

**AN ORDINANCE AMENDING SECTION 51.22 SEWER RATE SCHEDULE  
IN MUNICIPALITY OF THE CODE OF ORDINANCES FOR THE  
MUNICIPALITY OF WEST MILTON, OHIO**

**WHEREAS**, it has been determined that Section 51.22(C) is no longer feasible, due to the increased cost of providing sewer services to the Village of West Milton; and

**WHEREAS**, it has also been determined that it is necessary to increase sewer rates for service to nonresidents in order to maintain the fiscal stability of the sewer fund.

**NOW, THEREFORE**, Be it ordained by the Council for the Village of West Milton, Ohio as follows:

**SECTION I:** The language contained in the existing Section of the West Milton Code of Ordinances 51.22(C) is hereby repealed and replaced as follows:

(C) ~~Each customer who is permanently and totally disabled, as defined herein, and each customer who has attained age 62 prior to January 1 of the year of application hereunder, whose total income is less than the amount specified in the "Annual Update of the Poverty Income Guidelines", published by the U.S. Department of Health and Human Services in the February edition of the Federal Register, and complies with all provisions of this section, then he is eligible for a 20% reduction in the sewer rate schedule. In no case shall the total income level be less than \$7,000.~~ **The sewer rates to be charged for sewer service furnished by the Village of West Milton to all customers whose principle dwelling, place of business, or work is situated outside the municipal limits shall be fixed at 130% of the rates charged to consumers within the corporate limits of West Milton, with the exception that the sewer rates to be charged for the sewer service furnished by West Milton to Memorial Holiness Camp, or its assigns or successors, shall be fixed at a rate of 115% of the rates charged for in-town users until such time the area is annexed into the municipality.**

~~(1) For the purpose of this section, PERMANENTLY AND TOTALLY DISABLED shall mean a customer who has, on January 1 of the year of application for reduction in the sewer rate schedule, some impairment in body or mind that makes him unfit to work at any substantially remunerative employment which he is reasonably able to perform and which will, with reasonable probability, continue for an indefinite period of at least 12 months without any present indication of recovery therefrom or has been certified as permanently and totally disabled by a state or federal agency having the function of so classifying persons.~~

~~(2) For the purpose of this section, TOTAL INCOME shall mean the adjusted gross income of the customer and his spouse for the year preceding the year in which application for a reduction in the rate schedule is made, as determined in the "Annual Update of the Poverty Income Guidelines", a copy of which shall be on file at the municipal building.~~

~~(3) To obtain a reduction in the sewer rate schedule under this section, the customer shall file an application with the Director of Finance of the municipality by December 15 prior the year for which the application is applicable. The application shall be in a form devised and supplied by the Director of Finance, which shall require no more information than is necessary to~~

~~establish the applicant's eligibility for the reduction. The application shall contain a statement that signing such application constitutes a delegation of authority by the applicant to the Director of Finance to examine any financial records that relate to income earned by the customer as stated on the application, for the purpose of determining eligibility.~~

~~(4) Each customer determined to be eligible shall file a new application for reduction each succeeding year.~~

**SECTION III:** This Ordinance shall become effective from and after January 1, 2016.

Passed this \_\_\_\_ day of \_\_\_\_\_ 2015.

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Jason Tinnerman, Mayor

ATTEST:

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Linda L. Cantrell, CAP/OM  
Clerk of Council

APPROVED TO AS FORM:

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Leneé M. Brosh, Director of Law