

ORD. 607 - 10 / 56 - 11

Amending Section 933.02(a) in Title III, Chapter 933 of the Toledo Municipal Code to establish new water rates.

SUMMARY & BACKGROUND:

Ordinance No. 32-07 established water rates for a period of four years from to 2010 with the last increase effective on January 1, 2010. DPU's continued ability to make much needed improvements to the water distribution system and water treatment plant will be funded primarily by the issuance of revenue bonds with some support via state of Ohio low interest loans and grants.

Prior to the issuance of such bonds, the City must have in place a rate ordinance capable of generating sufficient revenues to cover the debt service on the bonds and loans as well as to cover the City's increased costs to properly operate and maintain these critical systems. This ordinance establishes competitive rates for water service for the years 2011 through 2014 that will cover the debt service on these improvement projects, provide sufficient funds for the proper operation and maintenance of the water treatment plant and distribution system and infuse much needed funding into the Water Replacement Fund, the balance of which has been declining significantly over the past several years. The increase in water rates will be 9.0% for each year from 2011 through 2014. That notwithstanding, the amount of the Senior/Homestead discount will remain at 25%, which greatly benefits those who qualify. NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1. That Section 933.02(a) of the Toledo Municipal Code which reads as follows:

(a) Rates for Water Furnished Inside the City Limits.

Rates are based on either monthly or quarterly metered use and billed in increments of one hundred cubic feet as follows:

Net Rate per 1,000 Cubic Feet (in dollars)	
(1) For the first 10,000 cubic feet per month or 30,000 cubic feet per quarter	11.22
(2) For the next 150,000 cubic feet per month or 450,000 cubic feet per quarter	10.90
(3) For the next 1,000,000 cubic feet per month or 3,000,000 cubic feet per quarter	8.56
(4) For all over 1,160,000 cubic feet per month	

or 3,480,000 cubic feet per quarter

6.25

(5) A minimum charge for water service shall be made according to meter size regardless of the amount of water used, as follows:

5/8 inch monthly	11.22
quarterly	22.44
3/4 inch monthly	16.92
quarterly	33.84
1 inch monthly	28.16
quarterly	56.31
1 1/2 inch monthly	68.27
quarterly	136.54

Any consumer of water residing inside the City limits who is 65 years of age or older shall pay a minimum charge for water based on the monthly rather than the quarterly rate. The consumer must take service from a single meter for a single unit utilized solely for residential purposes as the permanent residence of the consumer for which the consumer or the consumer's spouse is personally responsible for payment of the bill as the head of household.

(6) Those consumers of water residing inside the City limits who are eligible for the Water Discount Program as specified in subsection (a)(7), and are furnished 2,000 cubic feet of water per quarter or less, shall pay a quarterly rate which is twenty-five percent (25%) less than the rates established above. Those consumers who qualify for the Water Discount Program and are furnished more than 2,000 cubic feet per quarter shall pay a quarterly rate which is twenty-five percent (25%) less than the rates established above for the first 2,000 cubic feet furnished and an amount determined by the rates (a)(1) through (5), hereof, for all water furnished over 2,000 cubic feet.

(7) Consumers eligible for the Water Discount Program shall be any consumer who:

A. Is receiving service by means of a single meter for a single unit utilized solely for residential purposes,

B. Is personally or whose spouse is personally responsible for payment of the bill as the head of household, and

C. Has been certified by the City or the Lucas County Homestead Exemption Program as being sixty-five years of age and older or permanently and totally disabled at any age and having a total income of no more than that established by the Lucas County Homestead Exemption Program. For the purposes of this section, "sixty-five years of age and older", "total income" and "permanently and totally disabled" shall be computed in a like manner as provided for in the State Homestead Exemption, Ohio R.C. 323.151.

(8) The Water Discount Program shall only apply to the permanent residence of the consumer.

(9) Fire Service Charge. Four dollars and forty-four cents (\$4.44) per month per inch of nominal diameter of fire service connection plus Four dollars and forty-four cents (\$4.44) per month for each private fire hydrant connected thereto.

(10) To use a fire hydrant, a user shall obtain a hydrant meter and permit from the Department of Public Utilities, and shall pay deposit charges and daily rental fees as set by the Director of Public Utilities. Water used shall be paid for at the rates set forth in this section.

be and the same is repealed.

SECTION 2. That new Section 933.02(a) of the Toledo Municipal Code is enacted to read as follows:

(a) Rates for Water Furnished Inside the City Limits.

Rates are based on either monthly or quarterly metered use and billed in increments of one hundred cubic feet effective through December 31, 2011 and on January 1st of each year in years 2012, 2013 and 2014, respectively, as follows:

**Net Rate per 1,000 Cubic Feet
(in dollars)**

	2011	2012	2013	2014
(1) For the first 10,000 cubic feet per month or 30,000 cubic feet per quarter	\$ 12.23	\$ 13.33	\$ 14.53	\$ 15.84
(2) For the next 150,000 cubic feet per month or 450,000 cubic feet per quarter	\$ 11.88	\$ 12.95	\$ 14.12	\$ 15.39
(3) For the next 1,000,000 cubic feet per month or 3,000,000 cubic feet per month	\$ 9.33	\$ 10.17	\$ 11.09	\$ 12.08
(4) For all over 1,160,000 cubic feet per month or 3,480,000 cubic feet per quarter	\$ 6.81	\$ 7.43	\$ 8.09	\$ 8.82

(5) A minimum charge for water service shall be made according to meter size regardless of the amount of water used, as follows:

	2011	2012	2013	2014
5/8 monthly	\$12.23	\$13.33	\$14.53	\$15.84
Quarterly	\$24.46	\$26.66	\$29.06	\$31.68
3/4 monthly	\$18.44	\$20.10	\$21.91	\$23.88
Quarterly	\$36.89	\$40.21	\$43.82	\$47.77
1 inch monthly	\$30.69	\$33.46	\$36.47	\$39.75
Quarterly	\$61.38	\$66.90	\$72.92	\$79.49
1 1/2 monthly	\$74.41	\$81.11	\$88.41	\$96.37
Quarterly	\$148.83	\$162.22	\$176.82	\$192.74

(6) Those water consumers residing inside the City limits who are eligible for the Senior/Homestead Discount Program as specified in subsection (a)(7) and are furnished 1,000 cubic feet of water per quarter or less shall pay a minimum quarterly charge which is based upon 1,000 cubic feet of consumption. Those consumers who qualify for the Senior/Homestead Discount Program shall pay a quarterly rate which is twenty-five percent (25%) less than the rates established herein for the first 2,000 cubic feet consumed and an amount determined by the rates in subsections (a)(1) through (5), hereof, for all water furnished over 2,000 cubic feet consumed per quarter.

(7) Consumers eligible for the Senior/Homestead Discount Program shall be any consumer who satisfies all of the criteria immediately below:

A. Is receiving service by means of a single meter for a single unit utilized solely for residential purposes that is owned and occupied by the consumer;

B. Is the contract holder or spouse of the contract holder for DPU's utility services; and

C. Has been certified or whose spouse has been certified by the Lucas County Homestead Exemption Program or the City as being sixty-five years of age or older or permanently and totally disabled at any age. For the purposes of this section, the terms "sixty-five years of age or older" and "permanently and totally disabled" shall be defined in a like manner as provided for in the State of Ohio Homestead Exemption, under Ohio R.C. 323.151.

(8) The Senior/Homestead Discount Program shall only apply to charges levied against the permanent residence of the consumer.

	2011	2012	2013	2014
(9) A fire service charge per inch of nominal diameter of fire service connection	\$4.84	\$5.28	\$5.75	\$6.27
A fire service charge for each private fire hydrant connected to the distribution system	\$4.84	\$5.28	\$5.75	\$6.27

(10) To use a fire hydrant, a user shall obtain a hydrant meter and permit from the Department of Public Utilities, and shall pay deposit charges and daily rental fees as set by the Director of Public Utilities. Water used shall be paid for at the rates set forth in this section.

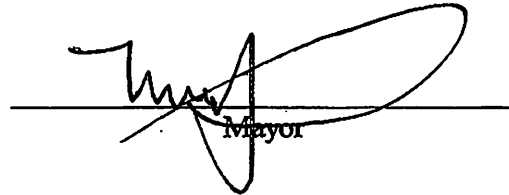
SECTION 3. That this ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed: FEB -8 2011: yeas 8, nays 4.

Attest: 
Clerk of Council


President of Council

Approved: FEB -9 2011


Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

Attest: _____
Clerk of Council

ORD. 57-11

Amending Sections 929.03(a), (b) and (e), and 929.08(v) in Title III, Chapter 929 of the Toledo Municipal Code to establish new sewer rates; waiving the publication requirement of Toledo Municipal Code Section 117.01.

SUMMARY & BACKGROUND:

Ordinance No. 33-07 established sewer rates for a period of four years 2007 to 2010 with the last increase effective on January 1, 2010. DPU's ongoing ability to make much needed improvements to its sewer collection system and sanitary sewer treatment plant as well as to construct USEPA Consent Decree projects will require that such capital projects be funded primarily by the issuance of revenue bonds with some support via federal and state low interest loans and grants. Prior to the issuance of the necessary debt, the City must have in place a sanitary sewer rate ordinance capable of generating sufficient revenues to cover the debt service on the bonds and loans as well as to cover the City's increased costs to properly operate, improve and maintain these critical sewerage systems. This ordinance establishes competitive rates for sanitary sewer services for the years 2011 through 2014 that will cover debt service on Consent Decree and other capital improvement projects, provide sufficient funds for the proper operation and maintenance of the water reclamation plant and sanitary sewer system, and infuse much needed funding into the Sewer Replacement Fund, the balance of which has been declining significantly over the past several years. The configuration of this rate schedule now provides for a second component in the fixed sanitary sewer rate called a "Federal Mandate Charge." This second component recognizes that the \$521 million in estimated capital costs related to our TWI Consent Decree Mandate requires a significant portion of our sewer revenues to be spent to design, manage and construct the required improvements. The incremental amount attributed to the Federal Mandate Charge in this rate increase has been computed for a Senior/Homestead Residential customer at \$11.87/quarter and for an Average Residential customer at \$15.82/quarter, both of which are fixed over the period 2011-2014. The balance of the sewer fixed charges and sewer volume charges will be compounded at 3% per year from 2011 through 2014. That notwithstanding, the amount of the Senior/Homestead discount will remain at 25% for the first two thousand cubic feet of billed consumption and at 25% for the total fixed charge per quarter for those who qualify.

City Council strongly urges the Administration to begin a monthly billing system by April 1, 2011. TMC Section 117.01 requires publication of the final form of an ordinance establishing utility rates. City Council desires to waive this section of the TMC as the original water, sewer and storm water rate ordinances were published in the Toledo City Journal in November 2010 and public hearings were held on November 22, 2010, December 6, 2010, January 18, 2011, and February 7, 2011, establishing new utility rates. NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1. That Sections 929.03(a) and (b) and (e) and 929.08(v) of the Toledo Municipal Code which read as follows:

929.03.Rates

Each lot, parcel, building or premises situated within and without the City having access to or benefited by the sanitary sewer system of the City whether or not connected with or discharging to a public sewer, shall be assessed a sewer service charge as follows:

The sum of the total fixed and total volume charges specified in subsections (a) and (b) below according to the actual or estimated water meter size being utilized as provided by Sections 929.04(a) and (b).

(a) Fixed charge per billing period.

Water Meter Size (Inches)	QUARTERLY			MONTHLY		
	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)

(1) Inside the corporation limits of the City, industrial and nonindustrial user classes.*

5/8	11.07	13.09	24.16	11.07	4.36	15.43
3/4	11.07	19.58	30.65	11.07	6.54	17.61
1	11.07	32.71	43.78	11.07	10.88	21.95
1 ½	11.07	65.38	76.45	11.07	21.78	32.85
2	11.07	104.59	115.66	11.07	34.86	45.93
3	11.07	196.10	207.17	11.07	65.38	76.45
4	11.07	326.87	337.94	11.07	108.96	120.03
6	11.07	653.72	664.79	11.07	217.91	228.98
8	11.07	1045.95	1057.02	11.07	348.65	359.72
10	11.07	1568.95	1580.02	11.07	522.97	534.04

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

5/8	11.07	10.88	21.95	11.07	3.62	14.69
3/4	11.07	16.32	27.39	11.07	5.44	16.51
1	11.07	27.22	38.29	11.07	9.06	20.13
1 ½	11.07	54.46	65.53	11.07	18.12	29.19
2	11.07	87.12	98.19	11.07	29.02	40.09
3	11.07	163.41	174.48	11.07	54.46	65.53
4	11.07	272.30	283.37	11.07	90.78	101.85
6	11.07	544.58	555.65	11.07	181.53	192.60
8	11.07	871.35	882.42	11.07	290.46	301.53
10	11.07	1307.04	1318.11	11.07	435.65	446.72
18	-	-	-	11.07	1331.72	1342.79

