

Village of Mantua, Ohio
ORDINANCE 2011-17

AN ORDINANCE AMENDING VILLAGE OF MANTUA CODIFIED ORDINANCE SECTION 941.21 IN ORDER TO CLARIFY THE POLICIES FOR WATER AND SEWER BILLING AND DELINQUENT BILLS.

WHEREAS, the Service Committee has recommended amendment of Village of Mantua Codified Ordinances Section 941.21 in order to clarify the policies relating to water and sewer billing and delinquent bills; and

WHEREAS, this Council now wishes to amend Section 941.21 of the Codified Ordinances of the Village of Mantua, in order to address this issue.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, a majority or more of the members elected thereto concurring that:

SECTION 1: Existing Section 941.21 of the Village of Mantua Codified Ordinances is hereby repealed.

SECTION 2: Section 941.21 of the Village of Mantua Codified Ordinances as set forth in "Exhibit A", attached hereto and incorporated herein by reference, is hereby enacted.

SECTION 3: All other provisions of the Village of Mantua Codified Ordinances shall remain in full force and effect.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this ____ day of _____, 2011.

1st Reading: _____
_____ Mayor

2nd Reading: _____

3rd Reading: _____ ATTEST:

Effective: _____

Clerk

I hereby certify the above Ordinance was posted at the five (5) public notice locations in the Village of Mantua, Ohio, on the _____ day of _____, 2011.

Clerk

Approved as to Legal Form:

Michele A. Stuck
Solicitor, Village of Mantua

**Village of Mantua, Ohio
Ordinance 2011-17**

"EXHIBIT A"

941.21 BILLING AND DELINQUENT BILLS

- (a) Water/sewer bills will be mailed on or before the first of the month each quarter.
- (b) All bills will be due no later than the 15th day after the "Billing Date" as stated on the bill (to wit: the "Due Date", as stated on the bill).
- (c) Bills not paid by the Due Date will be considered delinquent, and a late penalty of 10% will be applied to the unpaid balance at that time.
- (d) If a delinquent bill is not paid within fifteen (15) days after the Due Date, a final notice will be mailed to the account holder by the Village Administrator, stating that the account must be paid in full or satisfactory arrangements made for payment within fifteen days of the notice (a total of forty-five days after the Billing Date), or the water/sewer service will be discontinued without further notice at the property to which the delinquent bill relates.
- (e) Service will remain discontinued until all bills, including the penalty and turn-on charge, have been paid in full or unless satisfactory arrangements are made to pay the bill ("Payment Plan").
- (f) Payment Plans
 - (1) All Payment Plans shall be in writing and signed by the customer.
 - (2) During the term of any Payment Plan, additional late fees and/or delinquency charges will not accrue on the principal amount that is the subject of the Payment Plan.

- (3) A Payment Plan is not a "budget plan". In addition to payments pursuant to the Payment Plan, the customer must pay all new and current bills when due. Any failure to do so will constitute a violation of the Payment Plan.
- (4) Failure to comply with any and all terms of the Payment Plan shall result in termination of service until the account is paid in full including penalties, shut-off and restoration fees.
- (5) If the principal amount due pursuant to any Payment Plan is satisfied in full according to its terms, the Village Administrator may, at his discretion, waive any penalties, late fees or other charges above and beyond the principal amount so paid.

(g) Additional Remedies of Village

Should any water/sewer account become delinquent, in addition to the remedies described herein, the Village may:

- (1) Certify the delinquency to the Office of the Portage County Auditor for placement on the Real Property Tax List and Duplicate;
- (2) Initiate litigation against the account holder and/or property owner for the recovery of any amounts past due and owing on the account;
- (3) Pursue any other remedy allowed by law not specifically mentioned herein.