

ORDINANCE NO. 2025-15

AN ORDINANCE AMENDING THE WATER AND SEWER UTILITY RULES AND REGULATIONS FOR THE VILLAGE OF ARCANUM, OHIO

WHEREAS, Council for the Village of Arcanum previously adopted Ordinance No. 2024-42, which established Water and Sewer Utility Rules and Regulations for the Village; and

WHEREAS, based upon recommendations from the Utility Committee, Village Council wishes to amend certain provisions of its Water & Sewer Utility Rules and Regulations;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ARCANUM, STATE OF OHIO, THAT:

SECTION ONE: Section One of the Water & Sewer Utility Rules and Regulations shall be amended to add subsection q) as follows:

SECTION ONE:

General Provisions

q) Landlord Responsibility for Rental Property Accounts

A. Mandatory Responsibility

For any premises used as a rental property, the property owner (Landlord) shall be equally responsible with the tenant for all charges for water and sewer service provided to the premises. This applies regardless of whether the tenant or the landlord applies for the service account.

B. Notification and Account Setup

1. At the time of a new tenant's application for service, the Utility shall notify the property owner of record and advise them of this policy. The Utility may require property ownership documentation or updated contact information before initiating or continuing service to a rental unit.
2. The Village shall provide a property owner with a copy of invoices, delinquent notices, and final disconnection notices whenever a rental account is in delinquent status. Property owners shall notify the Village when a tenant vacates a rental property so that a final bill can be calculated and service for said property properly reassigned.

C. Delinquent Balances

1. If a tenant vacates the premises with a balance due and the Utility is unable to collect the unpaid amount, the outstanding balance may be transferred to the property owner's account for recovery. The Utility may pursue collection of such balances through any lawful means, including direct billing to the property owner, civil proceedings, or use of a collection agency.
2. Commencement of water and sewer service to a new tenant, property owner, or customer will not take place until all outstanding water and sewer service debts and/or fees are paid in full from any prior delinquent tenant, property owner, or customer at the rental premises. The current property owner is responsible for making full payment to the Village for any and all outstanding debts related to water and sewer service at the rental premises before commencement of service may begin for any new tenant, property owner, or customer.

D. Deposits

All rental property accounts are subject to standard deposit requirements as established by the Village. Deposit collection shall not affect the Village's authority to pursue unpaid charges from either the tenant or the landlord.


E. Lien Authority

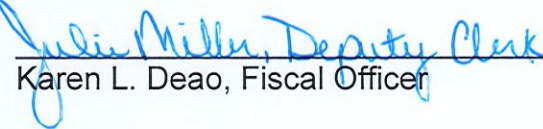
Pursuant to Ohio Revised Code Section 743.04 and 729.49, unpaid water and sewer utility charges may be certified to the county auditor to be placed as a lien on the property. The Village reserves the right to pursue lien certification for delinquent water and sewer charges owed at rental properties, as permitted by law.

Section 2. All other provisions of Ordinance No. 2024-42 not specifically modified by the provisions set forth above shall remain in full force and effect.

Passed this 8th day of July, 2025.


Jerry L. Boolman, Council Pro Tem


Bonnie L. Millard, Mayor

ATTEST:

Karen L. Deao, Fiscal Officer

First Reading: 6/10/2025
Second Reading: 6/24/2025
Third Reading: 07/08/2025
Three Reading Rule Waived:
Emergency Declared: