and Scheduled 2 – Non-Residential Class.

Schedule 1 applies to properties classified as residential by the Cuyahoga County Fiscal Office and excludes properties that are required to have a multiple-occupancy permit by the City.

(3) SCHEDULE 1 – Residential rate class.

SCHEDULE 1 – RESIDENTIAL RATES					
Per Quarter Gallon Usage Range	2003	2004	2005	2006	2007 until revised
0 – 5,000	\$1.77	\$2.56	\$3.38	\$3.72	\$4.09
5,001 – 10,000	\$2.05	\$2.95	\$3.90	\$4.30	\$4.75
10,001 – 50,000	\$2.14	\$3.11	\$4.10	\$4.51	\$4.96
50,001 ++	\$2.23	\$3.23	\$4.26	\$4.69	\$5.16

(4) SCHEDULE 2 – Non-residential rate class.

SCHEDULE 2 – NON-RESIDENTIAL RATES					
Per Quarter Gallon Usage Range	2003	2004	2005	2006	2007 until revised
0 – 5,000	\$2.03	\$2.94	\$3.88	\$4.27	\$4.69
5,001 – 10,000	\$2.35	\$3.40	\$4.50	\$4.95	\$5.50
10,001 – 50,000	\$2.46	\$3.56	\$4.70	\$5.17	\$5.69
50,001 ++	\$2.55	\$3.70	\$4.89	\$5.38	\$5.91

(b) BULK WATER

(1) Bulk water is any potable water taken for use in a manner that is not from a residential or commercial tap found within a structure.

(2) Cash Deposit or Bond Requirements for Bulk Water

(A) Equipment Bond or Deposit

(1) In order to ensure the full and complete compliance with, and performance under this subsection, including any costs to the City as a result of any failure attributable to a permittee to return the equipment in a substantially similar condition to when permittee took possession of said equipment, the Director of

Public Service shall require the applicant to post a cash deposit or bond ("Equipment Bond") according to the Bulk Water Rates table in (b)(4), provided the permittee takes possession of equipment provided by the City.

(B) Water Bond or Deposit

(2) All permittees are required to place a cash deposit or bond to be reimbursed to permittee minus the usage, charged in accordance with the Bulk Water Rates table in (b)(4). The Water Bond shall be at least one thousand dollars (\$1,000.00), if the Water Department determines that the usage is likely to exceed the minimum amount of one thousand dollars (\$1,000.00), the Water Bond amount shall be raised.

(3) The permit fees for bulk water permits are charged in accordance with Codified Ordinance sections 1311.06 and 1312.04. The cash deposit or bond is in addition to the permit fee provided for in Sections 1311.06 and 1312.04.

(4) BULK WATER RATES

BULK WATER RATES**				
Per Quarter Gallon Usage Range	Rate	Meter Fee	Equipment Bond	Water Bond
0 - 5,000	\$6.90	\$6/DAY	\$1,500.00	\$1,000.00 MINIMUM
5,001 - 10,000	\$7.71	\$6/DAY	\$1,500.00	\$1,000.00 MINIMUM
10,001 - 50,000	\$7.90	\$6/DAY	\$1,500.00	\$1,000.00 MINIMUM
50,001 ++	\$8.12	\$6/DAY	\$1,500.00	\$1,000.00 MINIMUM

****BULK WATER RATES DO NOT INCLUDE THE PERMIT FEES FOR BULK WATER PERMITS**

EXHIBIT "C"

1311.06 NON-RESIDENTIAL ALTERATION, RENOVATIONS AND MISCELLANEOUS BUILDING PERMIT FEES.

		BASE FEE	SQUARE FOOTAGE FEE	3% BBS FEE
A	ALTERATION & RENOVATION	\$500.00	SQ. FT./100 x \$5.00	YES
B	WRECKING, DEMOLITION, OR RAZING	\$500.00	SQ. FT./100 x \$5.00	YES
C	MOVING STRUCTURE	\$1000.00	SQ. FT./100 x \$20.00	YES
1	ACCESSORY STRUCTURES \$20.00 PER STRUCTURE			
D	CONNECTION TO SANITARY SEWER	\$2000.00		NO
E	CONNECTION TO STORM SEWER	\$2000.00		NO
F	WATER TAP-IN FEE	\$2500.00		NO
G	CERTIFICATE OF OCCUPANCY	\$100.00	SQ. FT./100 x .40	YES
H	ROOFING	\$100.00	SQ. FT./500 x \$10.00	YES
I	SIDING	\$100.00	SQ. FT./500 x \$10.00	YES
J	WINDOW REPLACEMENT	\$100.00	\$5.00 PER OPENING	YES
K	DOOR REPLACEMENT	\$100.00	\$5.00 PER OPENING	YES
L	GUTTERS	\$100.00		YES
M	ACCESSORY BUILDING	\$100.00		YES
N	FENCE	\$100.00		YES
O	PARKING LOT PAVING, RESURFACE, NEW & REPLACEMENT (CONCRETE/ASPHALT)	\$200.00	SQ. FT./1000 x \$4.00	YES
P	DRIVEWAY (CONCRETE/ ASPHALT)	\$100.00		YES
Q	APRON	\$100.00		YES
R	SIDEWALK	\$50.00	.40 PER LINEAR FT.	YES
S	WALKWAYS	\$50.00	.40 PER LINEAR FT.	YES
T	STORM WATER/CATCH BASIN	\$25.00 PER BASIN		YES
U	RETAINING WALL	\$100.00		YES
V	WATERPROOFING/WATER CONTROL	\$100.00		YES
W	UNDERGROUND SANITARY SEWER REPLACEMENT	\$100.00	\$20.00 PER 100 FT. OF PIPE	YES
Y	UNDERGROUND STORM SEWER REPLACEMENT	\$250.00	\$20.00 PER 100 FT. OF PIPE	YES
1	PLUS \$5.00 FEE FOR EACH 1000 GAL. CAPACITY OR FRACTION THEREOF			
Z	ABOVE GROUND STORAGE TANKS	\$200.00		YES
1	PLUS \$5.00 FEE FOR EACH 1000 GAL. CAPACITY OR FRACTION THEREOF			

AA	PERMANENT SIGNS	\$100.00	\$5.00 PER 10 SQ. FT. OF SIGNAGE	YES
BB	TEMPORARY SIGNS	\$100.00	PLU \$1.00 FOR EACH DAY OVER 10 DAYS	NO

EXHIBIT "D"

1311.06 NON-RESIDENTIAL ALTERATION, RENOVATIONS AND MISCELLANEOUS BUILDING PERMIT FEES.

		BASE FEE	SQUARE FOOTAGE FEE	3% BBS FEE
A	ALTERATION & RENOVATION	\$500.00	SQ. FT./100 x \$5.00	YES
B	WRECKING, DEMOLITION, OR RAZING	\$500.00	SQ. FT./100 x \$5.00	YES
C	MOVING STRUCTURE	\$1000.00	SQ. FT./100 x \$20.00	YES
1	ACCESSORY STRUCTURES \$20.00 PER STRUCTURE			
D	CONNECTION TO SANITARY SEWER	\$2000.00		NO
E	CONNECTION TO STORM SEWER	\$2000.00		NO
F	WATER TAP-IN FEE	\$2500.00		NO
G	CERTIFICATE OF OCCUPANCY	\$100.00	SQ. FT./100 x .40	YES
H	ROOFING	\$100.00	SQ. FT./500 x \$10.00	YES
I	SIDING	\$100.00	SQ. FT./500 x \$10.00	YES
J	WINDOW REPLACEMENT	\$100.00	\$5.00 PER OPENING	YES
K	DOOR REPLACEMENT	\$100.00	\$5.00 PER OPENING	YES
L	GUTTERS	\$100.00		YES
M	ACCESSORY BUILDING	\$100.00		YES
N	FENCE	\$100.00		YES
O	PARKING LOT PAVING, RESURFACE, NEW & REPLACEMENT (CONCRETE/ASPHALT)	\$200.00	SQ. FT./1000 x \$4.00	YES
P	DRIVEWAY (CONCRETE/ ASPHALT)	\$100.00		YES
Q	APRON	\$100.00		YES
R	SIDEWALK	\$50.00	.40 PER LINEAR FT.	YES
S	WALKWAYS	\$50.00	.40 PER LINEAR FT.	YES
T	STORM WATER/CATCH BASIN	\$25.00 PER BASIN		YES
U	RETAINING WALL	\$100.00		YES
V	WATERPROOFING/WATER CONTROL	\$100.00		YES
W	UNDERGROUND SANITARY SEWER REPLACEMENT	\$100.00	\$20.00 PER 100 FT. OF PIPE	YES
Y	UNDERGROUND STORM SEWER REPLACEMENT	\$250.00	\$20.00 PER 100 FT. OF PIPE	YES
1	PLUS \$5.00 FEE FOR EACH 1000 GAL. CAPACITY OR FRACTION THEREOF			
Z	ABOVE GROUND STORAGE TANKS	\$200.00		YES
1	PLUS \$5.00 FEE FOR EACH 1000 GAL. CAPACITY OR FRACTION THEREOF			

AA	PERMANENT SIGNS	\$100.00	\$5.00 PER 10 SQ. FT. OF SIGNAGE	YES
BB	TEMPORARY SIGNS	\$100.00	PLU \$1.00 FOR EACH DAY OVER 10 DAYS	NO
CC	BULK WATER	\$50.00		NO

EXHIBIT "E"

1312.04 RESIDENTIAL BUILDING PERMITS.

		BASE FEE	SQUARE FOOTAGE FEE	1% BBS FEE
A	NEW CONSTRUCTION	\$500.00	SQ. FT. x \$0.10	Y
1	CONNECTION TO SANITARY SEWER	\$1,000.00		N
2	CONNECTION TO STORM SEWER	\$1,000.00		N
3	WATER TAP-IN FEE	\$1,500.00		N
B	ALTERATIONS, ADDITIONS & RENOVATION	\$100.00	SQ. FT. x \$0.10	Y
C	WRECKING, DEMOLITION, OR RAZING			
1	DEMOLITION HOUSE	\$200.00		Y
2	DEMOLITION ACCESSORY STRUCTURE	\$50.00		Y
D	MOVING STRUCTURE			
1	MOVING STRUCTURE	\$250.00		Y
2	MOVING ACCESSORY STRUCTURE	\$50.00		Y

EXHIBIT "F"

1312.04 RESIDENTIAL BUILDING PERMITS.

		BASE FEE	SQUARE FOOTAGE FEE	1% BBS FEE
A	NEW CONSTRUCTION	\$500.00	SQ. FT. x \$0.10	Y
1	CONNECTION TO SANITARY SEWER	\$1,000.00		N
2	CONNECTION TO STORM SEWER	\$1,000.00		N
3	WATER TAP-IN FEE	\$1,500.00		N
B	ALTERATIONS, ADDITIONS & RENOVATION	\$100.00	SQ. FT. x \$0.10	Y
C	WRECKING, DEMOLITION, OR RAZING			
1	DEMOLITION HOUSE	\$200.00		Y
2	DEMOLITION ACCESSORY STRUCTURE	\$50.00		Y
D	MOVING STRUCTURE			
1	MOVING STRUCTURE	\$250.00		Y
2	MOVING ACCESSORY STRUCTURE	\$50.00		Y
E	BULK WATER			
1	BULK WATER	\$50.00		N