

UTILITIES DEPARTMENT CITY OF CHILLICOTHE, OHIO

RULES AND REGULATIONS

This set of rules and regulations is intended only as a guide for the City of Chillicothe Utilities Department and its customers and shall not be regarded as all-inclusive. In addition, other Federal or State agencies may have regulations that would supersede those contained herein and which would therefore apply. The City of Chillicothe Utilities Department or City Engineer may be contacted with questions and requests for guidance or interpretation.

APPROVED AS AMENDED THIS ____ DAY OF _____ 20__.

MAYOR

Joseph P. Sulzer

CITY COUNCIL

Cindy Henderson, Member at Large

Dustin Proehl, Member at Large

Napoleon Cross, Member at Large

Thomas E. Trutschel, First Ward

Nancy Ames, Second Ward

Queen Lester, Third Ward

Jean Malone, Fourth Ward

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Robert L. Shoultz, President of Council

John L. Fosson, Clerk of Council

DIRECTOR OF LAW

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Utilities Director

City of Chillicothe, Ohio

EFFECTIVE DATE: April 28, 2008

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PART A – WATER DIVISION

PREAMBLE

This set of rules and regulations is established under the Ohio Revised Code, Section 743.01 through 743.04 and Chapter 6109 - Safe Drinking Water, and Chapter 6111 - Water Pollution and 3745-95 of the Ohio Administrative Code.

The adoption of this set of rules and regulations is to provide for the orderly conduct of the business of the Chillicothe Utilities Department, to prevent the waste of water, to ensure equal treatment of all customers of the Utilities Department, and to protect the public health and safety.

Reasonable diligence and care will be exercised to provide a continuous, uninterrupted, and sufficient supply of water to all customers at a normal pressure and the collection of wastewater from all customers, and to avoid any shortage or interruption in delivery or collection. However, there is neither any expressed or implied guarantee that a continuous supply, fixed pressure, full volume of water, or collection of wastewater will be maintained at all times. Water service and wastewater service are subject to all the variable conditions that could affect the ability of the Chillicothe Utilities Department to maintain normal service.

The following supersedes all previous publications of the Rules and Regulations for the City of Chillicothe Utilities Department.

The hereinafter named Rules and Regulations for the City of Chillicothe Utilities Department shall be considered a part of the contract of every person, company, or corporation that is supplied with water by the Utilities Department of the City of Chillicothe, Ohio, and every such person, company, or corporation, by taking water shall be considered to express his or their consent to be governed thereby. This set of rules and regulations may be altered, amended, or added to at any time, with subsequent changes to take effect at the earliest time permitted by law, unless otherwise specified.

SECTION I - DEFINITIONS

Certain terms and phrases appearing in these Rules and Regulations have specific definitions, which are set forth in the glossary appearing at the end of this document. These definitions shall apply in the interpretation and enforcement of these Rules and Regulations:

SECTION II - INITIATION OF SERVICE

1. Application Required

Application for a new water service tap shall be made at the office of the Engineering Department, 35 South Paint Street, Chillicothe, Ohio, by the property owner, or his duly authorized agent, on forms furnished by the Engineering Department. At this time the Engineering Department will classify the service as Residential, Commercial, or Industrial. Changes to any service or account (including the turn-on, activation of a new service, or reactivation of an existing service) must be made in person by the property owner at the Utility Department Billing Office, 35 South Paint Street, Chillicothe, Ohio. Proof of ownership of the property (such as a copy of the deed for the property) for which a change in service is requested must be supplied at the time of application. Form UD-1 may be completed by the property owner, with a notarized signature, granting authority for another individual to apply for a change in service or account. A currently valid driver's license or State Photo I.D. or two other acceptable forms of I.D. will be required from the applicant.

2. Deposits

At the time of application for changes to existing water service, a deposit will be required from all applicants who have not previously received service from the City, who do not own the property for which service is requested, or who have an unsatisfactory record of payment of water bills.

A \$100.00 service deposit shall be charged to all new customer(s), or a previous customer(s) who has been delinquent at least three times in regard to paying a previous water/sewer/garbage bill within a two year time frame, or has been delinquent at least one time for a period exceeding one-hundred twenty (120) days. Delinquent means the bill was not paid within thirty days of the due date. New customer means a consumer who has not had a water/sewer/garbage bill in his/her/their name for at least two years. A customer after two years may request a refund of his/her/their deposit, unless the customer has already terminated service. A refund will be given to the customer if the customer has not been delinquent as noted above. The deposit shall be applied to any unpaid bill after service is terminated and the deposit shall not incur interest to the customer.

Upon discontinuation of service and full payment of all outstanding financial obligations to the Utilities Department, the deposit (or remaining balance thereof) will be returned, without interest, upon request by the applicant at the Utility Department Billing Office, 35 South Paint Street, Chillicothe, Ohio.

3. Tap and User Fees

At the time of application for a new water service the applicant will be required to pay a tap and user fee for the installation of the water service. Tap fees shall be paid no more than thirty (30) days prior to tap.

4. Water Service Installation Requirements

All individual connections, taps and service lines, up to two (2) inches in diameter, will be installed from the water main to the public right-of-way, utility easement, or property line by Utilities Department personnel. Where practical, water meter settings will be located at one or the other of the extremities of the property line so that two customers can be served with separate meters located in one meter box. For service lines larger than two (2) inches in diameter, the Utilities Department will make the tap and the owner or his contractor shall install the service line. Only duly authorized employees or agents of the Chillicothe Utilities Department will be permitted to install a service connection from the service main to the customer's property line.

The applicant shall install the service line from the building to the point where the meter setting will be installed by the Utilities Department.

The applicant shall also install a service line shut-off valve inside the building and as close to the building wall as possible where the water meter is located outside of the building. Where the water meter is located on the inside of the building, the shut off valve shall be located downstream and as close to the meter as possible. The operation of the shut off valve shall control the entire water supply from the service.

Water meters may be located within a building with approval from the Utilities Director. The curb stop will be set near the public right-of-way or utility easement line and it will be the property owner's responsibility to furnish all labor and materials to continue the service line to the building. It will be the property owner's responsibility to furnish and install the meter. The meter must meet current specifications of the City and be equipped with a remote reader and the remote must be installed where the meter readers have easy accessibility at all times and can be read from the outside of the building. An agreement (Form UD-2) must be provided by the property owner to the City allowing access and right of entry to the property and building for

purposes of meter reading. Access to the building must be provided by the property owner to the City for confirmation of the master meter reading. This installation as well as the meter and appurtenances must be approved by the Utilities Director.

A minimum of two (2) working days will be required from the time Utilities Department is notified that a new service line is ready to be installed to the time of the installation. This period is to allow the Ohio Utilities Protection Service to notify all utility companies of the proposed construction so they may, in accordance with the laws of the State of Ohio, mark their underground utilities and thereby protect them from damage.

If the Utilities Department employee travels to the site of the service line installation and the applicant has failed to comply with any regulation defined herein, the service will not be installed and a trip fee will be charged to return to complete the service.

5. Meter Installation Requirements

The Utilities Department will install all meters two (2) inches in size and smaller. Meters larger than two (2) inches shall be furnished and installed by the owner or his contractor subject to the prior approval of the Utilities Department. The types of meters required to be installed and meter installation details may be obtained at the Engineering Department, 35 South Paint Street, Chillicothe, Ohio.

Upon notification that the meter has been installed, the Utilities Department will inspect the installation. If any deficiencies are detected, the owner or his contractor, at their sole expense shall correct them, before water service will be initiated. A trip fee will be charged for any reinspection by the Utilities Department employee that is required because of a meter installation deficiency.

6. Service Outside City Limits

Out-of-City service will be granted in accordance with Section 915 of the Codified Ordinances of the City of Chillicothe.

All construction methods and materials shall be in accordance with the standards and inspection of the City.

Any and all easements necessary for the provision of water service shall be obtained by the applicant and provided by the applicant to the City.

Provided a three-day written notice is given, the Utilities Department reserves the right to discontinue water service to consumers outside the City Limits at any time, should they deem it necessary to conserve water for consumers within the City Limits.

7. Separate Meters Required

No person shall, for water supply purposes, connect more than one house, building or other structure to any water service line connected to the City system, except for a private garage or similar structure used as an adjunct to and located on the same property, with any house, building or other structure. Any arrangements that exists different from this exception shall be corrected within ninety (90) days of notification to do so by the City.

Each new structure connected to the City Water System shall have a separate meter. Council, based upon the recommendation by the Utilities Director, must approve exceptions to this regulation.

Failure to comply with this regulation within ninety (90) days of notification to do so will result in water service being terminated.

A customer may request additional meters be installed for the same property. In the event a property owner desires to have additional meters installed to serve the same property, an attempt will be made by the Utilities Department to locate two meters in the same or existing

meter box. The charge for installation would be the same as that for a new service connection of the desired size or the estimated cost of installation, whichever is greater.

SECTION III - BILLING FOR SERVICE

1. Account Responsibility

All accounts shall be maintained in the name of the property owner. With the consent of the property owner, one or more persons who occupy a consumer benefited unit may appear jointly on an account.

PROPERTY OWNERS SHALL BE LIABLE FOR THE PAYMENT OF BILLS FOR WATER SERVICES AT ANY SERVICE ADDRESS WHICH HAS BEEN LAWFULLY OCCUPIED BY A CONSUMER OR TENANT, REGARDLESS OF WHETHER THE CONSUMER IS A CUSTOMER WHO HAS ENTERED A CONTRACTUAL AGREEMENT WITH THE CITY TO PAY FOR UTILITY SERVICES AT THE SERVICE ADDRESS, OR IS OTHERWISE LIABLE TO PAY FOR WATER SERVICE PURSUANT TO AGREEMENT BETWEEN THE OWNER AND CONSUMER.

In the case where two or more tenants receive water from one meter, service will be granted in the owner's name only.

The billing address for water services shall be that of the property owner, unless he designates some other address or consents to have bills for water services issued to another customer who specifies some other address.

Presentation by an adult consumer of a written lease agreement pursuant to which the consumer is entitled to occupy premises owned by the property owner and is responsible for the water and sewer service, shall be deemed consent of the owner for the consumer to appear jointly on the account if the consumer enters into a contractual relationship with the City to receive and pay for utility services provided by the City, and for bills to be issued only to the consumer. An owner may notify the City, in writing, that the property owner's consent for bills to be issued only to a tenant has not been given or is being withdrawn, in which event bills will be issued to both. The withdrawal of consent may apply to specific service addresses or to all properties owned by the property owner. Failure of the tenant to timely pay for water services shall be deemed his consent for the City to provide unpaid bills for water services to the property owner at such address as the property owner may have specified in writing.

In the event a consumer is entitled to occupy premises owned by another pursuant to an oral lease or rental agreement, the property owner must expressly consent for bills to be issued to the consumer on a form provided by the City, which shall include the notice set forth above.

All persons applying for a new water service tap or applying for a transfer of an account due to a change of ownership of a service address shall be provided with notice of the property owner's liability for unpaid water services incurred by non-owner occupants and the implied consent provisions set forth above.

All persons applying for water service shall be required to disclose, in writing at the time of application, whether applicant has previously received water service for which the applicant failed to pay when due or if applicant is otherwise delinquent with regard to any account for water services provided by the City. In the event applicant has failed to pay for service or is otherwise delinquent with regard to any account for water services, then the owner of the premises shall be notified and service shall be provided only upon the express agreement of owner to assume liability for all unpaid water services at the service address. Failure to accurately disclose the foregoing shall be punishable as falsification pursuant to R.C 2921.13 (A) (8).

2. Billing Schedule

Charges for water usage shall be determined in compliance with City Ordinance and water bills will be mailed out by the first day of the month of the billing cycle. Water bills are due and payable at the Utility Department Billing Office, 35 South Paint Street, Chillicothe, Ohio, on or before the twentieth (20th) day of the month or the first business day following the twentieth if the twentieth falls on a holiday or weekend.

If the bill is not paid by the due date, a late fee will be assessed equal to 10% of the delinquency, but no less than \$25.00.

Meters will be read bi-monthly except for large consumers for which meters will be read monthly. In the event that extenuating circumstances or severe weather conditions preclude reading of the meters, the water usage for the period will be estimated for billing purposes.

Every effort will be made by the Utilities Department to minimize the necessity for estimating usage.

Initial opening and final closing bills will be based on consumption or minimum bills for the month, whichever amount is greater. It is the consumer's responsibility to notify in writing the department of "turn-on" and "turn-off" requests. The dates of these requests will be used as a basis for computing minimum bills. In all cases, "turn-on" and "turn-off" requests will be billed at least a monthly minimum charge.

The Department will bill customers for water registered on their meters or the minimum amount, whichever is greater.

3. Delinquency Policy

Bills not paid by the due date are considered delinquent. Customers billed on a bimonthly basis are mailed a delinquent notice five (5) days after the original bill was due notifying them of a final date for payment, which is twenty (20) days after the due date. If bills remain unpaid at these final dates, service will be discontinued without further notice. (See Section IV - Turn Off Policy.) In tenant situations, landlord will be sent a delinquent notice also.

4. Adjustment for Leak

All leaks in the Consumers Water System, whether detected by the party to whom the bill is sent or a representative of the City, shall be repaired within seventy-two (72) hours of its detection.

If the leak is detected by a City representative and the leak is not repaired within the required time, and it is creating a hazard, may cause damage to other property or, in the opinion of the City representative is causing a significant loss of water, water service will be discontinued until the leak has been repaired.

In the event of an underground leak in the Consumers Water System that is not the result of any negligence on the part of the Consumer or owner of the property, the Consumer's largest bill for the billing period during which the leak occurred will be adjusted upon request by the customer and submission of a copy of the plumber's bill for the repair work to the Office.

The adjustment will be based upon the following formula:

$D = (A - B) \times C + B$, where:

A = Water consumption in billing period during which the leak occurred.

B = Water consumption for normal water used the previous year.

C = 0.5

D = Amount of consumption for which customer will be billed.

Only one (1) bill adjustment will be made per Consumer for any given eighteen (18) month period.

5. Meter Tests

A customer may, giving not less than one week's notice, request the Utility Department to test the meter serving his premises. A fee for testing the meter will be required prior to the test being performed. The customer shall have the right to be present at the test. A written report will be mailed to the customer. If the test shows the meter to be registering more than 3% fast, the customer will receive credit for the full amount of the overcharge based on the corrected meter reading for a period not to exceed six (6) months, plus the fee paid for testing the meter. If the meter is found to be accurate or slow, the fee for testing the meter will be forfeited.

6. Meter Changeouts

Changeouts of meters requested by the Consumer will be billed on the basis of the actual cost of labor, materials and equipment plus fifteen (15) percent or as assessed by ordinance, whichever is lesser.

7. Returned Check Policy

A fee will be charged for all checks returned from the Consumer's bank, as established by duly enacted Ordinance.

Consumers will be given ten (10) business days to pick up the check at the Office after being notified that the check has been returned. Full payment of entire balance due, plus any other fees must be made by certified check, money order or cash at this time.

Should the City receive two (2) returned checks in a two (2) year period, no City Department will accept checks from the Consumer for a period of two (2) years following the most recent returned check.

Consumers who provide proof of overdraft protection on their checking account may have their check writing privilege restored. A Consumer whose check writing privilege is restored, either by overdraft protection or the passage of the two (2) year period, and who is responsible for another returned check will have his check writing privilege revoked forever.

When check-writing privileges have been revoked, payment of water bills must be by certified check, money order or cash.

The City reserves the right to refuse to accept checks from any person for reasons other than the aforementioned.

A Consumer using the auto-pay system of the Office who has inadequate funds to cover the transaction or who has the transaction stopped for any reason will have his auto-pay service terminated and will be charged the returned check fee as assessed by ordinance.

8. Service Fees

Fees for services shall be as established by duly enacted Ordinance. A current fee schedule shall be provided by the Utilities Director and available at the Water Department.

SECTION IV. WATER SERVICE TERMINATION POLICY

1. Reasons for Termination

Water service to customer or consumer benefited units may be terminated by the City only for the following reasons:

- a. Non-payment by the customer for water service to the service address affected;
- b. Emergencies and repairs;
- c. At customer request, provided that any termination to be done at a customer's request shall be done only in compliance with the procedures set forth below in this Section IV, Part 4 below, Voluntary Termination of Service;
- d. Meter tampering, theft of service, or fraud;

- e. Violation of the City Code;
- f. Condemnation and finding that the premises are unfit for human habitation and vacated;
- g. Abandonment of the premises; or
- h. Refusal to permit the Water Department to have access to the premises to read the meter or to inspect water equipment;

Unless the notice requirement is dispensed with as provided in this Section IV, Parts 3 or 4 below, termination of service may not occur without proper notice and adequate opportunity for hearing before termination. These rules shall be complied with by all water department employees.

No termination of service shall occur except in compliance with these rules. If water service has been terminated or suspended, service shall not be restored except if some responsible adult is available at each service address to be restored to ensure that restoration will not cause damage to the premises.

2. Notice Procedures

Unless the notice requirement is dispensed with as provided in this Section IV, Parts 3 or 4 below, the form entitled FINAL NOTICE BEFORE TERMINATION must be sent by the City at least 10 days prior to the date proposed for termination. Notices may be mailed with first class postage prepaid to reasonably assure delivery within that time. The date of the notice shall be the date of mailing, and a dated copy of any notice sent shall be retained by the City in the business file relating to each service address referred to in the notice.

- a. Identifying information, including the service address to be affected, the account number, the customer's name and address, and the identity of the city water department and its address;
- b. The date proposed for termination if the account is not paid, or hearing requested, or a separate account established;
- c. The reason for the proposed termination, including (if applicable) the amount claimed to be due; the location and hours at which payment in person can be made; and the minimum payment which, tendered at or before termination, is necessary to avoid termination.
- d. A notice that any individual consumer of water services may avoid termination by (1) paying the current bi-monthly charges, and (2) assuming responsibility for payment of future charges, if that individual consumer does not owe an outstanding bill to the Water Department for an account established in that consumer's name, or if any such bill is paid or satisfactory payment arrangements are made at that time;
- e. A notice that a customer or consumer of water services has the right to a hearing to contest the reasons for the proposed termination, and that if a hearing is requested, the termination will not take place until the hearing process is completed;
- f. The title, address, telephone number, and hours during which the Water Department may be contacted to request a hearing, explore payment alternatives or special consideration in hardship cases, or to assume responsibility for future utility charges. This information will appear in all capital letters at the bottom of the notice, after the words, "FINAL NOTICE-IF YOU HAVE ANY QUESTION OR DISPUTE ABOUT THIS BILL, CONTACT THE WATER DEPARTMENT IN PERSON OR CALL 740-773-2191.."

In the event any service address that would be affected by termination is a consumer benefited unit a copy of the FINAL NOTICE BEFORE TERMINATION, must be delivered to each service address so affected, in addition to delivery to the customer.

3. Emergencies and Repairs

Termination of service may occur without prior notice if emergency circumstances involve imminent danger to persons or property, including a break in a water service line. In cases in which the Director of Utilities determines that there is a threat of contamination of the public water supply or a threat to the health of the public, termination will be immediate, until all hazards are eliminated.

Prior notice through local media shall be given by the City when water service shall be lost for more than eight hours as a result of routine or scheduled maintenance, so that consumers of water service may plan accordingly. If the loss of water service results from a water line break or other emergency circumstances, and is expected to, or does, last for more than four hours, the City shall give notice to service addresses affected by such loss of service by asking the local radio media to publicize the loss of service, the reason for it, and the expected date and time by which the City expects to restore service.

If water service must be temporarily suspended on a non-emergency basis for the purpose of repairs within the service address, the form entitled Water Service Suspension Request must be completed in writing by the customer contractually obligated to pay for service at the address. If any service address that would be affected by suspension's a consumer benefited unit, suspension for repair shall not be processed unless either:

- a. the request is also signed by an adult consumer residing at each service address that would be affected by suspension with proper identification before a Water Department employee, either at the Water Department Office or at the service address; or
- b. the applicant for the suspension certifies that the service address will be unoccupied during the suspension and that no consumer will be affected and provides the City with a copy of a written notice that has been provided to the occupant of the unit at least 24 hours before the suspension notifying the occupants of the proposed suspension.

If the suspension request is not signed by an adult consumer residing at each service address that would be affected by the suspension, the water department employee who suspends service shall visit each affected service address and verify that it is vacant. Verification shall be made by conducting and documenting a reasonable investigation which includes a thorough inspection of the interior of the premises. Documentation of the reasonable investigation must affirmatively state whether the employee found the affected premises to be vacant and the facts observed by the employee which support that conclusion, together with any facts that tend to indicate that the premises might still be occupied. The customer requesting the suspension must grant access to the premises to the Water Department employee for the purpose of conducting said investigation at the time of suspension.

A copy of the water service suspension request shall be retained in the City's business records relating to any service address so affected. The City shall restore service suspended for the purpose of non-emergency repair upon the demand of the customer or owner or of an adult consumer residing at any service address so affected.

The requirements of this subsection also may be met by conspicuously posting a notice of suspension of service on each door of all premises to be affected at least twenty-four hours before any such suspension.

4. Voluntary Termination of Service

The terms "termination" or "terminate," as they are used in this Section, may refer either to: (1) termination of a customer's contractual responsibility for water service through transfer of an account from one customer to another; or (2) actual termination of water service to any service address at the request of the customer.

All requests for voluntary termination shall be made at the Water Department in writing on a Voluntary Termination form by the customer contractually obligated to pay charges incurred at each service address affected by the termination.

If the customer requesting termination states on the Voluntary Termination form that any affected service address is occupied, the termination will not occur until the Voluntary Termination form is also signed at the Water Department Office or at the service address by an adult consumer actually residing at each affected service address. Each such consumer shall provide proper identification to a Water Department employee at the time the form is signed.

If the customer requesting termination states on the Voluntary Termination form that all affected service addresses are vacant but the City records reveal that any affected service addresses different from the billing address, or there is any other reason to believe the termination may affect water service to a benefited unit other than, or in addition to, the customer's benefited unit, termination will not occur until a Notice of Voluntary Termination of water services indicating the date on which the termination will occur, is delivered to each affected service address at least 14 days prior to termination. Termination shall not occur if the City learns or is notified that any of the affected service addresses is occupied. Whenever a Notice of Voluntary Termination of water services is required to be sent by this Section, termination will not occur until the Water Department employee assigned to perform the termination personally visits each affected service address and verifies that it is vacant. Verification shall be made by conducting and documenting a reasonable investigation which includes a thorough inspection of the interior of the premises. Documentation of the reasonable investigation must affirmatively state whether the employee found the affected premises to be vacant and the facts observed by the employee which support that conclusion, together with any facts that tend to indicate that the premises might still be occupied. The customer requesting the termination must grant access to the premises to the Water Department employee for the purpose of conducting said investigation at the time of termination. Water Department employee notations as to this reasonable investigation, and all request forms and/or Notices executed under this provision, shall be retained in the business file kept by the City relating to any service address so affected. The City shall restore service immediately upon demand of any adult consumer of water service at any service address so affected, without charge, if this voluntary termination provision was not complied with or if the City's verification of vacancy was in error.

5. Termination Procedures

Except for emergency terminations pursuant to this Section IV, Part 3 above, terminations of water service shall not occur on any day which precedes a holiday or weekend, or any other day on which all services necessary to restore service are not available. All terminations of service shall be documented by a written service order recording the date, time, and identity of the water department employee effectuating-termination; such documentation shall be retained in the business file kept by the City relating to any service address so affected.

Water department employees dispatched to terminate service shall not terminate service until they make reasonable efforts to personally contact the occupants, if any, of each service address affected by termination to (1) advise of the termination; and (2) verify the propriety of the termination. Reasonable efforts shall include, but not necessarily be limited to, knocking at the entry to each individual service address, or otherwise attempting to gain the attention of any occupants. If the water division employee makes personal contact with the occupants of any

such service address, and discovers no information which would create a question as to the propriety of the termination, the water division employee shall then deliver to the occupant a form entitled Notice of Termination of Utility Service.

- a. The date and time of the termination;
- b. The reason for termination;
- c. If the termination is for non-payment, the amount which must be paid, including any reconnection fee, to have service restored;
- d. The location and hours of the office at which payment can be made to obtain restoration;
- e. The title, address, telephone number, and hours during which the Utility Billing Office may be contacted to discuss restoration of service;
- f. A consumer's ability to obtain utility service in their own account, if service was terminated due to non-payment of utility charges. If the consumer does not owe an outstanding bill to the Utility Billing Office; and,
- g. A consumer or customer's right to a hearing to contest termination or a refusal to restore service, although that request will not now postpone termination unless it can be established that prior notice of proposed termination was not given.

If the water department employee's efforts to make personal contact with the occupants of any such service address immediately prior to termination are not successful, the water department employee shall post the turn-off notice in a prominent place at the entry to each service address affected by termination. The water department employee shall document on the service order the efforts made to personally contact the occupants prior to termination and the delivery of the turn-off notice, including the date and time such acts were performed and their identity.

6. Hearing Procedures

A. The Director of Utilities

The Water Department Clerks are the initial contact person(s) for any person who has a question or dispute about: application disputes; a termination or proposed termination; a billing question; payment requirements; or other department requirements for obtaining or maintaining water service. The Water Department Clerks shall refer all such questions and disputes directly to the Director of Utilities or his/her representative. The City will in good faith, take all steps necessary to ensure that the Water Department Clerks do not limit, interfere with, or discourage in any way the opportunity or right to request a hearing before the Director of Utilities or his/her representative. Those steps will at a minimum include:

1. Whenever a Water Department Clerk responds to a question or dispute concerning termination or proposed termination, a billing dispute, a payment requirement, or other department requirement for obtaining or maintaining water service, the Water Department Clerk shall advise the person presenting the question or dispute of the following at the time the Water Department Clerk gives his or her response:

IF I HAVE NOT RESOLVED THIS MATTER TO YOUR SATISFACTION, YOU STILL HAVE A RIGHT TO A HEARING BEFORE THE DIRECTOR OF UTILITIES OR HIS/HER REPRESENTATIVE.

The Water Department Clerk will give the statement orally if his/her response is given orally, whether in person or by telephone, and shall give the statement in writing if his/her response is given in writing.

2. Pursuant to this Section, a "hearing request" is made whenever a person notifies either a Water Department Clerk or Director of Utilities, or their representatives, orally or in writing, that the person disagrees with the Director of Utilities' response or requests a hearing or appeal. If a Water Department Clerk receives an oral hearing request, the Water Department Clerk shall promptly reduce that request to writing and shall immediately forward it to the Utilities Director for hearing.

B. The Hearing

Customers or consumers of water service who wish to contest a Water Department decision, billing, denial of service, or a proposed termination of utility services shall be afforded a due process opportunity to contest the City's decision, billing, denial of service, or proposed termination of water services, prior to termination of service. Due process shall include the right to a face-to-face meeting with the Director of Utilities or his/her representative, at which time a person appealing (1) may have the assistance of a representative; and (2) may present documentary and oral information for consideration. Persons appealing shall be entitled to reasonable access to City business records concerning the affected service address in order to prepare for the meeting, including the right to obtain copies of documents upon payment or the actual cost of copying.

The Director of Utilities and Water Department Clerks are empowered, when good cause is shown, to approve applications for service; compromise and adjust billings; negotiate, defer and compromise disputes as to payment demands; and to cancel termination and/or order restoration. The Director of Utilities and Water Department Clerks shall strive to make reasonable arrangements to provide water service; arrange reasonable alternate methods of payment, or reasonable security for payment in order to preserve water service, and shall supply and maintain residential water service without discrimination. The Director of Utilities or his/her representative shall preside at hearings held pursuant to these rules. If the Director of Utilities or his/her representative was involved in the original decision at issue, the Mayor shall have the authority and responsibility otherwise granted to the Director of Utilities or his/her representative in this section.

The Director of Utilities or his/her representative shall make a written decision after the hearing, which shall include the information presented at the hearing and the reasons for the decision. A copy of the decision shall be delivered to the person appealing and a copy retained in the business files kept by the City relating to any service address affected by the hearing.

Due process hearings shall be held within a reasonable time after receipt by the City of a verbal or written hearing request. Five business days shall generally constitute a reasonable time. The City shall provide the person notice of the time and place of the hearing at least one full business day in advance of the hearing. The City shall grant a consumer's request for a continuance of the hearing for a period not to exceed ten business days. The hearing decision shall be sent to the person within a reasonable time after the hearing. If a hearing has been requested prior to actual termination of service, no termination may occur until seven days after the hearing decision is sent to the person appealing.

7. Non-Discrimination Against Consumers

If service is terminated, or if termination is proposed, due to a customer's non-payment of service charges for a consumer benefited unit, an adult consumer of water services in said benefited unit shall have the right to avoid termination or obtain restoration of service, if the

consumer pays any outstanding charges which the tenant incurred, NOT including charges of prior tenants at the service address, a reasonable reconnect fee if applicable, and assumes responsibility for timely payment of service provided the benefited unit at the water service, service address. If the consumer demonstrates that they are indigent (i.e., unable to pay the entire amount of the deposit and the incurred outstanding charges without substantial hardship), the deposit may be made through installment payments over a period not to exceed 120 days. Consumer assumption does not relieve the customer of contractual liability for charges incurred. The assumption obligation shall terminate upon the delivery to the City of a written notice canceling that assumption signed by the consumer who assumed the obligation and by the customer. If the outstanding charges which caused the proposed termination are still outstanding, the City may proceed to terminate service without further notice.

This section does not apply to any customer concerning any service address in which resides the customer obligated for payment of the account for that service address. However, in circumstances in which one meter serves more than one service address, consumer benefits units will not be penalized in any way, or denied the benefit of this provision, because the defaulting customer's benefited unit might also benefit from a continuation or restoration of service.

8. Restoration of Service

If water service has been terminated or suspended, service shall not be restored unless some responsible adult is available at each service address to be restored to ensure that restoration will not cause damage to the premises.

The City shall restore service suspended for the purpose of non-emergency repairs upon the demand of the customer or owner, or of an adult consumer residing at any service address so affected without charge. The City may assess a reasonable charge against the person or entity requesting services related to the suspension of service for the purpose of non-emergency repairs. The City shall restore service suspended for the purpose of emergency repairs once all hazards are eliminated, without charge.

