

ORDINANCE NO. 99-58

AMENDING THE CODE OF ORDINANCES TO ENACT NEW SECTION 145.07 POLICE DEPARTMENT FEES, TO REPEAL SECTION 707.05(b) LICENSE APPLICATION; INVESTIGATION FEE, AND TO AMEND SECTIONS 509.11 UNINTENTIONAL FALSE ALARMS; 707.07 LICENSE FEES; EXCEPTIONS; 941.02 WATER SYSTEM EXPANSION FEES; 941.03(a) SEWER SYSTEM EXPANSION FEES; 941.04(b) INSTALLATION CHARGES FOR WATER AND SEWER; 941.07 RATES FOR WATER SERVICE; 941.08(a) RATES FOR SEWER SERVICE; 941.10(d) RESPONSIBILITY FOR PAYMENT OF BILLS; 1135.02(c) ZONING CERTIFICATES AND 1301.11 FEES

BE IT ORDAINED by the Council of the City of Mason, Ohio, **seven (7)** members thereto concurring:

Section 1. That the Code of Ordinances of the City of Mason, Ohio is hereby amended to enact new Section 145.07 Police Department Fees, as set forth on Exhibit "A" which is attached hereto.

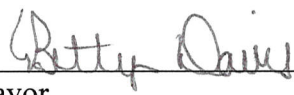
Section 2. That the Code of Ordinances of the City of Mason, Ohio is hereby amended to repeal Section 707.05(b) License Application; Investigation Fee.

Section 3. That the Code of Ordinances of the City of Mason, Ohio Sections 509.11 Unintentional False Alarms; 707.07 License Fees; Exceptions; 941.02 Water System Expansion Fees; 941.03(a) Sewer System Expansion Fees; 941.04(b) Installation Charges for Water and Sewer; 941.07 Rates for Water Service; 941.08(a) Rates for Sewer Service; 941.10(d) Responsibility for Payment of Bills; 1135.02(c) Zoning Certificates and 1301.11 Fees is hereby amended as set forth on Exhibit "A", which is attached hereto.

Section 4. That all other provisions of Sections 707.05, 941.03, 941.04, 941.08, 941.10 and 1135.02 shall remain in full force and effect.


Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 12th day of April, 1999.



Mayor

Attest:



Clerk of Council

4/9/99

145.07 POLICE DEPARTMENT FEES.

The Police Department will charge the fees as provided in this Section for the following services:

Background checks:

If requested by a resident	Free
If requested by a non-resident	\$10.00
Fingerprinting	
If requested by a resident	Free
If requested by a non-resident	\$10.00
Police Reports	.50 per page

509.11 UNINTENTIONAL FALSE ALARMS.

(a) For purposes of this section, false alarm means an alarm signal which necessitates a response by the Police or Fire Division where an emergency situation does not exist.

(b) Whenever more than one false alarm from any given premises occurs more than one time in a six-month period, the owner of the property shall be fined fifty dollars (\$50.00) for the second false alarm within the six-month period. The fine for any additional false alarms during the six month period will increase in increments of \$50.00. (Ord. 30-1985. Passed 5-13-85).

707.07 LICENSE FEES; EXCEPTIONS.

(a) The City Manager shall charge for the license the fee of one hundred dollars (\$100.00) per month for any month or for any part thereof for which a license is sought. A license fee will not be charged for any solicitation conducted on behalf of the City, local schools, churches and other not-for-profit organizations which provide proof of their not-for-profit status.

