

ORDINANCE 16-26

AN ORDINANCE ESTABLISHING AND UPDATING THE RECONNECTION FEE AND RECONNECTION PROCEDURES FOR THE MUNICIPAL WATER SERVICE DISCONNECTED FOR NONPAYMENT; AND DECLARING AN EMERGENCY

WHEREAS, the Village of Fazeysburg, Ohio provides municipal water service to residents, businesses, and other customers within the Village; and

WHEREAS, the Board of Public Affairs has reviewed the proposed changes to the Village's water reconnection fee and procedures and recommends their adoption as being in the best interest of the Village; and

WHEREAS, the Village Council finds it necessary and in the best interest of the Village to establish a reasonable reconnection fee and procedures governing the restoration of water service that has been disconnected due to nonpayment; and

WHEREAS, the reconnection fee is intended to assist the Village in recovering reasonable administrative and operational cost associated with the disconnection and reconnection of water service; and

WHEREAS, establishing a uniform reconnection fee and procedure will promote the consistent and efficient administration of the Village's water utility and the fair and uniform treatment of customers whose water service has been disconnected for nonpayment.

NOW, THEREFORE, BE IT ORDAINED BY The Village of Fazeysburg, State of Ohio, that:

Section one: reconnection fee.

A reconnection fee of **fifty dollars (\$50.00)** is hereby established for water service that has actually been disconnected by the Village due to nonpayment.

The reconnection fee shall be in addition to all delinquent water charges, late fees, penalties, and other charges lawfully due and owing on the customer's account.

The Village shall not assess a reconnection fee unless water service has actually been disconnected by the Village due to nonpayment.

SECTION TWO: PAYMENT REQUIRED FOR RECONNECTION

Water service that has been disconnected for nonpayment shall not be restored until the customer has paid the delinquent balance for which service was disconnected and the applicable reconnection fee, together with any other amounts lawfully required to be paid before restoration of service pursuant to the Village's applicable ordinances, rules, or regulations.

SECTION THREE: TIME FOR RECONNECTION

Upon receipt and verification of all amounts required for reconnection, the Village shall process the reconnection of water service within **one (1) regular business day**, subject to circumstances beyond the reasonable control of the Village and any circumstances requiring additional work to safely restore water service.

Payment received outside the Village's regular business hours shall be considered received on the next regular business day unless otherwise accepted and processed by the Village.

Nothing in this Ordinance shall require the Village restore water service until all conditions necessary for the safe restoration of service has been satisfied.

SECTION FOUR: NO WAIVER OF OTHER AMOUNTS DUE

Payment of the reconnection fee shall not constitute a waiver, reduction, satisfaction, or discharge of any other charges or amounts lawfully owed to the Village.

The Village retains all rights and remedies available under applicable law for the collection of delinquent water charges and other amounts lawfully due.

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SECTION FIVE: ADMINISTRATIVE AND RECORDS**

The Village shall maintain appropriate records relating to water-service disconnections and reconnections, including as applicable, the date of disconnection, the reason for disconnection, the amount due, the reconnection fee assessed, the date payment was received, and the date water service was restored.

The reconnection fee established by this Ordinance shall be administered in a consistent and uniform manner for customers whose water service is disconnected by the Village due to nonpayment.

SECTION SIX: SEVERABILITY

If any section, paragraph, sentence, clause, or provision of this Ordinance is determined to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions of this Ordinance, which shall remain in full force and effect.

SECTION SEVEN: EMERGENCY

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Village of Frazeyburg and its residents, and for the efficient and effective administration of the Village’s municipal water utility.

The immediate enactment and implementation of this Ordinance are necessary to establish uniform reconnection fees and procedures, provided for the consistent administration of the Village’s water utility, and allow the Village to recover reasonable administrative and operational cost associated with the disconnection and reconnection of water service.

SECTION EIGHT: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage as an emergency measure in accordance with applicable law and shall remain in full force and effect thereafter.

PASSED IN COUNCIL, THIS 19TH DAY OF AUGUST, 2026

Attest:

Fred R. Wolford Jr., Mayor

Emmett Reisinger, Fiscal Officer

APPROVED AS TO FORM ONLY:

Taylor P. Bennington, Village Solicitor