In the case of a voluntary termination of water service, in the event the City failed to comply with the procedures set forth in this Section IV, Part 4 or if the City's verification of vacancy was in error, the City will restore service upon demand of any adult consumer of water service at the service address so affected, without charge.

In the case of an involuntary termination, in the event the City failed to comply with the procedures set forth in Section IV, Parts 1, 2, 5 and 6, or if the City's termination of service was in error, the City will restore service upon demand of any adult of water service at the service address so affected, consumer without charge.

In the case of a proper termination in compliance with the procedures set forth in this Section IV, Parts 1, 2, 5 and 6, the consumer can obtain restoration of service, if the consumer pays the outstanding charges which he/she incurred, a reasonable reconnect fee if applicable, and assumes responsibility for timely payment of future charges for service provided the benefited unit at the service address, as set forth in this Section IV, Part 7.

The Director of Utilities and/or his/her representative and the Water Department Clerks are empowered to order restoration when good cause is otherwise shown.

9. Applications for Water Service

Every applicant for water service whose application is denied shall be advised of that denial by delivery to them of a completed Denial of Service form. Delivery shall be made personally at the time of application if the application is made in person, or by ordinary mail to the address listed in the application within three business days after the application is received, if the application is made by telephone.

Persons whose applications are denied have all the hearing rights set forth in this Section IV, Part 6.

The only grounds for which an application for water service can be denied are:

- (a) The premises to be served require specified repair or maintenance before water service can be safely provided; or
- (b) The applicant owes the City an outstanding bill for prior water service under an account established in that applicant's name. However, no application can be denied for this reason if the applicant tenders payment for the prior account; or
- (c) The applicant has not consented in written form.

No application for water service may be delayed or denied because of the credit worthiness of, or any bill owed, by any person other than the applicant, including but not limited to the owner of the premises to be served, the applicant's landlord, or other persons who live or may live at the premises to be served.

SECTION V - WATER MAIN EXTENSIONS

1. Within Corporate Limits

The City Engineer and the Utilities Director are responsible for the review and approval of the installation of water main extensions to serve new areas within the corporate limits. The proposed water main shall be connected to an existing water main, unless the proposed water line will result in overloading the existing water mains. In this case permission for connecting to an existing water main may be denied until such time as the necessary corrective measures are taken.

All new water mains and appurtenances shall meet the specifications adopted as standard by the City for the construction and installation of same and with any plans or specifications approved by the City Engineer and the Utilities Director.

Water line extensions into new real estate subdivisions will not be permitted until the preliminary plan for such subdivision is approved by the Chillicothe Planning Commission and the construction plans are approved by the City Engineer, Utilities Director, and the OEPA.

2. Outside Corporate Limits

The Utilities Director, is responsible for the review and approval of water main extensions to serve new areas beyond the corporate limits, which shall be connected to the proper water mains unless this will result in overloading existing mains. In this case permission for connecting to an existing water main may be denied until such time as the necessary corrective measures are taken.

All new water mains and appurtenances shall meet the specifications adopted as standard by the City for the construction and installation of same and with any plans or specifications approved by the City Engineer and the Utilities Director.

In all cases, such extensions shall be made in accordance with Section II, Part 6, Section V, Part 1, and Section V, Part 3. Such extensions shall be affected only by written agreement.

3. Expense of Extensions

Unless the extension is made under the provision of Section V, Part 5, all water main extensions to serve new areas within the corporate limits shall be constructed by the developer at his own expense, unless the extension is approved by Council or is constructed in accordance with the provision of the Ohio Revised Code regarding assessments. The full cost of

the extension includes any and all inspection costs, preparation of plans and estimates and any other related expenses.

The developer shall submit proper plans and estimates for the main, obtain the approval of the City Engineer and Utilities Director for the plans and estimates, and shall construct same in accordance with City regulations relative to the installation of water mains.

4. Procedures

The subdivision or property owner shall submit proper plans and cost estimates for the water line and shall obtain the approval of the City Engineer and the Utilities Director for the plans and estimates.

The determination of the estimated cost of any proposed water line extension shall include all items of materials and labor, including any costs associated with the opening of pavement, street surfacing and rock excavation, together with allowances thereon for engineering and general office expense pertaining to the purchase, storage, delivery and installation of all materials necessary for the extension.

Prior to beginning any installation or construction of the proposed water line, the subdivision or property owner shall be required to post a bond, the amount to be determined by the City Engineer, to ensure compliance with these Rules and Regulations and proper and complete installation of the water line.

In dedicated streets or new real estate subdivisions, the City Engineer may permit an owner to arrange for the construction of a water line extension by a private contract or the performance of the work shall be done under the supervision and control of the Engineering and Utilities Departments. In the construction of any extension, the plans shall have the prior approval of the City Engineer and Utilities Director. Only duly approved and inspected materials will be permitted. The contractor shall be required to furnish a bond, either cash or surety, as a guarantee against defective workmanship or materials and shall be required to pay for inspection and supervision of the work unless otherwise exempted by the City Engineer.

5. Assessment Arrangements

The owners of property to be served by a proposed water line extension may petition for the construction of such an extension and the assessment of the cost thereof in accordance with the provisions of the Ohio Revised Code.

6. Rights of City

All water mains installed, whether within or outside the corporate limits shall, upon connection with City mains, become the sole property of the City and shall henceforth be maintained by the City which shall exercise exclusive control of same.

The City shall have the right and authority to further extend any water main extension to serve additional properties beyond the original or earlier extension without reimbursement to anyone who may have contributed to the cost of the original or earlier extension.

At locations where water is not available and the property owner/developer desires the use of the public water supply, the property owner/developer shall cause a waterline to be constructed from an existing waterline to, along and/or across the entire parcel that the property owner/developer desires to serve. The entire cost associated with the construction of the waterline, including engineering and approval, shall be borne by the property owner/developer that desires the water service. Upon the completion of construction of the water line by the property owner/developer and acceptance of such by the City, the water line becomes the property of the City of Chillicothe.

SECTION VI - MISCELLANEOUS PROVISIONS

1. Control of Water System

The Utilities Director shall have complete supervision and regulation of the design, construction and inspection of the entire water system of the City.

The City Engineer shall issue all necessary permits and licenses for the construction and installation of all building water lines and their connection to the main water distribution system of the City.

The Utilities Director shall have complete supervision of the operation and maintenance of the water system.

The entire water system shall be under the direction, control and enforcement of the Utilities Director.

2. Right to Interrupt Service

Whenever the City finds it necessary or convenient for the purpose of making repairs or improvements to the City Water System, it shall have the right to temporarily suspend delivery of water and shall not be liable for any loss or damage occasioned thereby.

Whenever possible, and as time permits, all affected Consumers will be notified prior to such suspension by personal contact and/or news release.

The City shall NOT be liable for interruptions in water service, shortages or insufficiency of supply or pressure, or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strikes, riots, war or other cause.

Repairs or improvements will be made as rapidly as is practicable and, so far as possible, at such time as will cause the least inconvenience to the customer.

3. Access

A. Entry to Buildings: The officials and employees of the Utilities Department may enter at reasonable hours into any house or building supplied with water to examine pipes, meters, and connections that are a part of the water distribution system. All Utilities Department employees carry and display City identification cards and must present these cards upon request prior to being permitted entry.

B. Hours of Access: Access, at reasonable hours, will be provided for the Utilities Department personnel to premises in which meters are located. It is the responsibility of the consumer to provide this access in such a manner so that the Utilities Department does not incur excessive or overtime costs. In the event that trouble is encountered obtaining this access, the Utilities Department assumes no liability for unread meters.