(b) None of the license fees provided for by this chapter shall be so applied to occasion an undue burden upon interstate commerce. In any case where a license fee is believed by a licensee or applicant for a license to place an undue burden upon such commerce he may apply to the City Manager for an adjustment of the fee that it shall not be discriminatory, unreasonable or unfair as to such commerce. Such application may be made before, at or within six months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony show his method of business and the gross volume or estimated gross volume of business and other such information as the City Manager may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The City Manager shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make findings of fact from which he shall determine whether the fee fixed by this chapter is unfair, unreasonable or discriminatory as to applicant's business and shall fix as the license fee for the applicant, an amount that is fair, reasonable and nondiscriminatory; or, if the fee has already been paid, shall order a refund of the

amount over and above the fee fixed. In fixing the fee to be charged, the City Manager shall have the power to base the fee upon a percentage of gross sales, or any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the fees as prescribed by subsection (a) hereof. Should the City Manager determine the gross sales measure of the fee to be the fair basis, he may require the applicant to submit, either at the time of termination of applicant's business in the City or at the end of each three-month period, a sworn statement of the gross sales and pay the amount of fee therefor, provided that no additional fee during any one calendar year shall be required after the licensee shall have paid an amount equal to the annual license as prescribed in subsection (a) hereof.

941.02 WATER SYSTEM EXPANSION FEES.

(a) Residential. The expansion fee for a single-family residence shall be two thousand five hundred dollars (\$2,500) for a 3/4-inch tap. For multi-family apartment complexes, the expansion fee shall be two thousand five hundred dollars (\$2,500) for each family dwelling unit. The tap and meter size for residential use shall be as follows:

	Minimum Tap Size (Inches)	Meter Size (Inches)
1 family building	3/4	3/4*
2 family building	3/4	3/4*
3 family building	1	1
4 and 5 families	1	1
6 through 8 families	1-1/2	1-1/2
9 through 12 families	2	1-1/2
13 through 20 families	2	2
21 through 50 families	3	3
51 through 115 families	4	4
116 through 250 families	6	6
More than 250 families	8	8

- (1) For trailer parks, where more than one trailer is served by the same meter, the expansion charge, tap size and meter size shall be determined as for apartments.
- (2) For special purpose apartment projects, such as those intended for the elderly, containing one or two room efficiency units, with the occupancy rigidly controlled and equipped with only one set of kitchen and bath fixtures, the expansion charge, tap size and meter size shall be seventy-five percent (75%) of the size required in the chart above for multi-family units.

- (3) For purposes of water system expansion fees the following facilities shall be considered businesses and pay the expansion charge as set forth in subsection (b) hereof: convalescent homes, hospitals, nursing homes, group homes and housing of elderly other than those as described in subsection (a) (2) hereof.

(b) Business and Industrial. The expansion charge of business and industrial establishments shall be as follows:

<u>Meter Size (Inches)</u>	<u>Charge</u>
3/4	\$ 2,460.00
1	2,600.00
1-1/2	4,350.00
2	6,950.00
3	15,650.00
4	27,850.00
6	66,550.00
8	110,950.00

Council approval required for meters 4 inches and larger.

(c) Special Circumstances. At the discretion of the majority of Council, the expansion charge may be modified in exchange for other consideration such as pipe extension, pump stations, etc.

(d) Fire Protection Services. No expansion charge shall be paid for fire protection services.

(e) Expansion of Present Services. The expansion charges for expansion of present services shall be determined by the difference in meter size according to rates defined in subsections (a) and (b) of this section.

(f) Meter Fee

(1) Residential Fees. The meter fee for a water meter for a residential property shall be \$200.00.

(2) Commercial Fees. The meter fee for the water meter for a commercial property shall be based upon the cost of the meter, plus any administrative charges as determined by the Water Department.

941.03 SEWER SYSTEM EXPANSION FEES.

(a) Residential. The expansion charge for a single-family residence shall be two thousand five hundred dollars (\$2,500) for a 6-inch sewer tap. For multi-family apartment complexes, the expansion fee shall be two thousand five hundred dollars (\$2,500) for each family unit.

941.04 INSTALLATION CHARGES FOR WATER AND SEWER.

(b) Tap-in Methods. The tap-in may be made in any one of the following two methods at the discretion of the property owner:

- (1) Installation by property owner. The property owner may, after obtaining a tap-in permit, employ a bonded contractor to perform the installation. The water meter will be furnished by the City at list price, and a forty dollar (\$40.00) inspection fee will be charged by the City. No backfill shall be made until the work has been inspected by the Public Utilities Superintendent or his representative. If backfill has been performed before inspection, the line is to be uncovered at the property owner's expense.
- (2) Installation by City. The City Manager will employ a qualified contractor, not necessarily bonded, to perform the installation. The installation charge will be based upon the actual installation cost, including material, labor and equipment plus five percent (5%) to compensate the City for overhead costs plus forty dollars (\$40.00) inspection fee. The meter will be furnished by the City at list price.

941.07 RATES FOR WATER SERVICE.

All funds received are to be deposited in the operating account for the Water Department.

(a) Residential Users. The following rates shall be charged for single and multi-family dwellings and trailer parks. The rates are per family units. For single and multi-family units and trailer parks where more than one family is being serviced from one water meter, the average water usage per unit is to be determined by dividing the monthly water usage by the family units being serviced. Average water usage per unit is to be used in computing the water charge. The total charge is the charge per unit multiplied by the total number of units being serviced. No adjustments are to be made for vacancies.

(1) Effective with bills sent on and after June 1, 1999:

Residential

<u>Usage per Month</u>	<u>Rate per 100 Gallons</u>
0 to 1,000	\$6.208 minimum
1,001 to 10,000	.197
10,001 to 30,000	.209
30,001 to 50,000	.235
50,001 to 100,000	.266
100,001 to 300,000	.298

300,001 to 500,000	.330
500,001 and up	.362

Commercial

<u>Usage per Month</u>	<u>Rate per 100 Gallons</u>
0 to 1,000	\$12.416 minimum
1,001 to 10,000	.197
10,001 to 30,000	.209
30,001 to 50,000	.235
50,001 to 100,000	.266
100,001 to 300,000	.298
300,001 to 500,000	.330
500,001 and up	.362

- (b) Bulk Users (Commercial, Industrial and Institutional Establishments). The following rates shall be charged for bulk users (commercial, industrial and institutional establishments) where there is a single bulk user who owns and/or operates the establishment. Where a combination of separately owned and/or operated bulk user establishments are being served by a single meter then the average water usage is to be charged for each separately owned and/or operated establishment. The average water usage per establishment is to be determined by dividing the monthly water usage by the number of establishments and applying the same rates as stated in subsection (a) hereof. (Ord. 91-2. Passed 1-28-91.)
- (c) Water Haulers. The rates for water haulers shall be at a flat rate of ten dollars (\$10.00) per 1,000 gallons.
- (d) Fire Protection Services. Each fire protection service serving a private premises shall be subject to a quarterly charge based on the size of service at the main as follows:

<u>Size of Branch (Inches)</u>	<u>Rate</u>
Up to 3	\$18.40
4	25.30
6	52.90
8	73.60
10	82.80
12	82.80

No charge for fire protection service shall be made to educational or charitable institutions.
 No charge for water used for fire protection. An additional fee of \$300.00 shall be imposed for a fireline meter.

(e) Services Outside City Limits. A fifty percent surcharge is to be applied to the above rates on all customers located outside the City limits.

(f) Construction Water.

(1) Upon issuance of a building permit, the building contractor will be charged a fee of forty dollars (\$40.00) for use of construction water. Such construction water is to be used for building construction items such as mixing mortar, for street cleaning purposes, etc. It is not to be used for watering sod, washing driveways or any cosmetic purposes. These uses should occur only after the installation of the temporary water meter as set forth in subsection (f) (2) hereof.

(2) For other temporary usages the City shall supply and install a temporary meter for twenty-five dollars (\$25.00), plus a one hundred dollar (\$100.00) deposit. The building contractor is to perform necessary excavation for the installation of the meter. The water will be billed, at the regular rates outlined in subsection (b) hereof, at the end of the construction or after six months, whichever is shortest.

941.08 RATES FOR SEWER SERVICE.

All funds received are to be deposited to the operating account for the Sewer Department.