(b) **Volume Charge.**

User Class	User Charge Per 1000 Cubic Feet (\$)	Capital Charge Per 1000 Cubic Feet (\$)	Total Volume Charge Per 1000 Cubic Feet* (\$)
Inside City:*			
Industrial	30.28	3.95	34.23
Nonindustrial	27.75	3.95	31.70
Outside City:**			
Industrial	19.62	3.28	22.90
Nonindustrial	17.05	3.28	20.33

*The total volume charge per 1000 cubic feet shall be prorated for a portion of 1000 cubic feet used.

**Users outside the City may also be subject to additional user and capital charges imposed by other governmental entities in the manner provided by Section 929.09.

(e) **Sanitary Sewer Rate Discount Program**

Customers who qualify for the Sanitary Sewer Discount Program shall pay a quarterly rate of twenty-five percent (25%) less than the rate established above for the first 2,000 cubic feet of billed consumption. The Sanitary Sewer Discount Program is available to any customer residing within the City limits who (1) is receiving service by means of a single meter for a single unit utilized solely for residential purposes; (2) is personally responsible or whose spouse is personally responsible for payment of the bill as the head of household; and (3) has been certified by the City or the Lucas County Homestead Exemption Program as being sixty-five years of age and older or permanently and totally disabled at any age and having a total income of no more than that established by the Lucas County Homestead Exemption Program. For the purposes of this section, "homestead", "sixty-five years of age and older", "total income" and "permanently and totally disabled" shall be defined in a like manner as provided for in the State Homestead Exemption, Ohio R.C. 323.151. The Sanitary Sewer Discount Program shall only apply to the permanent residence of the customer.

~~929.08(v)~~ **Rates Of Surcharge.**

The rates of surcharge for each of the aforementioned constituents shall be as follows:

- (1) For biochemical-oxygen-demand (BOD), 20.0 cents per pound or 10.1 cents per pound for chemical-oxygen demand (COD).
- (2) For suspended solids, 14.9 cents per pound.
- (3) For phosphorus, 1.934 dollars per pound.

be and the same are repealed.

SECTION 2: That new section 929.03(e) is enacted to read as follows:

(e) Senior/Homestead Discount Program

Those sewer customers residing inside the City limits who are eligible for the Senior/Homestead Discount Program as specified in subsection 933.02(a)(7) and 933.02(a)(8), shall pay a quarterly rate of twenty-five percent (25%) less than the rate established herein for the first 2,000 cubic feet of billed consumption and twenty-five percent (25%) less than the rate established herein for the total fixed charge.

SECTION 3: That new Sections 929.03(a), (b) and 929.08(v) of the Toledo Municipal Code effective through December 31, 2011 are enacted which read as follows:

929.03.Rates

Each lot, parcel, building or premises situated within and without the City having access to or benefited by the sanitary sewer system of the City, whether or not connected with or discharging to a public sewer, shall be assessed a sewer service charge as follows:

The sum of the total fixed and total volume charges specified in subsections (a) and (b) below according to the actual or estimated water meter size being utilized as provided by Sections 929.04(a) and (b).

(a) Fixed charge per billing period.

Water Meter Size (Inches)	QUARTERLY			MONTHLY		
	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)

(1) Inside the corporation limits of the City, industrial and nonindustrial user classes.*

5/8	11.40	15.82	13.48	40.70	11.40	5.27	4.49	21.16
3/4	11.40	23.73	20.16	55.29	11.40	7.91	6.72	26.03
1	11.40	39.55	33.69	84.64	11.40	13.18	11.23	35.81
1 1/2	11.40	79.10	67.34	157.84	11.40	26.37	22.45	60.22
2	11.40	126.56	107.73	245.69	11.40	42.19	35.91	89.50
3	11.40	237.30	201.99	450.69	11.40	79.10	67.33	157.83
4	11.40	395.50	336.68	743.58	11.40	131.83	112.23	255.46
6	11.40	791.00	673.34	1475.74	11.40	263.67	224.45	499.52
8	11.40	1265.60	1077.33	2354.33	11.40	421.87	359.11	792.38
10	11.40	1898.40	1616.02	3525.82	11.40	632.80	538.67	1182.87
12	11.40	2689.40	2292.06	4992.86	11.40	896.47	764.02	1671.89
16	11.40	4746.00	4044.81	8802.21	11.40	1582.00	1348.27	2941.67
18	11.40	5853.40	4988.60	10853.40	11.40	1951.13	1662.87	3625.40
20	11.40	7119.00	6067.22	13197.62	11.40	2373.00	2022.41	4406.81
24	11.40	10283.00	8763.76	19058.16	11.40	3427.67	2921.25	6360.32
30	11.40	16294.60	13887.18	30193.18	11.40	5431.53	4629.06	10072.00

