

September 26, 2025

Requested by the Department of Public Service

**SUBSTITUTE OFFERED
AS AN AMENDMENT**

OFFERED BY: KAMMER

ORDINANCE NO. _____-2025 amending and/or supplementing Title 5, "Public Works," Chapter 50, "Sewers," Article 2, "Sewer Charges," Sections 50.20, "Definitions," 50.21 "Levy of charges," 50.22 "Sewer service charges," and 50.23 "Charges outside the City" of the Codified Ordinances of the City of Akron; and declaring an emergency.

BE IT ENACTED by the Council of the City of Akron:

Section 1. That Title 5, "Public Works," Chapter 50, "Sewers," Article 2, "Sewer Charges," Sections 50.20, "Definitions," 50.21 "Levy of charges," 50.22 "Sewer service charges," and 50.23 "Charges outside the City" of the Codified Ordinances of the City of Akron be and is hereby amended and adopted to read as follows:

50.20 – Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"Billed discharge." The total volume of sewage discharge to the sewage system, as measured or estimated by the Director of Public Service, on which the total sewer service charge is based.

"B.O.D." or "Biochemical Oxygen Demand." The quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedure, in five days at twenty degrees Celsius, expressed in milligrams per liter (mg/l) by weight.

"EHRT project charge." A portion of the sewer service charge, applicable to all users, that is determined by the Director of Public Service for the recovery of the cost of an enhanced high-rate treatment (EHRT) system.

"Commercial user." Any user of the sewage system not specifically categorized by the Public Utilities Bureau as residential, industrial, or master-metered suburban. Commercial users are generally, but not limited to, establishments engaged in the following: wholesale or retail trade; public administration and government; general business offices; and service industries such as food service, automotive repair, health services, and education services.

"Debt service." The portion of the sewer services charge that is designated for the retirement of and interest on bonds or notes which have either been authorized and issued or which may be authorized and issued by the City, to construct sewage system facilities.

"Domestic wastes." Waterborne wastes from residences, business buildings, institutions, and industrial establishments contributed by reason of human occupancy and which is discharged from sanitary plumbing facilities and when analyzed shows by weight a daily average of not more than two hundred fifty milligrams per liter of suspended solids, and not more than two hundred milligrams per liter of B.O.D.

"Field monitoring." The portion of the sewer service charge that is designated by the Director of Public Service, for the recovery of costs incurred by the City for measuring, sampling, testing, and analyzing wastewater discharges.

"Fixed billing charge." The portion of the sewer service charge, **applicable to all users**, that is determined by the Director of Public Service for the recovery of the cost of ~~meter-reading~~ **metering for** billing, and collecting and accounting for sewer service charges.

"Fixed cost recovery charge." **The portion of the sewer service charge, applicable to all users, that is determined by the Director of Public Service for the recovery of a portion of the cost to operate and maintain the sewer system.**

"Industrial user."

1. Any user who discharges to the sewage system wastes, other than domestic waste, which are the result of any industrial manufacturing process, trade, or business or the development of any natural resource.
2. For the purpose of industrial cost recovery, "industrial user" shall mean any user discharging twenty-five thousand gallons per day or more of an equivalent domestic waste, process waste, or a combination domestic-process waste. Any user shall not be excluded from industrial cost recovery if he contributes any incompatible or toxic substances which affect the efficiency or costs of the treatment works.

"Industrial cost recovery." Recovery by the City, from the industrial users of a treatment works of the grant amount, allocable to the treatment of wastes from such users.

"Industrial wastes." The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary wastewater.

"Infiltration." The water entering a sewer system and service connections from the ground, through such means, as but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, Inflow.

"Inflow." The water discharged into a sewer system and service connections from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface run-off, street wash waters, or drainage. Inflow does not include, and is distinguished from Infiltration.

"Limited service rate." **The sewer system charge to be levied and paid by non-contract, non-resident (those located outside the jurisdictional boundaries of the City of Akron) users that discharge sewage into a non-Akron-owned sanitary sewer to which Akron provides conveyance and treatment-only sewage services.**

"Master-metered user." Any city, village, township, county sewer districts or any other governmental subdivision or entity who discharges all or part of the wastewater collected within its designated political boundaries, including inflow and infiltration, into the sewage system of the City for treatment and which has either a meter or meters to measure such flows or has accepted the estimated flows established by the Director of Public Service, and also where there is an agreement between the City and such governmental subdivision or entity for such service.

"Operation and maintenance." The costs incurred in the act of keeping all facilities for collecting, pumping, treating, and disposing of sewage, in a good state of repair and functioning properly including the replacement of the facilities when necessary.

"Regular rate." **The sewer system charge to be levied and paid by users located within the jurisdictional boundaries of the City of Akron, or to be levied and paid by those users with a valid and existing contract with the City of Akron that discharge sewage into an Akron-owned sanitary sewer downstream of a master-metered user.**

"Replacement." Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

"Residential user." Any user discharging domestic wastes from buildings or premises that are used as permanent places for human occupancy such as single-family dwellings, rowhouses, townhouses, mobile homes, garden and standard apartments, and high rise apartments. Transient lodging, considered commercial in nature, is not included.

"Sewage." The waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, cellar floor drains, garage floor drains, bar, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains, including domestic wastes, industrial wastes, and inflow and infiltration which is discharged into the sewage system of the City, by users of the systems for sewage treatment.

"Sewage system." Mains, collecting lines, pumping stations, sewage treatment facilities, and any and all other appurtenances common to such systems.

"Sewer service charge." The total charges exclusive of the fixed billing charge and other applicable charges enumerated elsewhere, which is assessed users of the sewage system. The sewer service charge includes user charges plus the cost of debt service, the cost of collection, ~~and treatment of unmetered I/I,~~ the cost of field monitoring, and any other cost that is incurred by the City in the operation of the sewage system.

"S.S." or "suspended solids." Solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are removable by laboratory filtering.

"User." Any person, individual, firm, company, association, society, corporation, group, entity, or governmental subdivision which discharges or is responsible for the discharge of sewage into the sewage system of the City.

"User charges." The charge assessed users of the system to recover a user's proportionate share of the cost of operation, maintenance, and replacement of the sewage system pursuant to regulations of the United States Environmental Protection Agency.

"Wastewater." A combination of water carried waste from residences, buildings, business buildings, institutions, and any other industrial establishment together with such ground, surface, or storm water as may be present.

50.21 – Levy of charges.

There is levied and assessed upon each lot, parcel of land, or premises having any active sewer connection with the sanitary sewerage system of the City, or otherwise discharging sewage, industrial wastes, water, or other liquids, either directly or indirectly into such system or any part thereof, a service charge payable as provided in this chapter and in the amount determinable in this chapter.

50.22 – Sewer service charges.

The Except as otherwise provided herein, the use charge for any lot, parcel of land, building, or premises having any connection with the City sanitary sewerage system and discharging sewage, industrial waste waters, or any other liquids into the sewerage system shall be based upon the quantity of water used thereon or therein as the same is estimated ~~or~~, measured, **or otherwise determined** by the Director of Public Service, by meters there in use, and there shall be charged per month as determined by the Director of Public Service, on at least an annual basis. ~~Such charges shall be as follows:~~

User Class	2013	2014	2015
<i>Residential (\$/HCF)</i>			
Akron	5.995	8.393	10.659
Akron HEAP	5.026	6.031	6.845
JEDD	5.995	8.393	10.659
Suburban	4.190	4.693	5.256
Fairlawn	3.677	4.118	4.612
<i>Commercial (\$/HCF)</i>			
Akron	5.821	8.393	10.659
JEDD	5.821	8.393	10.659
Suburban	4.179	4.680	5.242
Fairlawn	3.666	4.106	4.599
<i>Industrial (\$/HCF)</i>			
Akron	7.627	8.542	9.567
JEDD	7.627	8.542	9.567
Suburban	5.393	6.040	6.765
Fairlawn	4.881	5.467	6.123

Exclusive of other applicable charges, fees, and/or additional premiums, all users shall be charged either the regular rate or the limited service rate. Beginning no earlier than January 1, 2026, the regular rate sewer service charge shall be \$11.22/HCF (or its equivalent measured in gallons) and the limited service rate sewer service charge shall be \$3.94/HCF (or its equivalent measured in gallons). Beginning January 1, 2027, through and including January 1, 2029, the then-current regular and limited service rates shall increase by 5.3% annually.

An additional 20% charge shall be levied upon all accounts with suspected or actual unmetered inflow and/or infiltration and shall be calculated based upon the base regular or limited service rate, whichever shall apply. Charges for inflow and/or infiltration may be adjusted at any time thereafter, as determined by the Director of Public Service, based on metered volume.

In addition to the regular and limited service rates described above, the Director of Public Service is authorized to implement and collect a fixed billing charge, an EHRT project charge, and a fixed cost recovery charge from all users. The fixed monthly billing charge for master meter accounts shall be \$60.78/account and the fixed monthly billing charge for all other accounts shall be \$3.75/account.

The EHRT project charge shall only be implemented and collected in the event that the City is required by the federal and/or state government to construct an enhanced high rate treatment facility. The EHRT project charge shall not be implemented prior to January 1, 2028, and shall be a fixed monthly charge not in excess of \$15.00 per account.

The Fixed cost recovery charge shall be a monthly, per account, charge based upon the size of the water meter used for sewer billing purposes, in accordance with the following:

Fixed Cost Recovery Charge

Meter Size	2026	2027	2028	2029
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5/8"	\$5.00	\$5.00	\$10.00	\$12.50
3/4"	\$5.00	\$5.00	\$10.00	\$12.50
1"	\$5.00	\$5.00	\$10.00	\$12.50
1 1/2"	\$25.00	\$25.00	\$50.00	\$62.50
2"	\$40.00	\$40.00	\$80.00	\$100.00
3"	\$80.00	\$80.00	\$160.00	\$200.00
4"	\$125.00	\$125.00	\$250.00	\$312.50
6"	\$250.00	\$250.00	\$500.00	\$625.00
8"	\$400.00	\$400.00	\$800.00	\$1,000.00
10"	\$1,050.00	\$1,050.00	\$2,100.00	\$2,625.00
12"	\$1,325.00	\$1,325.00	\$2,650.00	\$3,312.50

~~The Billing Charge per month for each customer shall be \$3.75, except that the Billing Charge per month for master meter customers shall be \$60.78.~~

~~The 2014 sewer service charges will be effective February 1, 2014. The 2015 sewer service charges will be effective January 1, 2015.~~

~~The Director of Public Service is authorized to implement a discount program for low income Akron residential customers which will be effective January 1, 2015. The program will provide that there will be no increase from 2014 sewer charges in 2015 users within Akron and offer up to the low-income Akron residential customers who have been determined to be eligible for the program a 50~~**40% discount on both rates and all charges, effective no earlier than January 1, 2026. The Director of Public Service shall retain full authority to alter, amend, enforce, or discontinue the discount program in the event that he/she/they determine doing so is in the sewer service charge increases authorized in this section to Akron residential customers who have been determined by the State of Ohio to be eligible for the Home Energy Assistance Program (HEAP).** ~~general interest and welfare of the City.~~

Master Meter Suburban

Period Begin	Period End	Billed Rates (dollars/1,000 GAL)	Billed Rates (dollars/GAL)
4/1/2024	3/31/2025	\$4.755	\$0.004755
4/1/2025	3/31/2026	\$5.007	\$0.005007
4/1/2026	3/31/2027	\$5.272	\$0.005272
4/1/2027	3/31/2028	\$5.552	\$0.005552

50.23 – Charges outside of City.

A. For any lot, parcel of land, building or premises situated outside of the corporate limits of the City and having any connection with the City's sewerage system or otherwise discharging sewage, industrial wastes, water, or other liquids, either directly or indirectly, into the City's sewerage system, the charge to the owner of any such lot, parcel of land, building, or premises shall be based either on the quantity of water used thereon or therein as the same is estimated or measured by a water meter there in use, as described in this chapter or measured by a sewer meter as may be required by Director of Public Service, and such owner shall be charged the sewer service charge, fixed billing charge, **EHRT project charge**,

fixed cost recovery charge, and any other applicable charges set forth in Section Sections 50.22, 50.23, and/or other applicable sections plus the following additional charges.

