

PART NINE - STREETS AND PUBLIC SERVICES CODE
TITLE THREE Public Utilities

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CHAPTER 919 Water and Sewer Internal Review Board¹

Sections:

919.01 ORGANIZATION.

There is hereby created a Water and Sewer Internal Review Board which shall be organized by the ~~Mayor or designee Director of Public Service and Engineering~~, who shall serve as Chairman, and shall consist of two additional members to be appointed by the Chairman.

(Ord. 0262-2004. Passed 12-6-04; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18)

919.02 JURISDICTION.

The Water and Sewer Internal Review Board shall have the power to hear and decide appeals for the waiver of penalties on water, sanitary sewer and storm sewer bills, adjustments on water, sanitary sewer, and storm sewer bills and to review any complaints or problems which cannot be resolved at division or departmental levels.

(Ord. 0262-2004. Passed 12-6-04.)

919.03 APPEAL REVIEW PROCEDURE.

- (a) In order to have an appeal or complaint reviewed by the Water and Sewer Internal Review Board, a request shall be submitted to the Board stating the name, address, account number, ~~and the nature and reason of the appeal, the nature of the appeal and the reason~~. Such request shall be submitted on a form furnished by the Department of Public Service ~~and Engineering~~. Forms for appeals or complaints can be acquired from the Utility Billing office.
- (b) Each appeal or complaint received by the Water and Sewer Internal Review Board shall be acted upon by the Board within 90 days of receipt of the request or at the next meeting of the Board, ~~whichever occurs comes~~ first. The Board may reach a decision by reviewing the appeal and the data provided by the Utility Billing Division. The Board may require the applicant to attend the ~~hearing, meeting when the appeal is considered; attendance may be~~ in person or telephonically ~~at the discretion of the Board. Person or persons making such appeal or complaint. The applicant upon written request to the Board,~~ may attend ~~the meeting,~~ either in-person or telephonically, ~~the meeting of the Water and Sewer Internal Review Board, upon written request.~~ If the Board requires the applicant to attend, the applicant's failure to attend without reasonable prior notification will result in a waiver of their claim.
- (c) Meetings of the Water and Sewer Internal Review Board shall be held at the call of the Chairman and at such other times the Board may determine.

¹Cross reference(s)—Department of Public Service and Engineering - see ADM. Ch. 135; Sewer rental rates - see S. & P.S. Ch. 921; Water rates - see S. & P. S. Ch. 929.

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- (d) Notifications shall be made to ~~the applicant person or persons making such appeal or complaint~~ at least five ~~business~~ days prior to Board review, when the applicant requests to appear, or when required to appear in person or telephonically.

(Ord. 0157-2014. Passed 11-17-14; Ord. No. 0114-2016, Exh. A, 11-21-16; Ord. No. 109-2020, § 1(Exh. A), 11-17-20)

919.04 LIMITATIONS.

- (a) Waiver of penalty charge may be granted by the Water and Sewer Internal Review Board if, ~~in the Board's opinion at the Board's discretion~~, such waiver is deemed ~~to be~~ appropriate and justified, ~~but not more than one time for any one property owner/tenant per address.~~
- (b) The Water and Sewer Internal Review Board may grant adjustments to water and sewer bills if, ~~in the Board's opinion at the Board's discretion~~, such adjustments are appropriate and justified.
- (c) Adjustments will not be made further than one calendar year from the date of the applicant's appeal form.

(Ord. 0157-2014. Passed 11-17-14.)

919.05 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. 0157-2014. Passed 11-17-14.)

919.06 REPORT TO COUNCIL.

The Water and Sewer Internal Review Board shall submit a written report to Council on or before December 31 of each year or at the request of Council, stating the following information: name and address of person or persons filing, nature of appeal or complaint, decision rendered by the Water and Sewer Internal Review Board, and the total amount of adjustments granted in each case.

(Ord. 0157-2014. Passed 11-17-14.)

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PART NINE - STREETS AND PUBLIC SERVICES CODE
 TITLE THREE - Public Utilities
 CHAPTER 921 Sanitary Sewer Connections and Rental Rates

CHAPTER 921 Sanitary Sewer Connections and Rental Rates²

Sections:

921.11 SEWER RENTAL RATES.

- (a) All lots and land served by the sanitary sewer system shall be charged rental at the following rate, as recommended by the sewer rate study, with the table modified to include the surcharge in the basic rates as shown in the following tables:

SEWER RENTAL TABLE (IN USD)

| Effective Date | Base Rate Charge Per 1,000 Gallons Water | Capital Improvement Fund Per 1,000 Gallons | Total Base Charge Per 1,000 Gallons | Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU) | Total Charge Calculation Formula |
|---|--|--|--------------------------------------|---|--|
| January 1, 2023 <u>2024</u> | \$9.18 | \$0.94 <u>\$1.53</u> | \$10.12 <u>\$10.71</u> | \$3.38 <u>\$3.55</u> /Month/ERU | Total Base Charge Per 1,000 Gallons Plus \$3.38 <u>\$3.55</u> /Month/ERU For Columbus Surcharge |
| January 1, 2024 <u>2025</u> | \$9.18 <u>\$10.28</u> | \$1.53 | \$10.71 <u>\$11.81</u> | \$3.55 <u>\$3.73</u> /Month/ERU | Total Base Charge Per 1,000 Gallons Plus \$3.55 <u>\$3.73</u> /Month/ERU For Columbus Surcharge |

- (1) Minimum base rate sewer rental charges per month (in USD).

| Meter Diameter (inches) | Minimum Gallons Billed | Base Total Fee 2024-2025 January 1 | Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU) 2024-2025 January 1 |
|-------------------------|------------------------|---|--|
| | | | |

²Cross reference(s)—Power to license sewer tappers and vault cleaners - see Ohio R.C. 715.27; Compulsory sewer connections - see Ohio R.C. 729.06; Sewerage rates - see Ohio R.C. 729.49, 729.52; Management and control of sewerage system - see Ohio R.C. 729.50.

| | | | |
|-------------|--------|-------------------------------------|---------------------------------|
| Less than 3 | 1,000 | \$10.71 <u>\$11.81</u> | \$3.55 <u>\$3.73</u> |
| 3 | 6,000 | \$64.26 <u>\$70.86</u> | \$3.55 <u>\$3.73</u> |
| 4 | 8,000 | \$85.68 <u>\$94.48</u> | \$3.55 <u>\$3.73</u> |
| 6 | 12,000 | \$128.52 <u>\$141.72</u> | \$3.55 <u>\$3.73</u> |
| 8 | 16,000 | \$171.36 <u>\$188.96</u> | \$3.55 <u>\$3.73</u> |
| 10 | 20,000 | \$214.20 <u>\$236.20</u> | \$3.55 <u>\$3.73</u> |

- (b) The City of Gahanna adopts the Columbus Low Income Discount Program and the Director 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) Additional billing charges may be incurred due to industrial use classification changes, which shall be charged to the individual customer(s) affected in accordance with the industrial user class charges established in Columbus City Code, Section 1147.08.
- (d) Billing periods may consist of Monthly or Quarterly time periods, as determined by the Director of Public Service.
 - (a) The monthly bill, including all penalties, shall be due and payable 28 days from the date of mailing. A delinquent notice granting an additional 21 days before discontinuance of service shall be mailed to those accounts not paid in the 28-day period. A ten percent penalty shall be assessed to all accounts paying after the due date. The Director or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.
 - (b) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the Director. The quarter bill, including all penalties, shall be due and payable 30 days from the date of mailing. A ten percent penalty shall be assessed to all accounts paying after the due date. A delinquent notice granting an additional 21 days before discontinuance of service shall be mailed to those accounts not paid in the 30-day period. Billing periods may also consist of monthly time periods. A ten percent penalty shall be assessed to all accounts paying after the due date.The Director or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.
- (e) Final bills shall be due and payable within 14 days from the date of mailing.
- (f) Bills shall be sent on a time schedule to be determined by the Director, to the address given by the owner. The owner shall be responsible for promptly notifying the City of Gahanna of any change of address and no consideration shall be given for failure to do so.
- (g) Any property owner who uses or intends to use the City of Gahanna sanitary sewer system, but does not use the water system of such City of Gahanna, shall be required to purchase a water meter from the City of Gahanna and install the same on the private water system line, in order to determine the proper sewer rental charges to be assessed. The owner shall permit inspection and testing of this meter at any reasonable time by a duly authorized representative of the City of Gahanna and shall keep the meter and transmitter in good operating condition.
- (h) The Sanitary Sewer Capital Improvement Fund shall be used for the payment of bonds and notes issued for the purpose of financing sewer system capital improvements, and no moneys therein shall be used for any other purpose until and unless the Director of Finance of the City of Gahanna certifies that there are sufficient moneys within the Fund to make all payments necessary to pay the bonds and notes. In the event the Director of Finance so certifies, then the excess funds may be used for capital improvements and maintenance of the sewer system.

- (i) The sewer surcharge for City of Columbus consent order projects is mandated to address wet weather issues caused by rain and snow melt overwhelming the sanitary sewer system through inflow and infiltration.

(Ord. 0158-2014, Passed 11-17-14; Ord. No. 0124-2015, § 1(Exh. A), 12-7-15; Ord. No. 0115-2016, Exh. A, 11-21-16; Ord. No. 0080-2017, § 1(Exh. A), 11-20-17; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18; Ord. No. 0109-2019, § 1(Exh. A), 11-18-19; Ord. No. 110-2020, § 1(Exh. A), 11-17-20; Ord. No. 0070-2021, § 1(Exh. A), 11-15-21; Ord. No. 0069-2022, 12-5-22; Ord. No. ORD-0081-2023, § 1(Exh. A), 12-4-23)

CHAPTER 927 Storm Sewers³

927.17 CLASSIFICATION OF PROPERTY AND ERU ASSIGNMENT AND RATE.

All properties having impervious area within the City of Gahanna shall be assigned an equivalent residential unit (ERU) or a multiple thereof, which will be at a minimum one ERU. There shall be two classifications of property for determination of the stormwater management service charge-variable charge:

- (a) *Class R.* Single family residential properties assigned one ERU. The annual stormwater management service charge for Class R lot(s) shall be in accordance with the following schedule:

Beginning January 1, ~~2025~~~~2020~~: Class R: ~~\$5.14~~~~\$4.72~~ per month less any applicable credits.

- (b) *Class C.* All properties having an impervious area which are not single-family residential properties assigned by the Director an ERU multiple based upon the properties estimated impervious area (in square feet) divided by ~~3964~~~~2000~~ square feet (one ERU) calculated to the second decimal place. The annual stormwater management charge for Class C lots and parcels shall be calculated as follows:

Beginning January 1, ~~2020~~~~2025~~: Class C: ~~\$4.72~~~~\$5.14~~ per month less any applicable credits.

- (c) Billing periods may consist of Monthly or Quarterly time periods, as determined by the Director of Public Service.

(i) The monthly bill, including all penalties, shall be due and payable 28 days from the date of mailing. A delinquent notice granting an additional 21 days before discontinuance of service shall be mailed to those accounts not paid in the 28-day period. A ten percent penalty shall be assessed to all accounts paying after the due date. The Director or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.

(ii) 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 30 days from the date of mailing. ~~Billing periods may also consist of monthly time periods.~~ A ten percent penalty shall be assessed to all accounts paying after the due date. The Director of Public Service or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.

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³Cross reference(s)—Untreated sewage - see Ohio R.C. 3701.59; Interference with sewage flow - see Ohio R.C. 4933.24; Sewer connections and rental rates - see S. & P. S. Ch. 921; Surface water discharge - see S.U. & P.S. Ch. 925

(Ord. 0161-2014, Passed 11-17-14; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18; Ord. No. 0109-2019, § 1(Exh. A), 11-18-19; Ord. No. 0070-2021, § 1(Exh. A), 11-15-21; Ord. No. ORD-0081-2023, § 1(Exh. A), 12-4-23)

927.21 APPEALS BOARD.

- (a) The Water and Sewer Internal Review Board may serve as the Appeals Board to hear and determine any appeal filed ~~under Section 927.22. See Chapter 919 – Water and Sewer Internal Review Board.~~
- (b) ~~The Appeals Board shall, in harmony with the general purpose of this chapter and to secure the public health, safety and welfare, have the power to affirm, modify or revoke any notice or order and may grant an extension of time for the performance of any act required by this chapter where there is practical difficulty or undue hardship connected with the performance of such notice or order, and its decision shall be final.~~

