

**ORDINANCE 2019-7-10**

**AN ORDINANCE PROVIDING THE VILLAGE OF MARENGO A CHOICE OF REMEDIES FOR NON-PAYMENT OF SEWER CHARGES OR OTHER VIOLATIONS RELATING TO USE OF VILLAGE SEWER SYSTEM**

WHEREAS, the Village of Marengo, Morrow County, Ohio, has constructed a sanitary sewer system to serve the Village of Marengo; and

WHEREAS, it is the intent of the Village of Marengo to establish a choice of remedies for non-payment of sewer charges or other violations relating to use of the Village Sewer System;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Marengo, Morrow County, Ohio as follows:

**Section 1.** Every sewer service user charge which has become due and payable and has remained unpaid for more than thirty (30) days may be subject to any of the following actions or a combination of actions by the Village Council:

1. Any unpaid billings, together with accrued penalties, shall be quarterly certified to the Morrow County Auditor, pursuant to the Ohio Revised Code, who shall place such delinquencies upon the real property tax duplicate for the property receiving sewage service. Such delinquencies shall be a lien upon the property from the date the delinquency is placed upon the real property tax duplicate and shall be collected in the same manner as other real estate taxes. Failure to pay delinquencies certified may result in a foreclosure of the property by the Morrow County Prosecutor. This part shall be in addition to all other collection remedies provided by law.

2. Institute legal action to collect the past due or unpaid amount.

3. After a bill is more than 60 days in default, sewer service to such property shall be discontinued until such bill is paid. Written notice will be provided to the property owner before such action occurs.

a) In the event this action is taken by the Village, the property owner shall be responsible for all damages caused by anyone using the sanitary facilities (bath, shower, washers, kitchen sinks, toilets, or anything that drains into the sewer line) of the said property after the sewer service has been discontinued and for all costs that are incurred by the Village associated with discontinuing sewer service.

b) In the event this action is taken by the Village, the property owner shall be responsible for paying the full amount due, including late penalties, plus a reconnection fee, which will be determined by the contractor that is hired by the Village to handle restoration of sewer service to the property.

c) All unpaid billings, assessed penalties, fees for any damages caused as a result of discontinuing service, fees for discontinuing sewer service, any monthly sanitary user fees during the discontinuation of service, and all reconnection fees for sanitary sewer service to be restored, must be paid in full before service is restored to the property.

**Section 2.** That all Ordinances and Resolutions in conflict with this Ordinance are hereby modified to be consistent with this Ordinance.

**Section 3.** That this Ordinance be and is hereby declared to be an emergency measure for immediate preservation of the health, welfare and safety of the citizens of the Village of Marengo and traveling public to provide additional traffic controls.

WHEREFORE, this Ordinance shall take effect and be in full force from and after its passage and approval by the Mayor.

PASSED: July 10, 2019 \_\_\_\_\_

\_\_\_\_\_  
Mike Baker, Mayor

ATTEST: \_\_\_\_\_

Hilary Ostram, Fiscal Officer