C. Right of Entry for Repairs: By requesting service, entering into an agreement with the City for the provision of water service, and the City providing water service, the customer automatically grants the City and the Utilities Department the right of entry to the premises for the sole purposes of making any necessary repairs or improvements to the City water system which may be located upon said premises.

D. Right of Entry for Reading Meters: By requesting service, entering into an agreement with the City for the provision of water service, and the City providing water service, the customer automatically grants the City and the Utilities Department the right of entry to the premises for the sole purposes of reading water meters which may be located upon said premises.

4. Tampering with Hydrant, Pipe, or Meter

No person shall maliciously open, close, adjust, or interfere with a fire hydrant, valve, regulator, gauge, gate, disc, curb cock, stopcock, meter, or other regulator, operating or

measuring device, or appliance in or attached to the wells, tanks, reservoirs, conduits, pipes, mains, service lines, house lines, or other lines or apparatus of the City or furnisher of water, with intent to cause the escape of water or to injure or destroy such property. No person shall tap, sever, open, or make unauthorized connections with a main or pipe used or intended for the transmission of water. This section does not apply to the agents or employees of the Utilities Department for that purpose, of the owner or operator of the appliances referred to in this section, and does not apply to anything done by or under authority of any regularly constituted fire department. (Chapter 4933.22 (12512-1) of Ohio Revised Code.)

Violators of Chapter 4933.19 or 4933.22 of the Ohio Revised Code shall be fined not less than one hundred or more than one thousand dollars or imprisoned not more than thirty days, or both.

5. Maintenance of Service Lines

All consumers shall keep their private service lines, pressure reducing valves, expansion tanks, backflow preventors, vacuum breakers, connections and any and all other private water conveyance equipment or apparatus in good repair and protect same from frost at their own expense. They shall prevent waste, and no claim shall be made against the City of Chillicothe, by reason of any breakage of any service line or connection, or drainage arising from shutting off water to repair mains or for any other reason.

6. Resale of Water

Except by written agreement with the Utilities Department no consumer shall resell any of the water received from the Utilities Department, nor shall such water be delivered to premises other than those specified in the application for service, and provided further that resale shall not be at a rate in excess of 110% of the rate charged by the Utilities Department.

7. Shut-off Valves

The customer shall install a suitable shut off valve on the inside of the structure and as close to the building wall as possible when the water meter is located outside of the structure. Where the water meter is located on the inside of the structure, the shut off valve shall be located downstream and as close to the meter as possible. The operation of the shut off valve shall control the entire water supply from the service. The operation of the curb stop in the meter box is not permitted by anyone except the Utilities Department personnel and will be considered "tampering" as defined and punishable under Part 4 of this section.

8. Electrical Grounding

Electrical grounding is permissible in accordance with the currently adopted edition of the National Electric Code. The Utilities Department will hold the customer liable for any damage to its property or injury to its personnel occasioned by such ground wire attachments. The presence of improper ground wire attachments will be sufficient cause for immediate discontinuance and disconnection of service.

9. Common or Shared Service Lines

Common or shared service lines are prohibited, unless agreed upon by Council based upon a recommendation by the Utilities Director. If two or more parties should be supplied with water from the same service line, on failure of anyone of the said parties to pay their water bill when due, or to comply with established rules and regulations of the Utilities Department, the water supply of the whole service line will be discontinued and will be required to be split into separate services. In the case where two or more tenants receive water from one meter, service will be granted in the owner's name only.

10. Customer Liability for Damage

The customer shall be liable for any damage to a meter or other equipment or property owned by the Utilities Department which is caused by an act of the customer or his tenants, agents, employees, contractors, licensees, or permittees, including any damage to a meter that may result from hot water or steam from a boiler or heater on the customer's premises. The Utilities Department shall be reimbursed by the customer for any such damage on presentation of a bill.

11. Frozen Meters

The Water Distribution Department will thaw a meter upon notification that it is frozen. If it is necessary to remove the meter a bypass will be installed. The Consumer should let the water run in a thin stream continuously, in order to prevent the service from refreezing, until such time as he is notified by the Water Distribution Department that he may cease doing so.

If the Consumer turns the water off before being advised by the Water Distribution Department to do so and the service freezes again, it will be the Consumer's responsibility to obtain the services of a plumber to thaw the service. If the services of a plumber can not be obtained and a serviceman is required to return to the premises, a fee will be charged as established by Ordinance.

Bypasses will not be installed when the service is frozen on the Consumer's side of the meter.

12. Use of Hydrants

No person except an authorized employee of City shall open, operate or draw water from a fire hydrant.

A special permit for a temporary service connection at a fire hydrant must be applied for at the Office, subject to the approval of the Water Distribution Department Superintendent. All charges for such connections must be paid at the time of application. The service will be metered and the water used will be billed at the regular prevailing rate. A fee will be charged as established by Ordinance.

Any damage to the fire hydrant resulting from the installation of the temporary service connection shall be the responsibility of the person holding the permit, who will be billed for the cost of repairing or replacing the fire hydrant.

13. Hydrants Outside the Corporate Limits

Fire hydrants located outside the corporate limits of the City and within the public right of way will be billed to the Township Fire Department or the Consumers served by them.

If billed to the Township Fire Department, the charge shall be prepaid for the full year no later than January 31 of the service year. If billing is to the Consumer, the charge will appear on their regular monthly or bimonthly bill. A fee will be charged as established by Ordinance.

Service may be provided to Township Fire Departments from fire hydrants located within the corporate limits of the City upon request. Charges for this service shall be as stated above.

14. Temporary Metered or Unmetered Water Service

Temporary metered or unmetered water service may be granted at the discretion of the Utilities Director and at such rates as he may deem equitable. A fee will be charged as established by Ordinance. The applicant agrees to be responsible for any damage done to the meter. It is his responsibility to protect this meter. Water consumed, as requested by the meter, shall be charged in addition to the turn on/off fee in accordance with the current Rate Ordinance.

15. Filling of Swimming Pools

Residential swimming pools may be filled from a hydrant by the Water Distribution Department upon receiving a permit from the Utilities Department. A fee will be charged as established by Ordinance.

The fee for a permit to fill a nonresidential swimming pool will be calculated by determining the volume of water, in hundred cubic feet, to fill the pool multiplied by the current rate per hundred cubic feet.

16. Damage to Water System Facilities

Any damage to the facilities of the City Water System will be repaired by the Water Distribution Department and the cost of the repairs billed to the responsible person and/or the property owner.

The City reserves the right to require proper maintenance and/or repairs of all systems not under its control that may affect the proper operation of the City Water System. Failure to effect said maintenance and/or repairs within thirty (30) days of notification to do so will result in discontinuance of service.

17. Testing of New Water Lines

All new water lines two (2) inches in diameter or larger shall be bacteriologically and hydrostatically tested in accordance with AWWA C650 and C651. Bacteriological sampling and testing must be performed by the City's State licensed and approved laboratory. City personnel will take the sample and run the first test on a new water line free of charge. The laboratory must be notified twenty-four (24) hours in advance between 8:00 A.M and 4:00 P.M. on Monday, Tuesday or Wednesday.

The first test includes both samples unless the first sample fails. If either sample fails and additional testing is deemed necessary, the laboratory will run the additional tests for the fees established by Ordinance.

If disinfection is determined by the Water Distribution Department Superintendent to be necessary, all additional water for flushing the water main will be metered and charged to the contractor in the manner described in Section VII, Part 14 for a temporary service connection.

18. Fire Service Lines

Standby fire service lines may supply fire hydrants, sprinkler systems or standpipes established by the property owner. Charges for standby fire service lines outside the corporate limits will be billed to the owner of the property served. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance.