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

5/8	11.40	15.82	11.21	38.43	11.40	5.27	3.74	20.41
3/4	11.40	23.73	16.81	51.94	11.40	7.91	5.60	24.91
1	11.40	39.55	28.04	78.99	11.40	13.18	9.35	33.93
1 ½	11.40	79.10	56.09	146.59	11.40	26.37	18.70	56.47
2	11.40	126.56	89.73	227.69	11.40	42.19	29.91	83.50
3	11.40	237.30	168.32	417.02	11.40	79.10	56.11	146.61
4	11.40	395.50	280.47	687.37	11.40	131.83	93.49	236.72
6	11.40	791.00	560.92	1363.32	11.40	263.67	186.97	462.04
8	11.40	1265.60	897.49	2174.49	11.40	421.87	299.16	732.43
10	11.40	1898.40	1346.25	3256.05	11.40	632.80	448.75	1092.95
12	11.40	2689.40	1944.77	4045.57	11.40	896.47	635.26	1356.12
16	11.40	4746.00	3505.09	6662.49	11.40	1582.00	1135.03	2228.43
18	11.40	5853.40	4361.92	8226.72	11.40	1951.13	1420.64	2803.18
20	11.40	7119.00	5346.37	10276.77	11.40	2373.00	1732.12	3466.52
24	11.40	10283.00	7642.88	15337.28	11.40	3427.67	2480.96	5120.03
30	11.40	16294.60	12284.16	23590.16	11.40	5431.53	3928.05	7870.99

(b) Volume Charge.

User Class	User Charge Per 1000 Cubic Feet (\$)	Capital Charge Per 1000 Cubic Feet (\$)	Total Volume Charge Per 1000 Cubic Feet* (\$)
Inside City:*			
Industrial	31.19	4.07	35.26
Nonindustrial	28.58	4.07	32.65
Outside City:**			
Industrial	20.21	3.38	23.59
Nonindustrial	17.56	3.38	20.94

*The total volume charge per 1000 cubic feet shall be prorated for a portion of 1000 cubic feet used.

**Users outside the City may also be subject to additional user and capital charges imposed by other governmental entities in the manner provided by Section 929.09.

929.08(v) Rates Of Surcharge.

The rates of surcharge for each of the aforementioned constituents shall be as follows:

- (1) For biochemical-oxygen-demand (BOD), 20.6 cents per pound or 10.4 cents per pound for chemical-oxygen demand (COD)
- (2) For suspended solids, 15.3 cents per pound.
- (3) For phosphorus, 1.992 dollars per pound.

SECTION 4. That new Sections 929.03(a) and (b) and 929.08(v) of the Toledo Municipal Code effective January 1, 2012 through December 31, 2012 are enacted to read as follows:

(a) Fixed charge per billing period.

Water Meter Size (Inches)	QUARTERLY			MONTHLY		
	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)

(1) Inside the corporation limits of the City, industrial and nonindustrial user classes.*