~~A. A charge for a fair and reasonable return on the capital investment the City has made in sewage system facilities which are currently in service and for which users located outside the corporate limits of the City, including master metered suburban users, did not participate in, in whole or in part and therefore are not now paying or have never paid their allocable share of the capital cost of such sewage system facilities, an additional charge to be determined by the Director of Public Service, on at least an annual basis. Such charge shall be \$.057 per one thousand gallons or \$.043 per one hundred cubic feet of billed discharge for the period beginning February 1, 1982; \$.057 per one thousand gallons or \$.043 per one hundred cubic feet of billed discharge for the period beginning July 1, 1982, but such charges shall not be applied to bills rendered prior to August 1, 1982; \$.069 per one thousand gallons or \$.052 per one hundred cubic feet of billed discharge for the period beginning January 1, 1983, and such charges shall be effective on December 1, 1982, but such charges shall not be applied to bills rendered prior to January 1, 1983; and \$.083 per one thousand gallons or \$.062 per one hundred cubic feet of billed discharge for the period beginning January 1, 1984.~~

~~B. For the cost of collecting and treating excessive unmetered inflow and infiltration as measured or estimated by the Director of Public Service, but excluding master metered suburban users, an additional charge to be determined by the Director of Public Service, on at least an annual basis. Such charge shall be \$.282 per one thousand gallons or \$.212 per one hundred cubic feet of billed discharge beginning February 1, 1982; \$.282 per one thousand gallons or \$.212 per one hundred cubic feet of billed discharge for the period beginning July 1, 1982, but such charges shall not be applied to bills rendered prior to August 1, 1982, \$.341 per one thousand gallons or \$.257 per one hundred cubic feet of billed discharge for the period beginning January 1, 1983, and such charges shall be effective on December 1, 1982, but such charges shall not be applied to bills rendered prior to January 1, 1983, and \$.409 per one thousand gallons or \$.308 per one hundred cubic feet of billed discharge for the period beginning January 1, 1984.~~

~~C. Where a user is being served under an existing agreement which recites that the charge shall be the City rate plus thirty percent, then the City rate shall be the derived amount under Section 50.22 which shall then be increased by thirty percent, if the thirty percent as applied equals the City rate derived under Section 50.22 plus subsections A and B of this section, then no further adjustment shall be made; if, however, the thirty percent as applied results in a total charge greater than Section 50.22 plus subsections A and B of this section, the excess shall nevertheless be charged and shall be credited as an additional fair and reasonable return on capital investment; in the event, the thirty percent as applied results in a total charge less than Section 50.22 plus subsections A and B of this section, the deficit shall nevertheless be recognized and shall be charged to subsection A of this section also resulting in a fair and reasonable return on capital investment.~~

~~D. Where users are being served under an existing agreement which is in the nature of a bulk or master meter agreement with a governmental subdivision which recites a specific formula for determination of the charge, such formula shall continue to be computed. The derived amount from such formula shall then be applied as follows: such derived amount shall first be allocated according to the City rate for master metered suburban set forth in Section 50.22; if there is a balance and if the balance equals the amount derived under subsection A of this section then no further adjustment shall be made; if, however, there is a balance and such balance exceeds the amount derived under subsection A of this section, the excess shall nevertheless be charged and shall be credited as an additional fair and reasonable return on capital investment; in the event there is a balance and such balance is less than the amount derived under subsection A of this section, the deficit shall nevertheless, be recognized and shall be charged, also resulting in a fair and reasonable return on capital investment.~~

~~E. Those users of sewer services whose property is in an area receiving retail sewer service for which there either was never an agreement between governmental subdivisions or where there had been an agreement between governmental subdivisions and which agreement has been terminated shall, effective either July 1, 1982 or the date when applicable because of termination, be subject to this chapter. Therefore, such users shall pay an amount derived from the use charge in Section 50.22(A) and the billing charge in Section 50.22(B), which are used for property located in the City, less new OWDA debt (Akron only), plus the charge under subsection A of this section, plus the charge under subsection B of this section, for a subtotal plus a non-agreement area demand charge rate of five percent of aforesaid subtotal resulting in a total to be charged during the time there is no agreement between governmental subdivisions for sewer service charges for such area.~~

~~F. Those users being served on a wholesale service basis for which there is no existing agreement shall be subject to this article where applicable and shall be charged as follows: The derived amount under Section 50.22(A) as a master metered suburban customer plus subsections A and B therein if applicable plus such billing charge as determined by the Director of Public Service and in addition to the foregoing total a nonagreement area demand charge rate of five percent of such foregoing total shall be charged until such time as an agreement for such nonagreement area is executed.~~

B. Any user located outside of the jurisdictional boundaries of the City of Akron that does not have a valid and existing written contract granting it the use of any part of the City's sewage system shall pay either the regular or limited service rate, plus an additional 30%.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare for the reason that amendment will provide necessary code updates, and provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed _____, 2025

Clerk of Council

President of Council

Approved _____, 2025

MAYOR

2025 SEP 25 PM 1:22