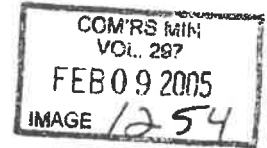


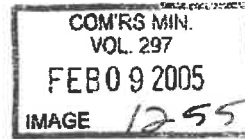
AMENDMENT: MSD RULES & REGULATIONS

Section 1216

Policy for Levying Sewer Assessments for Local Collector Sewers - Assessment Credit



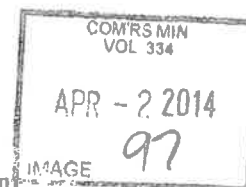
- A. **Single Family or "Primary" Assessment Credit.** It is the policy of the Board to encourage public sewers and to finance sewer improvements, which provide local sewer service, by levying special assessments on the properties receiving benefit from the sewer improvement as provided in Ohio Revised Code Chapter 6117. For single family residences existing as of September 20, 1995, MSD will pay, in the form of a single-family or primary assessment credit, the special assessment for a local sewer, up to \$5,000, provided that:
- 1.) The local sewer eliminates the need for on-site sewage disposal systems and connects to the public sewer system of the Metropolitan Sewer District; or
 - 2.) The local sewer is a replacement or repair of a privately owned local sewer which connects to the public sewer system of the Metropolitan Sewer District, and the private sewer meets MSD standards and is dedicated by its owners to public use in accordance with *MSD Rules and Regulations*.
- B. **"Secondary" Assessment Credit.** It is the policy of the Board to encourage public sewers and to finance sewer improvements, which provide local sewer service, by levying special assessments on the properties receiving benefit from the sewer improvement, as provided in Ohio Revised Code Chapter 6117. For all properties so specially assessed, it is the policy of this Board that MSD will pay, in the form of a secondary assessment credit, all public improvement project costs exceeding \$12,000. **It is the policy of the Board that total actual per-benefit costs of the local public sewer improvement which remains in excess of \$12,000 per benefited property, once the single-family assessment credit has been applied, shall be funded from Metropolitan Sewer District unappropriated funds as a secondary credit.** This secondary credit is applicable to all property types as defined by the Hamilton County Auditor and subject to special assessment under the Revised Code.
- C. **Annual Credit Adjustment.** The single-family assessment credit of Section 1216 (A) will be adjusted annually in accordance with Article 25, as follows:
- 1.) Based on the September Engineering News Record Construction Cost Index (ENR CCI) for Cincinnati, Ohio, the \$5,000 credit shall be multiplied by the ratio of the current year September ENR CCI to the ENR CCI for September 2000 (5907.06), rounded to the nearest \$100.
 - 2.) The Assessment Credit determined in Section 1216 (A) shall become effective on January 1 of each year.
 - 3.) The Assessment Credit in effect at the time of adoption of the Resolution Confirming Revised Assessment shall be applied. For each single family residence, existing as of the September 20, 1995, served by a local collector sewer whose construction costs are assessed under this policy, a sewer tap-in-fee in the amount of \$480.00 will be charged by the Metropolitan Sewer District at the time of connection of the property to the public sewer.



2/2/2005
Exhibit A

MSD IMPLEMENTATION – 1216. Per Chapter 6117 ORC, MSD will report to the Board all costs of a local public sewer improvement project. Also per Chapter 6117, the Board must assess the actual costs of a local public sewer improvement project. However, statute permits the Board to fund a portion of these actual costs from “other available funds” (§6117.06(E)). It is Board policy that the cost of special assessments for local public sewer improvements shall not exceed \$12,000 per benefited property. To this end, MSD will apply the single-family or “primary” assessment credit to the actual per-benefit cost in order to determine if the amount exceeds, is at or below \$12,000. If the amount is at or below \$12,000, this is the amount applied as a final assessment when the Board confirms special assessments (see Section 1805 (D), above). If the amount still exceeds \$12,000, MSD will apply a “secondary” assessment credit to bring the per-benefit amount to be equal to \$12,000. Sections 1805 (E) and 2502 are applicable as well in this implementation.

Costs associated with “private-side” improvements, i.e., connection to the public sewer and abandonment of the existing on-site household wastewater disposal system, are *not* a part of the local public sewer improvement costs.



Section 1216 Policy for Levying Sewer Assessments for Local Public Sewer Assessment Project - Assessment Credit

D. Home Septic Treatment System Reimbursement Credit. It shall be a policy of the Board if a benefited single-family property is currently served by a Home Sewage Treatment System (HSTS), it will qualify for an HSTS reimbursement credit based upon the conditions stipulated in this rule and regulation. This policy is designed to reimburse property owners who have made purchases of HSTS systems deemed to have the capability of effectively treating household wastewater discharges where those systems have been effectively maintained to ensure proper operation and compliance. Nothing in this policy is meant to imply that HSTS are technically or environmentally equivalent to public sanitary sewer systems as it relates to the treatment of household sewage.

Compliant HSTS systems include:

- 1.) Discharging systems, with NPDES permit(s) in effect at the time the credit is approved, and,
- 2.) On-site absorption systems, whereby wastewater is treated on-site and is not discharged to an adjacent property, waterway, or aquifer. Compliant HSTS systems do not include any on-site absorption system operating over an aquifer (otherwise termed by Hamilton County Public Health as a "dry well").

The HSTS reimbursement credit will apply only to those HSTS systems which:

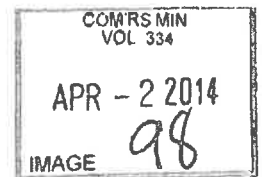
- 1) As indicated by Hamilton County Public Health, were installed in accordance with the provisions of Hamilton County Public Health regulations enacted on December 10, 2004; and
- 2) As indicated by Hamilton County Public Health, are in compliance with applicable laws and regulations governing the operation of HSTS systems at the time of the order to connect to the sewer system; and
- 3) Possess a discharging system NPDES permit(s) in effect at the time the credit is approved; or
 - a. (Non-NPDES Discharging systems are not eligible for reimbursement under this program.)
- 4) Possess a compliant absorption system.

The County, through MSD, will provide eligible property owners with an HSTS reimbursement credit at the following levels for abandoning their eligible system:

Type of HSTS System	Eligible Reimbursement Amount*
Absorption	\$5,800
Discharge (NPDES Compliant)	\$3,600

*Eligible HSTS reimbursement credit is calculated using the five year annual average cost of local systems as compiled by Hamilton County Public Health, and multiplied by a factor of .20.

Eligible HSTS reimbursement credit amounts, detailed above, will be applied on a parcel-



by-parcel basis to eligible benefited properties required to tap into the public sewer system due to the proximity of a local sewer. The net impact for eligible benefited properties will be to increase the applicable assessment credit by reducing the \$12,000 cost cap, as currently set by Board policy, commensurate with the eligible HSTS reimbursement credit amount.