5/8	11.75	15.82	13.88	41.45	11.75	5.27	4.63	21.65
3/4	11.75	23.73	20.77	56.25	11.75	7.91	6.92	26.58
1	11.75	39.55	34.70	86.00	11.75	13.18	11.57	36.50
1 1/2	11.75	79.10	69.36	160.21	11.75	26.37	23.12	61.24
2	11.75	126.56	110.96	249.27	11.75	42.19	36.99	90.93
3	11.75	237.30	208.05	457.10	11.75	79.10	69.35	160.20
4	11.75	395.50	346.78	754.03	11.75	131.83	115.59	259.17
6	11.75	791.00	693.54	1496.29	11.75	263.67	231.18	506.60
8	11.75	1265.60	1109.65	2387.00	11.75	421.87	369.88	803.50
10	11.75	1898.40	1664.50	3574.65	11.75	632.80	554.83	1199.88
12	11.75	2689.40	2360.82	5061.97	11.75	896.47	786.94	1695.16
16	11.75	4746.00	4166.15	8923.90	11.75	1582.00	1388.72	2982.47
18	11.75	5853.40	5138.26	11003.41	11.75	1951.13	1712.75	3675.64
20	11.75	7119.00	6249.23	13379.98	11.75	2373.00	2083.08	4467.83
24	11.75	10283.00	9026.67	19321.42	11.75	3427.67	3008.89	6448.31
30	11.75	16294.60	14303.80	30610.15	11.75	5431.53	4767.93	10211.22

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

5/8	11.75	15.82	11.55	39.12	11.75	5.27	3.85	20.87
3/4	11.75	23.73	17.32	52.80	11.75	7.91	5.77	25.43
1	11.75	39.55	28.88	80.18	11.75	13.18	9.63	34.56
1 1/2	11.75	79.10	57.77	148.62	11.75	26.37	19.26	57.38
2	11.75	126.56	92.42	230.73	11.75	42.19	30.81	84.75
3	11.75	237.30	173.36	422.41	11.75	79.10	57.79	148.64
4	11.75	395.50	288.88	696.13	11.75	131.83	96.29	239.87
6	11.75	791.00	577.74	1380.49	11.75	263.67	192.58	468.00
8	11.75	1265.60	924.41	2201.76	11.75	421.87	308.14	741.76
10	11.75	1898.40	1386.64	3296.79	11.75	632.80	462.21	1106.76
12	11.75	2689.40	1385.11	4086.26	11.75	896.47	461.70	1369.92
16	11.75	4746.00	1962.24	6719.99	11.75	1582.00	654.08	2247.83
18	11.75	5853.40	3462.78	9327.93	11.75	1951.13	1154.26	3117.14
20	11.75	7119.00	4270.76	11401.51	11.75	2373.00	1423.59	3808.34
24	11.75	10283.00	5194.17	15488.92	11.75	3427.67	1731.39	5170.81
30	11.75	16294.60	7502.68	23809.03	11.75	5431.53	2500.89	7944.18

(b) Volume Charge.

User Class	User Charge Per 1000 Cubic Feet (\$)	Capital Charge Per 1000 Cubic Feet (\$)	Total Volume Charge Per 1000 Cubic Feet* (\$)
Inside City:*			
Industrial	32.12	4.19	36.31
Nonindustrial	29.44	4.19	33.63
Outside City:**			
Industrial	20.81	3.48	24.29
Nonindustrial	18.09	3.48	21.57

*The total volume charge per 1000 cubic feet shall be prorated for a portion of 1000 cubic feet used.
 **Users outside the City may also be subject to additional user and capital charges imposed by other governmental entities in the manner provided by Section 929.09.

929.08(v) Rates Of Surcharge.

The rates of surcharge for each of the aforementioned constituents shall be as follows:

- (1) For biochemical-oxygen-demand (BOD), 21.2 cents per pound or 10.7 cents per pound for chemical-oxygen demand (COD).
- (2) For suspended solids, 15.8 cents per pound.
- (3) For phosphorus, 2.052 dollars per pound.

SECTION 5. That new Sections 929.03(a) and (b) and 929.08(v) of the Toledo Municipal Code effective January 1, 2013 through December 31, 2013 are enacted to read as follows:

(a) Fixed charge per billing period.

Water Meter Size (Inches)	QUARTERLY			MONTHLY			Total Fixed Charge (\$)	
	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)		
(1) Inside the corporation limits of the City, industrial and nonindustrial user classes.*								
5/8	12.10	15.82	14.30	42.22	12.10	5.27	4.77	22.14
3/4	12.10	23.73	21.39	57.22	12.10	7.91	7.13	27.14
1	12.10	39.55	35.74	87.39	12.10	13.18	11.91	37.19
1 ½	12.10	79.10	71.45	162.65	12.10	26.37	23.82	62.29
2	12.10	126.56	114.29	252.95	12.10	42.19	38.10	92.39