(a) Residential Users. The following rates shall be charged for single and multi-family-family dwellings and trailer parks. The rates are based upon water used and are per family unit as defined in Section 941.07 (a). For dwellings without water meters, the charge for sewer service will be based on 4,000 gallons per month.

Effective with bills sent on and after June 1, 1999:

<u>Water Usage per Month</u>	<u>Rate per 100 Gallons</u>
0 to 1,000	\$ 9.847 minimum
1,001 to 10,000	.249
10,001 to 30,000	.270
30,001 to 50,000	.290
50,001 to 100,000	.312
100,001 to 300,000	.342
300,001 to 500,000	.383
500,001 and up	.415

941.10 RESPONSIBILITY FOR PAYMENT OF BILLS.

(d) A charge of twenty-five dollars (\$25.00) will be added to any bill in case any check is returned from the bank on which it is drawn as uncollectible for any reason.

1301.11 FEES.

Fees for permits required by this Building Code are to be as provided in this section.

- (a) New construction, additions and remodeling to dwellings, apartment buildings and all other buildings classed as Ohio Building Code occupancies shall be charged a fee for a building permit based upon the floor area, including basements and garages, of the new construction, addition or remodeling as follows:

O.B.B.C. BUILDINGS

General and Mechanical Plans:

<u>Square Feet</u>	<u>Fee (per 100 square feet)</u>
0 - 1,500	\$ 50 + 15.00
1,501 - 3,500	100 + 14.00
3,501 - 9,500	450 + 10.00
9,501 - 25,000	750 + 7.00
25,001 - 55,000	1,250 + 5.00
All over 55,000	125 + 7.50
Electrical	125 + 2.00
Sprinkler	125 + 1.25

RESIDENTIAL - 1-2-3 FAMILY

Per Unit	\$ 100 + 7.00
Electrical	40 + 1.00
Heating	20 - per unit

Outside dimensions shall be utilized in computing gross floor area. For those structures that have no discernible area measurements, or any structure where square footage is not readily attainable or not appropriate, or the construction drawings are submitted in stages, the following Fee Schedule will apply.

<u>Cost of Construction</u>	<u>Fee (per \$1,000)</u>
\$0 - \$1,000	\$ 50.00
1,001 - 25,000	50.00 + 12.00
25,001 - 50,000	100.00 + 10.00
50,001 - 250,000	200.00 + 8.00
250,001 - 500,000	700.00 + 6.00
All over 500,000	2,000.00 + 3.50

(b) Miscellaneous

Certificate of Occupancy	\$ 50.00 Residential 200.00 Commercial
Park and Recreation	100.00 per bedroom
Fences	20.00
Sheds	20.00
Satellite Dishes	35.00
Decks	30.00
Antenna Towers	20.00
Swimming Pools	50.00 Residential 150.00 Public
Temporary Certificate of Occupancy	100.00 Residential 200.00 Commercial
Tents (over 120 square feet)	40.00 each
Awnings	25.00 each
Signs	25.00 each
Overtime fees	Four Hour Minimum

For those types of construction where a permit is required, but does not fit into any of the above categories, and for reinspections of permitted construction, a fee of fifty dollars (\$50.00) for the first trip and fifty dollars (\$50.00) for each trip thereafter will be charged or estimated number of trips.

1135.02 ZONING CERTIFICATES.

(c) Nonconforming Uses. A zoning certificate shall be required of all nonconforming uses showing thereon the nature, extent and status of the nonconforming use. Application for the zoning certificate for nonconforming uses shall be filed within six months from the effective date of this Zoning Ordinance. No zoning certificate shall be required for any nonconforming use for which a zoning certificate was previously issued under Ordinance E92 of the Village of Mason and which has remained thereof a lawful nonconforming use. The fee for this zoning certificate shall be twenty-five dollars (\$25.00), provided, however, no fee shall be charged for a zoning certificate where a building permit fee is paid to the Building Inspector or for nonconforming uses. Such fees shall be paid to the Zoning Inspector.