

## Statement by George Helbling

There is an urgent need for the State of Ohio to standardize the extension and use of public water and sanitary sewer systems throughout the state. Currently each political sub-division has the right to make its own rules regarding public water and sewer service. This has led to abuse and preferential treatment.

I currently serve on a local Board of Public Affairs in Muskingum County and I am involved with the development of apartment complexes in other counties. I have personally seen city and village councils, mayors and board members use the extension of public water and sewer systems to deny proposed development, to require unwanted annexation and to arbitrarily raise revenues.

A recent example is the City of New Philadelphia. The city ordinances required that the city provide water and sewer services outside the city limits because of an obligation to “serve the area” made by the EPA when it provided funds for upgrading the city water and sanitary sewer treatment plants through the Ohio Water Development Authority. When apartments were proposed about 1000 feet outside the city in Goshen Township, the mayor and service director met with the developer and pledged to provide the services. (Please note that a city water line is on the property and the developer agreed to fund the extension of a sewer line.) A new mayor was elected before construction started, and he arbitrarily decided that the only way the city would provide the services was upon annexation of the property into the city, an impossible condition since the property owners in between were not interested. Then he and the service director arbitrarily raised the rates for service to all users outside the city to three times the city rate. Eventually the city council changed the ordinance requiring providing services outside the city limits to only upon approval by the council. The council also reduced the outside usage rates to double the inside city rate. The apartment developer again applied for services and was denied. Several months later, on the same property for which apartments were proposed, the city approved water service for a dollar store. For your information, the New Philadelphia city zoning code does not allow multi-family buildings over three

units and over six units per acre, making apartment developments fiscally impossible. Also, the city is currently considering adopting an ordinance to require all water and sewer users outside the city limits to petition for annexation or to lose their water and sewer service.

The points are:

1. The city is using water and sewer service to force areas outside the city to comply with the desires of the current city council to get water and sanitary sewer service.
2. By being arbitrary in deciding what users can get services, the city is infringing on the rights of the townships to determine what is best for their residents.
3. The city is ignoring the obligation to serve the area.
4. The city is considering extorting people to annex into the city by threatening to take away their water and sewer service, again trampling on the townships.
5. The city is showing favoritism in approving and disapproving services for different developments on the same property.

I have seen similar abuses by other municipalities, including the one I serve on the Board of Public Affairs.

I recommend strongly that the State of Ohio standardize the required use of public water and sanitary sewer systems, almost all of which have been partially funded by state and/or federal funds.