3	12.10	237.30	214.29	463.69	12.10	79.10	71.43	162.63
4	12.10	395.50	357.18	764.78	12.10	131.83	119.06	262.99
6	12.10	791.00	714.34	1517.44	12.10	263.67	238.11	513.88
8	12.10	1265.60	1142.94	2420.64	12.10	421.87	380.98	814.95
10	12.10	1898.40	1714.43	3624.94	12.10	632.80	571.48	1216.38
12	12.10	2689.40	2431.65	5133.15	12.10	896.47	810.55	1719.12
16	12.10	4746.00	4291.14	9049.24	12.10	1582.00	1430.38	3024.48
18	12.10	5853.40	5292.40	11157.91	12.10	1951.13	1764.13	3727.37
20	12.10	7119.00	6436.71	13567.81	12.10	2373.00	2145.57	4530.67
24	12.10	10283.00	9297.47	19592.57	12.10	3427.67	3099.16	6538.93
30	12.10	16294.60	14732.91	31039.61	12.10	5431.53	4910.97	10354.61

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

5/8	12.10	15.82	11.89	39.81	12.10	5.27	3.96	21.33
3/4	12.10	23.73	17.84	53.67	12.10	7.91	5.95	25.96
1	12.10	39.55	29.75	81.40	12.10	13.18	9.92	35.20
1 1/2	12.10	79.10	59.51	150.71	12.10	26.37	19.84	58.31
2	12.10	126.56	95.20	233.86	12.10	42.19	31.73	86.02
3	12.10	237.30	178.57	427.97	12.10	79.10	59.52	150.72
4	12.10	395.50	297.55	705.15	12.10	131.83	99.18	243.11
6	12.10	791.00	595.08	1398.18	12.10	263.67	198.36	474.13
8	12.10	1265.60	952.14	2229.84	12.10	421.87	317.38	751.35
10	12.10	1898.40	1428.23	3338.73	12.10	632.80	476.08	1120.98
12	12.10	2689.40	1426.66	4128.17	12.10	896.47	475.55	1384.12
16	12.10	4746.00	2021.11	6779.21	12.10	1582.00	673.70	2267.81
18	12.10	5853.40	3566.66	9432.16	12.10	1951.13	1188.89	3152.12
20	12.10	7119.00	4398.88	11529.98	12.10	2373.00	1466.29	3851.40
24	12.10	10283.00	5349.99	15645.09	12.10	3427.67	1783.33	5223.10
30	12.10	16294.60	7727.77	24034.47	12.10	5431.53	2575.92	8019.56

(b) Volume Charge.

User Class	User Charge	Capital Charge	Total Volume
	Per 1000 Cubic Feet (\$)	Per 1000 Cubic Feet (\$)	Charge Per 1000 Cubic Feet*
Inside City:*			
Industrial	33.09	4.32	37.41
Nonindustrial	30.32	4.32	34.64
Outside City:**			
Industrial	21.44	3.58	25.02
Nonindustrial	18.63	3.58	22.21

*The total volume charge per 1000 cubic feet shall be prorated for a portion of 1000 cubic feet used.

**Users outside the City may also be subject to additional user and capital charges imposed by other governmental entities in the manner provided by Section 929.09.

929.08(v) Rates Of Surcharge.

The rates of surcharge for each of the aforementioned constituents shall be as follows:

- (1) For biochemical-oxygen-demand (BOD), 21.9 cents per pound or 11.0 cents per pound for chemical-oxygen demand (COD).
- (2) For suspended solids, 16.3 cents per pound.
- (3) For phosphorus, 2.113 dollars per pound.

SECTION 6. That new Sections 929.03(a) and (b) and 929.08(v) of the Toledo Municipal Code effective from and after January 1, 2014 are enacted to read as follows

(a) Fixed charge per billing period.

Water Meter Size (Inches)	QUARTERLY			MONTHLY		
	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)	User Charge (\$)	Capital Charge (\$)	Total Fixed Charge (\$)

(1) Inside the corporation limits of the City, industrial and nonindustrial user classes.*

5/8	12.46	15.82	14.73	43.01	12.46	5.27	4.91	22.64
3/4	12.46	23.73	22.03	58.22	12.46	7.91	7.34	27.71
1	12.46	39.55	36.81	88.82	12.46	13.18	12.27	37.91
1 1/2	12.46	79.10	73.59	165.15	12.46	26.37	24.53	63.36
2	12.46	126.56	117.72	256.74	12.46	42.19	39.24	93.89
3	12.46	237.30	220.72	470.48	12.46	79.10	73.57	165.13
4	12.46	395.50	367.89	775.85	12.46	131.83	122.63	266.92
6	12.46	791.00	735.77	1539.23	12.46	263.67	245.26	521.39
8	12.46	1265.60	1177.22	2455.28	12.46	421.87	392.41	826.74
10	12.46	1898.40	1765.87	3676.73	12.46	632.80	588.62	1233.88
12	12.46	2689.40	2504.59	5206.45	12.46	896.47	834.86	1743.79
16	12.46	4746.00	4419.87	9178.33	12.46	1582.00	1473.29	3067.75
18	12.46	5853.40	5451.18	11317.04	12.46	1951.13	1817.06	3780.65
20	12.46	7119.00	6629.81	13761.27	12.46	2373.00	2209.94	4595.40
24	12.46	10283.00	9576.39	19871.85	12.46	3427.67	3192.13	6632.26
30	12.46	16294.60	15174.90	31481.96	12.46	5431.53	5058.30	10502.29

(2) Outside the corporation limits of the City, industrial and nonindustrial user classes.**

5/8	12.46	15.82	12.25	40.53	12.46	5.27	4.08	21.81
3/4	12.46	23.73	18.37	54.56	12.46	7.91	6.12	26.49
1	12.46	39.55	30.64	82.65	12.46	13.18	10.21	35.85
1 1/2	12.46	79.10	61.29	152.85	12.46	26.37	20.43	59.26
2	12.46	126.56	98.05	237.07	12.46	42.19	32.68	87.33

3	12.46	237.30	183.92	433.68	12.46	79.10	61.31	152.87
4	12.46	395.50	306.47	714.43	12.46	131.83	102.16	246.45
6	12.46	791.00	612.93	1416.39	12.46	263.67	204.31	480.44
8	12.46	1265.60	980.71	2258.77	12.46	421.87	326.90	761.23
10	12.46	1898.40	1471.07	3381.93	12.46	632.80	490.36	1135.62
12	12.46	2689.40	1469.46	4171.32	12.46	896.47	489.82	1398.75
16	12.46	4746.00	2081.74	6840.20	12.46	1582.00	693.91	2288.37
18	12.46	5853.40	3673.66	9539.52	12.46	1951.13	1224.55	3188.15
20	12.46	7119.00	4530.85	11662.31	12.46	2373.00	1510.28	3895.74
24	12.46	10283.00	5510.49	15805.95	12.46	3427.67	1836.83	5276.96
30	12.46	16294.60	7959.60	24266.66	12.46	5431.53	2653.20	8097.19

(b) **Volume Charge.**

User Class	User Charge Per 1000 Cubic Feet (\$)	Capital Charge Per 1000 Cubic Feet (\$)	Total Volume Charge Per 1000 Cubic Feet* (\$)
Inside City:*			
Industrial	34.08	4.45	38.53
Nonindustrial	31.23	4.45	35.68
Outside City:**			

Industrial	22.08	3.69	25.77
Nonindustrial	19.19	3.69	22.88

*The total volume charge per 1000 cubic feet shall be prorated for a portion of 1000 cubic feet used.

**Users outside the City may also be subject to additional user and capital charges imposed by other governmental entities in the manner provided by Section 929.09.

929.08(v) Rates Of Surcharge.

The rates of surcharge for each of the aforementioned constituents shall be as follows:

- (1) For biochemical-oxygen-demand (BOD), 22.5 cents per pound or 11.4 cents per pound for chemical-oxygen demand (COD).
- (2) For suspended solids, 16.8 cents per pound.
- (3) For phosphorus, 2.177 dollars per pound.

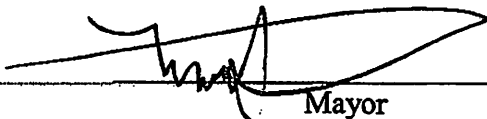
SECTION 7. That Toledo Municipal Code Section 117.01 is hereby waived requiring publication in final form in the Toledo City Journal of a public utility rate.

SECTION 8. That this ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed: FEB 16 2011 : yeas 9, nays 1.

Attest: 
Clerk of Council


President of Council

Approved:  2/16/11
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

Attest: _____
Clerk of Council