~~(Ord. 0161-2014, Passed 11-17-14.)~~

~~927.22 APPEALS:~~

~~Any owner may appeal decisions or interpretations of the Director or the Director's designee, issued in connection with the enforcement of any provisions of this chapter provided that such owner shall file in the office of the Director a written request to the Appeals Board as provided below.~~

- (a) ~~The Director shall upon receipt of a request set a time and place for a public hearing and shall give the owner written notice thereof. At the hearing, the owner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified.~~

~~After a hearing, the Appeals Board shall sustain, modify or deny any item appealed by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the owner and the Director shall be notified in writing of such findings.~~

~~The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the Director. The record shall also include a copy of every notice or order issued in connection with the matter.~~

- (b) ~~The failure of the owner or his representative to appear and state his case at any hearing shall constitute a denial of the appeal.~~
- (c) ~~Filing fees as required shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal.~~

~~(Ord. 0161-2014, Passed 11-17-14.)~~

~~927.23 CONTENTS OF APPEAL REQUEST.~~

~~The owner shall set forth in the request for appeal, the interpretation, ruling or order appealed from, and the related provisions of this chapter or related laws or ordinances, and shall state wherein the interpretation, ruling, or order is erroneous.~~

~~Requests to the Appeals Board, in appeals filed in accordance with Section 927.22(a), may only be based on whatever the interpretation, ruling or order is erroneous or constitutes an erroneous application of the particular provisions of this chapter or other related laws or ordinances pertaining to stormwater management and finance, or is otherwise contrary to law.~~

~~(Ord. 0161-2014, Passed 11-17-14.)~~

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CHAPTER 929 Water Connections and Rates⁴

Sections:

929.12 WATER RATES (IN USD).

(a) The following rates (in USD) shall apply to water service within the City of Gahanna:

| Effective Date | Base Rate Per Thousand Gallons | Plus Capital Improvement Per Thousand Gallons | Billing Rate Per Thousand Gallons |
|-------------------------------|-----------------------------------|---|--------------------------------------|
| January 1, 202 4 3 | \$9.65 \$9.19 | \$0.36 \$1.08 | \$9.55 \$10.73 |
| January 1, 202 5 4 | \$ 9.65 | \$ 1.08 | \$10.73 |

(1) ~~(1)~~—The "billing rate per thousand gallons" in the above table shall be applied to the first three million gallons of water purchased per user per month. Quantities beyond three million gallons purchased per user per month shall be charged ~~an amount equal to the supply cost in accordance with the table below:~~

| <u>Effective Date</u> | <u>Base Rate Per Thousand Gallons</u> | <u>Plus Capital Improvement Per Thousand Gallons</u> | <u>Billing Rate Per Thousand Gallons</u> |
|------------------------|---|--|--|
| <u>January 1, 2025</u> | <u>\$5.89</u> | <u>\$1.08</u> | <u>\$6.97</u> |

(2) Minimum base rate domestic water charges per month (in USD).

| Meter Diameter (inches) | Minimum Gallons Billed | 202 5 4 January 1 | |
|----------------------------|---------------------------|------------------------------|--|
| Less than 3 | 1,000 | \$ 10.73 | |
| 3 | 6,000 | \$ 64.38 | |
| 4 | 8,000 | \$ 85.84 | |
| 6 | 12,000 | \$ 128.76 | |
| 8 | 16,000 | \$ 171.68 | |
| 10 | 20,000 | \$ 214.60 | |

