

CHAPTER 929 Water Connections and Rates

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CROSS REFERENCES

Compulsory water connections - see Ohio R.C. 729.06, 743.23
Management and control of water works - see Ohio R.C. 743.02 et seq.
Weekly deposit of water works money collected - see Ohio R.C. 743.06
Unauthorized connections - see Ohio R.C. 4933.22

929.01 DEFINITIONS.

For the purposes of this chapter:

- (a) "Water service connection" means the water pipe extending from the water main to the connection with the plumbing at the building served.
- (b) "Water main" means the water pipe located in a street, alley or easement from which the domestic water supply is delivered to the service pipe leading to the building served.
- (c) "Water system" means all City facilities for supplying, treating, storing, pumping and distributing potable water.
- (d) "Owner" means any person, group of persons, corporation, partnership or firm which holds title to a lot or parcel of land adjacent to the water system, or desires to purchase water from the City.
- (e) "Fixture" means any valve, valve box, hydrant, meter, curb stop, curb box, tank, building or any other physical article owned or operated by, or essential to the operation of the water system.
- (f) "Front foot" means the frontage which abuts on the street right of way. On corner parcels, it shall be the shortest frontage so abutting. Front foot shall be measured at the building line where lots are irregular in shape. When the property to be served does not abut upon a street right of way, front foot means the smaller of the parcel dimensions, but in no event shall be less than the required frontage for the zoning of that parcel. (Ord. 0269-2009. Passed 12-7-09.)

929.02 PERMIT REQUIRED; MULTIPLE USE CONNECTIONS PROHIBITED.

(a) No connection with any part of the City water system, nor the repair or removal thereof, nor any excavation thereof shall be started without first securing a permit from the Department of Public Service ~~and Engineering~~. Such permit must be on the premises where such water service connection is being done, prior to beginning such work and during the continuation thereof. A charge of eighty dollars (\$80.00) shall be made for such permit, to cover the cost of issuance and inspections. Such amount shall be deposited in the Treasury to the credit of the Water Fund. The charge for such permit is non-refundable.

EXHIBIT A

(b) No permit shall be issued which contemplates the construction or installation of any multiple use connections. Each commercial, industrial, residential, occupied structure, etc., shall have a separate water service connection to the water system, whether or not such facilities are owned by one person. Multiple structures shall have separate connections for each unit, except where this would create a manifest hardship, in which case the Director of Public Service may grant special written permission to the owner to use a single connection. Where such permission is granted for double units to use a single connection, it must provide that such connection shall not be less than one inch in diameter, and that separate curb stops and boxes, and separate meters are installed.

(c) The Director of Public Service shall review these permit fees annually and submit a written report to Council, recommending that this fee either be maintained or modified. (Ord. 0269-2009. Passed 12-7-09.)

929.03 WATER TAP CHARGE.

(a) The Division of Water shall maintain the water tap which shall remain the property of the City. The tap charges shall be paid in advance as follows:

DIAMETER OF TAP (in inches)	TAP CHARGE (effective January 1, 2006)
0.75 or less	\$ 770.00
1.00	900.00
1.50	1,155.00
2.00	1,540.00

(b) The water tap charges, set forth above, shall be reviewed each year by the Director of Public Service, who shall submit a written report to Council, recommending needed adjustments based upon actual cost.

(c) All water taps in subdivisions or developments must be installed at the time the water mains are installed.

(d) Every property owner shall be required to install a tap for each lot or parcel immediately prior to the paving of any street when ordered by the Director.

(e) Taps may be installed by a qualified contractor upon issuance of a permit by the Division of Water. Such installation must conform to the standards and specifications of the Division and must be approved by the Division.

(f) Before issuing any permit to tap, as set forth in this chapter, a charge of thirty dollars (\$30.00) per front foot of the property to be served shall be made and collected, provided that such property has not been specially assessed for the cost of construction of the water main to be tapped, or provided that such water main is not constructed under a private water line agreement. Lots or parcels of ground which have the same width at the front and rear, and the same depth on each side shall be charged on the basis of actual frontage, except where the depth of such lot or parcel of ground abuts on a street or other public way and the owner elects to construct a building fronting on the street or public way abutting such depth, the fee shall be exacted for such depth.

(g) Amounts collected for front footage shall be credited to the Water System Capital Improvements Fund.

(h) The Director shall review these water tap charges and front footage fees annually and submit a written report to Council, recommending that these fees either be maintained or modified. (Ord. 0269-2009. Passed 12-7-09.)

929.04 WATER MAIN EXTENSION.

The Director of Public Service is authorized to provide water service to new consumers when he determines that the water main extension is feasible both economically and from an engineering point of view and will not be detrimental to the best interest of the City having given consideration to the overall effect on the total water system and to the long term plans and probable future growth of the water system of the City.
(Ord. 0269-2009. Passed 12-7-09.)

929.05 CHARGE FOR EXTENSION OF WATER MAINS.

(a) All water main extensions in the City shall be paid for by the applicants or developer requesting such extension. Water main extensions will be of the same diameter as the existing main being extended unless otherwise required by the City.

(b) The Director of Public Service shall determine from the Division of Water records, or other sources, the cost of the pipe, fittings and valves and this determination shall be final.

(c) The Director of Public Service may authorize water main extensions to be installed by a qualified developer and he shall determine whether the water main shall be installed by the City or by the applicant or developer.

(d) For each water main extension requested and installed by the City, the Division of Water shall make an estimate of the total costs involved and the applicants or developer shall make a deposit to the City that is sufficient to cover the estimated cost of the water main extension. If the actual cost of the extension is higher or lower than the deposit, the applicants or developer will be refunded the amount of any excess deposit or shall pay the City any deficit that may exist in the deposit, as the case may be.

(e) When water main extensions are installed by the City, the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the line is required by the City to be larger than eight inches. When the water main is required by the City to be installed larger than eight inches, the amount assessed shall be the total installation cost less 110 percent of the difference in the cost of the pipes, fittings and valves between the installation of an eight-inch water main and the water main installed. The costs shall be determined as prescribed in subsection (b) hereof.

(f) The specifications and standards of construction for all water main extensions shall be prepared by the City Engineer. Plans and installation shall be subject to approval of the Division.

(g) The size of all water mains shall be determined by the Director of Public Service and shall be large enough not only to serve the areas under immediate consideration but also to serve areas which are likely to be developed and which should be served by the water main under consideration. Unless otherwise required by the Director of Public Service, no water main shall be smaller than eight inches nominal diameter.

(h) All extensions of water mains shall include the installation of all taps, valves and fire hydrants. The number and location of fire hydrants shall be in accordance with the requirements of the City. The number and location of all taps and valves shall be as required by the Director of Public Service.

(i) All water mains and appurtenances shall be owned, operated and maintained by the City, with title to be vested in the City upon completion of the water main.

(j) No water mains shall be installed except by the City, unless authorized by an agreement between the City and the developer or applicants. Where water mains are installed by a developer or applicant and abut on parcels not owned by the developer or applicant not included in the agreement, the developer or applicant shall be entitled to reimbursement when such parcels are connected to the water main within ten years after the completion of the water main from the funds collected by the City for such connections pursuant to Section 929.03(f).

(k) To be eligible for this reimbursement, the developer or applicant must file with the Division of Water within ninety days after the completion of the water main or such further time as may be authorized by the Director of Public Service in accordance with the standards and specifications, receipts for all labor and material used in connection with the construction of the water main, together with final, as-built plans, properly referenced for future location of the work. (Ord. 0269-2009. Passed 12-7-09.)

929.06 INSTALLER'S PERMIT.

Any person, firm or corporation desiring to engage in the business of installing water service connections shall make application to the Department of Public Service **and Engineering** for an installer's permit, as set forth in Section 921.06. The permit issued under such section shall authorize the person to whom granted to install both sewer and water service connections. All pertinent parts of Section 921.06 are incorporated by reference in this section, as if fully written herein. (Ord. 0269-2009. Passed 12-7-09.)

929.07 INSPECTIONS.

Each water service connection must be inspected, in its entirety and before being backfilled, by a duly authorized representative of the Department of Public Service **and Engineering**, serving as Water Inspector. Twenty-four hours notice must be given the Department before starting construction of the water service connection. The water service connection must be constructed in accordance with the City specifications. (Ord. 0269-2009. Passed 12-7-09.)

929.08 METER SERVICE FEE.

(a) When a permit is issued for a service connection or a change in meter size, the meter shall be installed by the City, and a fee equal to the cost of the meter and remote plus ten percent (10%) shall be paid.

(b) Where the meter is one and one-half inches or larger in nominal diameter, the fee shall be equal to the cost of the meter and remote plus ten percent (10%) with installation of meter to be made by the applicant under the inspection and approval of the Division of Water. Remote reading devices will be required on all meters and installed by the Division.

(c) After the meter is procured and before the curb stop is opened, the meter shall be set and installed in an easily-accessible position in a manner approved by the City, and shall not thereafter be moved, removed or otherwise tampered with, except upon express written approval of a duly authorized agent of the City.

(d) The meter service fee as set forth, shall be reviewed each year by the Director of Public Service, who shall recommend to Council any needed adjustments based upon actual cost.

(e) All water meters exclusive of deducting meters, shall be maintained by and remain the property of the City.

(f) The installation of a meter transceiving unit will be required where such readers are deemed necessary by the Director of Public Service.

(g) Sewer adjustment meters for the purpose of deducting water not entering the sanitary sewer system from the sewer portion of the bill shall be permitted. Such meters **may**

SHALL be purchased from the City **AT A RATE OF COST PLUS 10%. ADDITIONALLY, A TRANSMITTER SHALL BE PURCHASED FROM THE CITY AT A RATE OF COST PLUS 10%.** All deducting meters must meet the specifications established by the City and shall be owned and maintained by the property owner. The meters shall be installed in such manner as to register water that does not enter the sanitary sewer system in any way. Such installation shall meet with the standards of the Division of Water and Sewer and shall be inspected by its representative upon completion. Sewer adjustment credits will only be allowed after inspection and approval of the meter by the City. Any usage from the date of installation to the date of inspection and approval will not be subject to a reduction. The fee for said inspection shall be forty dollars (\$40.00). (Ord. 0269-2009. Passed 12-7-09.)

929.09 MATERIALS AND CONSTRUCTION.

All material used and work performed in making water service connections must conform with regulations and standard drawings approved by the City Engineer and issued by the Department of Public Service ~~and Engineering~~. Substitutions shall not be made without the specific written approval of the Director of Public Service. (Ord. 0269-2009. Passed 12-7-09.)

929.10 GENERAL PROVISIONS.

(a) It shall be the responsibility of the owner to properly install the water service connection. Inspection shall not, in any way, relieve the owner of maintaining, operating and repairing the connection, nor shall the City or its agents or employees be liable for any damage arising from the installation or use of the water service connection.

(b) The owner shall maintain the service pipe from the curb stop to the meter, ~~and~~ the meter **AND TRANSMITTER** in good condition and shall permit inspection and testing of the same at any reasonable time by a duly authorized representative of the Division of Water. In the event such service pipe is determined to be defective and leaking, service may be discontinued immediately until repair or replacement of such pipe is made.

(c) Within fifteen days after inspection by the agent of the City, the stone, brick, earth, concrete, asphalt or other material which may have been excavated or disturbed, shall be replaced by the water installer as nearly as possible to the same condition in which it was found. All rubbish and excess material shall be immediately removed, and the restored area shall be maintained by the water installer until all possible trench settlement has taken place.

(d) The water installer shall use care not to injure or break any other pipe, drain tile or conduit encountered during construction. In case any such pipes, conduit or tiles are damaged, they shall be restored or replaced in as good condition as originally found, at the expense of the water installer.

(e) The owner and the water installer shall at all times have the sole responsibility of protecting each opening or excavation made by the installer in the public streets, roads or alleys, with sufficient barriers and caution lights to effectually guard the public from accidents and damages.

(f) Plumbing for all buildings having water service connections to the water system shall be installed strictly in accordance with the City and State Building Codes. (Ord. 0269-2009. Passed 12-7-09.)

929.11 PROHIBITIONS.

(a) Except as otherwise provided herein, no person, group of persons, firm or corporation shall connect or cause to be connected to the water system any pipe, hose, conduit or fixture for the purpose of using water from the system without the use of a properly installed and approved meter. All water so used for any purpose whatsoever shall be billed at the rate

hereinafter established. Failure to comply with this regulation in all respects shall subject the violator to loss of water service and other penalties prescribed herein.

(b) No cross connections shall be installed or maintained between the water system and any private water supply. Any premises using both the water system and a private water supply shall be subject to periodic inspection to ascertain whether or not such cross connections are being or have been maintained.

(c) No person, other than the Director of Public Service or his authorized agent, shall operate, manipulate or tamper with any fixture of the water system.

(d) No persons shall install a private water supply system for domestic use within the City, except where the City water system is not available. All existing buildings, other than residential, accessible to the water system, upon recommendation of the Director of Public Service, shall be required to connect to the City water system, and have the private water supply disconnected from the City water system in such building. All existing residential buildings shall be exempted from the requirements of this section for so long as the existing private water supply is safe and potable and in sufficient quantity to meet the reasonable needs of the residents without supplementation. (Ord. 0269-2009. Passed 12-7-09.)

929.12 WATER RATES.

(a) The following rates shall apply to water service within the City:

(1) The rates for water supplied through meters to consumers within the corporate limits shall be as shown below:

EFFECTIVE DATE	BASE RATE PER THOUSAND GALLONS	PLUS CAPITAL IMPROVEMENT	BILLING RATE PER THOUSAND GALLONS
JANUARY 1, 2009	4.29	.29	4.58
JANUARY 1, 2010	5.56	.54	6.10
JANUARY 1, 2011	5.84	.59	6.43

(2) Minimum base rate water charges per quarter.

EFFECTIVE DATE

Meter Diameter (inches)	2009 <u>January 1</u>	2010 <u>January 1</u>		2011 <u>JANUARY 1</u>
Less than 3	\$16.74	\$13.74	\$ 18.30	\$ 19.29
3	63.60	63.60	\$ 84.72	\$ 89.29
4	130.54	130.54	\$173.88	\$183.27
6	183.17	197.14	\$262.59	\$276.77
8	264.73	264.73	\$352.62	\$371.66

(b) The City of Gahanna adopts the Columbus Low Income Discount Program and the Director of Public Service is authorized to create regulations for administering said program. So long as the City of Columbus offers the Low Income Discount Program, or similar programs, to master meter communities, the City of Gahanna may offer the program to its qualified users.

(c) The Water Improvement Fund Number 1, created pursuant to Ordinance No. 48-63, shall be used for the retirement of bonds and notes issued for the purpose of financing water system capital improvements, and no moneys therein shall be used for any other purpose until and unless the Finance Director of the City of Gahanna certifies that there are sufficient moneys within the fund to make all payments necessary to retire the bonds and notes. In the event the Finance Director so certifies, then the excess funds may be used for capital improvements and maintenance of the water system.

Once the Finance Director certifies that bonds and notes have been retired, the remaining moneys within the fund, if any, shall be transferred to the General Water Fund.

(d) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the Director of Public Service. The quarter bill, including all penalties, shall be due and payable thirty days from the date of mailing. A ten percent (10%) penalty shall be assessed to all accounts paying after the due date. A final notice granting an additional fourteen days before discontinuance of service shall be mailed to those accounts not paid in the thirty day period.

(e) Bills shall be sent on a time schedule to be determined by the Director of Public Service, but no less frequently than a quarterly basis to the address given by the owner, who shall be responsible for promptly notifying the Division of Water of any change of address, and no consideration shall be given for failure to so do.

(f) The Director of Public Service shall review these water rates annually and shall submit a written report to Council, recommending either that this rate schedule be maintained or modified. (Ord. 0269-2009. Passed 12-7-09.)

929.13 UNPAID BILLS

EACH WATER CHARGE RENDERED UNDER OR PURSUANT TO THIS CHAPTER IS HEREBY MADE A LIEN UPON THE CORRESPONDING LOT, PARCEL OF LAND, BUILDING OR PREMISES SERVED BY A CONNECTION TO THE WATER SYSTEM OF THE CITY. IF THE SAME IS NOT PAID WITHIN SIXTY (60) DAYS AFTER SAID WATER CHARGE BECOMES DUE AND PAYABLE, IN ADDITION TO ANY OTHER REMEDIES AVAILABLE TO THE CITY, SAID WATER CHARGE MAY BE CERTIFIED TO THE AUDITOR OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED, WHO SHALL PLACE THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE OF THE PROPERTY SERVED BY THE CONNECTION. CERTIFIED AMOUNT TO INCLUDE THE INTEREST AND PENALTIES ALLOWED BY LAW AND SHALL BE COLLECTED AS OTHER TAXES ARE COLLECTED.

~~Each water charge made under or pursuant to this chapter, or amendments thereto, is hereby made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the City water system.~~ It shall be a buyer and seller responsibility, where property is sold, to assure that a final reading of water consumption is made and provisions agreed to for payment; otherwise, the responsibility for payment for any water usage whatsoever shall ~~be the~~ **RESIDE WITH THE** current owners of such property ~~responsibility~~. (Ord. 0269-2009. Passed 12-7-09.)

929.14 SYSTEM CAPACITY RATES.

(a) The following rates shall be charged for each service connection made to any property and shall be paid at the time a permit is issued for the service connection. No person shall make a service connection or any part thereof, unless he has been issued a permit by the Director of Public Service. In the event a tap is subsequently enlarged, the difference between the charges for the two sizes shall be paid:

Tap Diameter (Inches)	Effective Date <u>January 1, 2006</u>
0.75	\$ 1,593
1.00	3,312
1.50	8,568
2.00	14,699
3.00	30,624
4.00	47,775
6.00	108,529
8.00	191,100

(b) For all taps used to supply fire protection only, the rate shall be one-half the rate specified in this section.

(c) The Director of Public Service shall review these system capacity rates annually and submit a written report to Council, recommending either that this rate schedule be maintained or modified. (Ord. 0269-2009. Passed 12-7-09.)

929.15 PRIVATE FIRE PROTECTION SERVICE.

(a) For all fire protection service installations made after the effective date of Ordinance 70-73, requiring a separate fire service line, the consumer shall install at his expense, subject to the inspection and approval of the Division of Water, all of the piping system necessary to extend from the consumer's system and connect to the City's existing water main.

(b) All separate fire service lines shall have installed, before service is established, an approved meter installation. Such meter and the installation shall meet the specifications and approval of the Division and the entire installation shall be at the expense of the consumer. The applicable rates as prescribed in Section 929.12 shall be paid for metered fire service lines.

(c) The City reserves the right to order the installation of a meter on an existing fire protection line upon violation of applicable ordinances and the rules and regulations of the Director of Public Service.

(d) No charge except the minimum charge will be made for any measured water flow resulting from the use of water for fire fighting purposes when such fire has been reported to the fire department serving the area involved.

(e) Where an unmetered tap for a fire service line exists, the following charge shall be paid in lieu of the minimum charges per quarter prescribed:

Fire Tap Diameter (Inches)	Charge per <u>Quarter</u>
4	\$ 95
6	192
8	287
10	387

(f) When a property is served with both an unmetered fire protection service and water service, the amount to be paid for the combined service shall be the charge computed by using the applicable commodity rate established in Section 929.12 or the minimum fire protection charge established in this section, whichever is larger.

(g) When a property is served by more than one fire protection service and such service provides water to a common interconnected fire protection system, the services shall be

considered a single fire protection service with the rates or charges to be based on the largest tap or meter.

(h) When a property is served with one or more fire protection services and one or more water services, the owner or contract holder may notify the Division at the time of application for service or as of January 1, of each year, which commodity service shall be combined with which of the fire protection services for billing purposes. In the event no such notice is received, the Division shall make such determination.

(i) All outlets, except sprinkler heads, on unmetered fire protection service shall be sealed under the supervision of the Division. No person shall break a seal, or withdraw water from any unmetered fire protection system, except in the case of fire, without prior approval of the Director of Public Service.

(j) The Director of Public Service shall review these water rates annually and submit a written report to Council, recommending either that this rate schedule be maintained or modified. (Ord. 0269-2009. Passed 12-7-09.)

929.16 SEPARABILITY OF PROVISIONS.

Each section and each part of each section of this chapter is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

It is hereby declared to be the legislative intent that these sections or parts of sections would have been adopted independently of such sections or parts of a section so held to be invalid. (Ord. 0269-2009. Passed 12-7-09.)

929.17 SPECIAL CHARGES.

The following charges shall be paid for the specified special services furnished by the City:

- | | |
|--|---|
| (A) TRIP TO PLACE DOOR HANGER
NOTIFYING OF TURN OFF IF ACCOUNT
NOT PAID: | \$ 12.00 |
| (a) (B) Trip to turn off service for
nonpayment of account during
regular work hours: | \$ 36.00 |
| (b) (C) Trip to turn on service after
turn-off for nonpayment during
regular work hours: | 36.00 |
| (e) (D) Trip to turn on or off service
at curb box at request of customer
after regular working hours: | 125.00 |
| (d) (E) Trip to service meter damaged by
negligence, vandalism, freezing,
or hot water OR TO SERVICE
TRANSMITTER DUE TO NEGLIGENCE
OR VANDALISM | 50.00
plus cost to repair or replace. |
| (e) (F) Trip to turn off service as a
result of fraud or illegal diversion
of water, including unauthorized turn
on of water or other violation of the
rules and regulations of the Director
of Public Service: | 250.00 |

(f) (G) Testing of meter at the request of consumer:

- | | | |
|-----|--|-------|
| (1) | Where meter tests Outside the American Water Works Association Standard, which is 98.5% to 101.5%: | None |
| (2) | Where meter tests within The American Water Works Association Standard, which is 98.5% to 101.5%: | 80.00 |
| (3) | Where meter is two inches or larger in diameter, the meter shall be removed, transported to and from the meter shop, and reinstalled by the consumer, with permission, under the inspection and approval of the Division of Water: | 75.00 |
- plus actual cost to test, repair or replace.
(g) (H) Permit to use water from fire hydrant: 25.00
plus water used, charged at regular rate plus 15%.

(h) The Director of Public Service shall review these water rates annually and submit a written report to Council, recommending either that this rate schedule be maintained or modified. (Ord. 0269-2009. Passed 12-7-09.)

929.18 CHARGE FOR RENEWAL OF SERVICE.

In all cases where the Director of Public Service has ordered a discontinuance of water service for a violation of any rule or regulation there shall be charged the fees prescribed in Section 929.17 for renewal of the water service. (Ord. 0269-2009. Passed 12-7-09.)

929.19 PARTIAL PAYMENT.

Partial payments may be accepted. In accepting such partial payments, the amount owing shall be considered delinquent and the moneys paid shall be applied in the following order:

- (a) Refuse;
- (b) Penalty/miscellaneous;
- (c) Storm water management;
- (d) Sewer improvement;
- (e) Water improvement;
- (f) Columbus consent order;
- (g) Sewer; and
- (h) Water.

(Ord. 0269-2009. Passed 12-7-09.)

929.99 VIOLATIONS.

~~Any person, or any officer of any firm or corporation who violates any provision of this chapter shall be fined two hundred fifty dollars (\$250.00).~~
(Ord. 0269-2009. Passed 12-7-09.)

ANY PERSON VIOLATING ANY PROVISION OF THIS CHAPTER SHALL BE CHARGED WITH A MINOR MISDEMEANOR ON THE FIRST OFFENSE AND FOR EACH SUBSEQUENT OFFENSE SHALL BE CHARGED WITH A MISDEMEANOR OF THE FOURTH DEGREE.