An automatic fire service connection will be furnished, when the adequate size service main is available only if adequate provision is made to prevent the use of water from such service for purposes other than fire extinguishing. All buildings that have sprinkler systems and/or other fire service protection devices shall be charged according to the size of line applied for at a minimum quarterly rate as established by Ordinance.

The Department assumes no responsibility for the loss or damage because of lack of water or pressure and merely agrees to furnish such quantity and pressure available in the distribution system. The service is subject to shutdown and variations required by the operation of the system. There will be an additional charge for all water used for domestic purposes.

19. Combination Lines

Charges for combination lines will consist of the Standby Fire Service line charge plus the metered consumption billed at the current rate per hundred cubic feet. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance. Only

Consumers outside the corporate limits will be billed for the Standby Fire Service line. Charges for combination lines will be billed to the owner of the property served.

20. Oversize Main Policy

Proposals for new water mains shall be accompanied by engineering calculations performed by a Registered Professional Engineer submitted to the City Engineer proving the water line meets the potable, process, firefighting, and other needs of the area to be served by the water line.

The size (diameter) of the proposed waterline shall be approved by the City Engineer and the Utilities Director, and in no event shall a diameter of less than 6 inches be approved. If it is determined that the City requires a waterline larger in diameter than needed by the proposed development, the difference in the cost of materials will be paid by the City to the property owner/developer, provided:

- That the property owner/developer requests said reimbursement,
- The request for said reimbursement is approved by City Council and the City Engineer, and
- That the actual difference in material costs is clearly documented and the request for payment is submitted in a timely manner (No more than six (6) months after acceptance of the waterline by the City).

21. Quick-Opening Lever Type Hydrants

Installation and use of the quick-opening lever type hydrants that cause extreme water hammers on service branches or on the mains, is prohibited. Presence of such an installation will be cause for discontinuance of water service until the unit is removed.

22. Other Contracts

Contracts other than applications for regular City service, will be required prior to service, under the following conditions:

1. When required by provisions contained in a filed rate schedule. The duration of the contract will be that specified in the schedule.
2. When construction of special extension facilities is necessary.
3. For temporary service.
4. For stand-by service or fire service.
5. For connections with other utilities or municipalities.

Each contract for water service will contain the following provision: "This contract shall at all times be subject to such changes or modifications by the Council of the City of Chillicothe as said Council may from time to time direct in the exercise of its jurisdiction."

23. Contractor's License

No person shall excavate or construct water lines for the purpose of making a connection to any public water system in the City except by virtue of being a licensed contractor by the City Engineering Department to do so.

24. Authority of the Utilities Director

Subject to the approval of Council, the Utilities Director may make any such bylaws, rules, and/or regulations as he deems necessary for the safe, economical, and efficient management and protection of the Utilities Department for the City of Chillicothe. Such bylaws and regulations shall have the same validity as ordinances when not repugnant thereto or to the constitution or laws of the state.

25. Penalties

No provision herein shall be construed as limiting or abridging the right of the City of Chillicothe, through legislative enactment, to declare violations of provision of these Rules and Regulations as constituting offenses punishable as criminal violations.

SECTION VII – SPECIAL SERVICE FEES

Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance.

The Utilities Department shall maintain a current list of fees which shall be provided on request.

SECTION VIII – WATER RATES

Current water rates shall be as established in accordance with Chapter 915 of the Codified Ordinances of the City.

Rates shall be established by City Council after a recommendation from the Water Rate Review Committee, who shall review the rates annually. Rates shall be designed to recover the cost of rendering water service for the year under consideration. Rates shall be established so as to maintain adequate fund reserves to provide for reasonably expected variations in the cost of providing services, as well as variations in the demand for services. The Utilities Director shall prepare an annual water rate report with a recommended rate schedule. This report shall contain data utilized in the determination of said water rates. The report will be presented to the City Council on or before the second Monday of February of each year. The Utilities Director shall make a recommendation to City Council concerning appropriate water rates to become effective March 1 of each year. The Utilities Director shall annually notify in conjunction with the regular billing process, all users of the water charge rate being charged and the portion of the water service charge attributable to the operation, maintenance and replacement costs of the Water Department.

SECTION IX - CROSS CONNECTION AND BACKFLOW PREVENTION

These rules on cross-connection and backflow prevention are intended to cover as many cases as possible but cannot cover every instance. It is, therefore, recommended that the owner or his representative contact the Backflow Prevention Supervisor or the Water Distribution Department Superintendent for details on each specific instance, before beginning of construction.

1. Cross Connection Control - General Policy

A. Purpose: The purpose of these Rules and Regulations is:

1. To protect the City potable water supply from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the City potable water system.
2. To promote the elimination or control of existing cross connections, actual or potential, between the City or consumer's potable water system and nonpotable water systems, plumbing fixtures and sources or systems containing process fluids.
3. To provide for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of the City and consumer's potable water systems.

B. Application: These Rules and Regulations shall apply to all premises served by the City potable water system.

C. Policy: The Backflow Prevention Supervisor and the Water Distribution Department Superintendent shall be responsible for protection of the City potable water system from contamination due to backflow of contaminants through the water service connection. If, in the judgment of the Backflow Prevention Supervisor or the Water Distribution Department Superintendent, or their authorized representative, a cross-connection or backflow situation is possible the consumer shall be given notice to install such approved backflow prevention assembly at each service connection to the premises. The consumer shall immediately install such approved assembly or assemblies at his own expense, and failure, refusal or inability on the part of the consumer to install such assembly or assemblies immediately shall constitute grounds for discontinuing water service to the premises until such assembly or assemblies have been installed.

2. Cross Connection Prohibited

A. No water service connection shall be installed or maintained to any premises where actual or potential cross connections to the City potable or consumer's water system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the Backflow Prevention Supervisor or Water Distribution Department Superintendent.

B. No connection shall be installed or maintained whereby an auxiliary water supply may enter the City potable or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved by the Backflow Prevention Supervisor, the Water Distribution Department Superintendent and by the Director as required by Section 6111.15 of the Ohio Revised Code and §3745-95 of the Ohio Administrative Code.

3. Survey and Investigations

A. The consumer's premises shall be open at all reasonable times to the Backflow Prevention Supervisor and the Water Distribution Department Superintendent, or their authorized representative, for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross connections to the consumer's water system through which contaminated or pollutants could backflow into the City potable water system.

B. On request by the Backflow Prevention Supervisor or the Water Distribution Department Superintendent, or their authorized representative, the consumer shall furnish information on water use practices within his premises.

C. It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross connections to his water system through which contaminants or pollutants could backflow into his or the City potable water system.

4. Where Protection is Required.

An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:

A. Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Backflow Prevention Supervisor, the Water Distribution Department Superintendent and the source is approved by the OEPA.

B. Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to the City potable water system. This shall include premises having

sources or systems containing process fluids or waters originating from the City potable water system which are no longer under the sanitary control of the Backflow Prevention Supervisor or the Water Distribution Department Superintendent.

C. Premises having internal cross connections that, in the judgment of the Backflow Prevention Supervisor or the Water Distribution Department Superintendent, are not correctable or intricate plumbing arrangements which made it impractical to determine whether or not cross connections exist.

D. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross connection survey.

E. Premises having a repeated history of cross connections being established or re-established.

F. Others specified by the Backflow Prevention Supervisor or the Water Distribution Department Superintendent or the Director.

G. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system service, but not necessarily limited to the following types of facilities, unless the Backflow Prevention Supervisor or the Water Distribution Department Superintendent or the Director determines that no actual or potential hazard to the City potable water system exists.

1. Hospitals, mortuaries, clinics, nursing homes
2. Laboratories
3. Piers, docks, waterfront facilities
4. Sewage treatment plants, sewage pumping station or storm water pumping station.
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. Car wash
11. All water services that are not a residential one family dwelling, two family dwelling or three family dwelling shall install an approved backflow prevention assembly.