(b) The City of Gahanna adopts the Columbus Low Income Discount Program and the Director 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 Capital Improvement Fund shall be used for the payment 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 pay 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.
- (d) Billing periods may consist of Monthly or Quarterly time periods, as determined by the Director of Public Service.
 - (a) The monthly bill, including all penalties, shall be due and payable 28 days from the date of mailing. A delinquent notice granting an additional 21 days before discontinuance of service shall be mailed to those accounts not paid in the 28-day period. A ten percent penalty shall be assessed to all accounts paying after the due date. The Director or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.
 - (b) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the Director. The quarter bill, including all penalties, shall be due and payable 30 days from the date of mailing. A ten percent penalty shall be assessed to all accounts paying after the due date. A delinquent notice granting an additional 21 days before discontinuance of service shall be mailed to those accounts not paid in the 30-day period. Billing periods may also consist of monthly time periods. A ten percent penalty shall be assessed to all accounts paying after the due date. The Director or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.
- (e) Final bills shall be due and payable within 14 days from the date of mailing.
- (f) Bills shall be sent on a time schedule to be determined by the Director of Public Service 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 do so.
- (g) The Director 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. 0159-2014, Passed 11-17-14; Ord. No. 0125-2015, § 1(Exh. A), 12-7-15; Ord. No. 0116-2016, Exh. A, 11-21-16; Ord. No. 0083, § 1(Exh. A), 11-20-17; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18; Ord. No. 0109-2019, § 1(Exh. A), 11-18-19; Ord. No. 111-2020, § 1(Exh. A), 11-17-20; Ord. No. 0070-2021, § 1(Exh. A), 11-15-21; Ord. No. 0069-2022, 12-5-22; Ord. No. ORD-0081-2023, § 1(Exh. A), 12-4-23)

CHAPTER 933 - Backflow Prevention

933.06 WHERE PROTECTION IS REQUIRED.

- (a) An approved backflow prevention device shall be installed on each service line to a consumer's water system, where in the ~~judgment~~judgment of the Water Resources Engineer, ~~a pollitional, system, health or severe health hazard to the public water system exists and the source is approved by the Director of the Ohio Environmental Protection Agency;~~

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(b) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where any of the following conditions exist:

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- (1) Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Water Resources Engineer and the source is approved by the Director of the Ohio Environmental Protection Agency;
- (2) Premises on which any substance is handled in such fashion as to create an actual or potential hazard to the public potable water system. This shall include premises having sources or systems containing process fluids or waters originating from the public potable water system which are no longer under the sanitary control of the Water Resources Engineer;
- (3) Premises having internal cross-connections that, in the judgment, judgment of the Water Resources Engineer, are not correctable, or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist;
- (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey;
- (5) Premises having a repeated history of cross-connections being established or reestablished;
- (6) Others specified by the Director of the Ohio Environmental Protection Agency.

(c) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Director of the Ohio Environmental Protection Agency determines that no actual or potential hazard to public potable water systems exists:

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- (1) Hospitals, mortuaries, clinics, nursing homes;
- (2) Laboratories;
- (3) Piers, docks, waterfront facilities;
- (4) Sewage treatment plants, sewage pumping stations or stormwater pumping stations;
- (5) Food or beverage processing plants;
- (6) Chemical plants;
- (7) Metal plating industries;
- (8) Petroleum processing or storage plants;
- (9) Radioactive material processing plants or nuclear reactors;
- (10) Carwashes;
- (11) Others specified by the Water Resources Engineer or the Director of the Ohio Environmental Protection Agency.

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(d) An approved backflow prevention device shall be installed at any point of connection between the public potable or consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Water Resources Engineer and the source is approved by the Director of the Ohio Environmental Protection Agency.

(Ord. 0152-2000. Passed 7-17-00.)

CHAPTER 941 - Garbage and Rubbish Collection^[16]

941.16 PAYMENT SCHEDULE.

Each household or the owner or tenant of such household shall pay in installments as determined by the Director of Public Service ~~and Engineering~~ the fees imposed pursuant to Section 941.15. Billings shall be mailed on a schedule to be determined by the Director and may be included as part of the water and sewer billings. The bill, including all penalties shall be due and payable based upon the billing schedule established in 929.12(d) ~~30 days from the date of mailing~~. A ten percent (penalty shall be assessed to all accounts paying after the due date. The Director of Public Service ~~and Engineering~~ or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.

(Ord. 0160-2014. Passed 11-17-14; Ord. No. 0085-2017, § 1(Exh. A), 11-20-17; Ord. No. 0096-2018, § 1(Exh. A), 12-3-18)

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