H. An approved backflow prevention assembly shall be installed at any point of connection between the City potable or consumer's water system and an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Backflow Prevention Supervisor, the Water Distribution Department Superintendent and the source is approved by the OEPA.

I. Backflow Prevention is required on all fire lines. Each fire line and/or fire prevention system will be considered separately for the purposes of determining what backflow prevention assembly is required.

J. An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises where, in the judgement of the Backflow Prevention Supervisor, the Water Distribution Department Superintendent or the Director, actual or potential hazards to the City potable water system exist.

5. Type of Protection Required

A. The type of protection required under Section IX, Part 4 (A), (B), (C), (D), (E), (F), (G) and (J) of these regulations shall depend on the degree of hazard which exists as follows:

1. An approved air gap separation shall be installed where the City potable water system may be contaminated with substances that could cause a severe health hazard.

2. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the City potable water system may be contaminated with a substance that could cause a system or health hazard.

B. The type of protection required under Section IX, Part 4 (H) of these regulations shall be an approved air gap separation or an approved interchangeable connection.

C. Where an auxiliary water supply is used as a secondary source of water for a fire protection system, the provisions of Section IX, Part 5 (B) for an approved air gap separation or an approved interchangeable connection may not be required providing:

1. At premises where the auxiliary water supply may be contaminated with substances that could cause a system or health hazard, the City or consumer's potable water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention assembly.
2. At all other premises, the City or consumer's potable water system shall be protected against backflow by installation of either an approved reduced pressure principle backflow prevention assembly or an approved double check valve assembly.
3. The City or consumer's potable water system shall be the primary source of water for the fire protection system.
4. The fire protection system shall be normally filled with water from the City or consumer's potable water system.
5. The water in the fire protection system shall be used for fire protection only with no regular use of water from the fire protection system downstream from the approved backflow prevention assembly.
6. The water in the fire protection system shall contain no additives.

D. Protection required on fire lines is as follows:

1. The minimum requirement for a fire line is an approved double check detector check valve assembly with approved bypass meter.
2. A fire line with an auxiliary supply (ponds, wells, any water supply other than from the city water system) or additives included in the fire line will require a reduced pressure back flow prevention assembly.
3. If at any time it is found that a fire line has been altered to include any of the above conditions or if a fire line has been connected to for purposes other than fire protection, an approved back flow prevention assembly will be required to be installed immediately. Water service shall be discontinued at the time such alteration is discovered and not reconnected until such time as the required corrections have been completed.
4. If a single tap is supplying both fire suppression and domestic water to a building or facility, the fire line and domestic line will be considered separate for the purpose of determining the necessity of backflow prevention assemblies. Under all circumstances both lines will require a back flow prevention assembly.

6. Backflow Prevention Assemblies

Any backflow prevention assembly required by these rules and regulations shall be of a model or construction approved by the Director and shall comply with the following:

A. A double check valve assembly or a reduced pressure principle backflow prevention assembly shall appear on the current "list of approved backflow prevention

assemblies" of the OEPA. A current list is available at the Plant or Water Distribution Department.

B. To be approved by Backflow Prevention Supervisor and Water Distribution Department Superintendent:

1. An air gap separation shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch (1").
2. An interchangeable connection shall be a four-way valve of the lubricated plug type that operates through a mechanism which unseats the plug, turns it ninety (90) degrees and reseats the plug. Four-way valves shall not be used as stop valves but must have separate stop valves on each pipe connected to the valve. The tell-tale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made. Any interchangeable connection shall have an approved backflow prevention assembly on each line.

C. Existing backflow prevention assemblies approved by the Backflow Prevention Supervisor, the Water Distribution Department Superintendent or the OEPA at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirement of Section IX, Part 6 (A), (B) and (C) of this regulation providing the Backflow Prevention Supervisor and the Water Distribution Department Superintendent are assured that they will satisfactorily protect the City potable water system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance or when the Backflow Prevention Supervisor and the Water Distribution Department Superintendent finds that the maintenance of the assembly constitutes a hazard to health, the assembly shall be replaced by a backflow prevention assembly meeting the requirements of these regulations.

7. Installation

A. Backflow prevention assemblies required by these rules and regulations shall be installed at a location and in a manner approved by the Backflow Prevention Supervisor or the Water Distribution Department Superintendent and shall be installed by and at the expense of the water consumer. In addition, any backflow prevention assembly required by Section IX, Part 4 (A), (B), (C), (D), (E), (F), and (G) of these regulations shall be installed at a location and in a manner approved by the Backflow Prevention Supervisor and the Water Distribution Department Superintendent as required by Section 6111.15 of the Ohio Revised Code & §3745-95 of the Ohio Administrative Code.

B. Backflow prevention assemblies installed on the service line to a consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.

C. Pits or vaults will generally not be approved for the installation of any backflow prevention assembly. However, retrofit of an existing fire suppression system with double check detector check backflow prevention assembly may be allowed in a pit or vault if the pit or vault already exists and the pit or vault meets all the following requirements:

1. Pits or vaults shall be of water-tight construction, be so located and constructed as to prevent flooding and shall be maintained free from standing water by means of either a sump pump or a suitable drain. Such sump pump or drain shall not connect to a sanitary sewer nor permit flooding of the pit or vault by reverse flow from its point of discharge. An

access ladder and adequate natural or artificial lighting shall be provided to permit maintenance inspection and testing of the backflow prevention assembly.

2. If a pit or vault is approved, it shall be understood that when a major system renovation is undertaken these double check detector check backflow prevention assemblies will be moved out of the pit or vault to a suitable location approved by the Water Distribution Department Superintendent.
3. A battery back-up and high level alarm must be installed.
4. Annual tests of the mechanical and electrical system must be performed with the results submitted to the BFPS or Water District Supervisor.

8. Inspection and Maintenance

A. It shall be the duty of the property owner at any premises on which backflow prevention assemblies required by these regulations are installed to have inspection, tests and overhaul made in accordance with the following schedule or more often where inspections indicate a need.

1. Air separation shall be inspected at time of installation and at least every twelve (12) months thereafter.
2. a.) Double check valve assemblies shall be inspected and tested for tightness at time of installation and at least every twelve (12) months thereafter.
b.) They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty (30) months.
3. a.) Reduced pressure principle backflow prevention assemblies shall be inspected and tested for tightness at time of installation and at least every twelve (12) months thereafter.
b.) They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five (5) years.
4. An interchangeable connection shall be inspected at time of installation and at least every twelve (12) months thereafter.

B. Inspections, tests and overhaul of backflow prevention assemblies shall be made at the expense of the property owner and shall be performed by a person licensed and approved by the OEPA and Backflow Prevention Supervisor or the Water Distribution Department Superintendent as qualified to inspect, test and overhaul backflow prevention assemblies.

C. The property owner must maintain a complete record of each backflow prevention assembly from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections and repairs. A copy of the records of inspections, tests, repairs and overhaul shall be submitted to the Backflow Prevention Supervisor or the Water Distribution Department Superintendent.

D. Whenever backflow prevention assemblies required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the property owner without delay and copies of the repairs or replacements must be submitted to the Backflow Prevention Supervisor or the Water Distribution Department Superintendent.

E. Backflow prevention assemblies shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the Backflow Prevention Supervisor or the Water Distribution Department Superintendent.

9. Booster Pumps

A. Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to ten (10) pounds per square inch gauge or less.

B. It shall be the duty of the property owner to maintain the low pressure cut-off device in proper working order and to certify to the Backflow Prevention Supervisor or the Water Distribution Department Superintendent, at least once every twelve (12) months that the device is operable. Certification must be performed by a licensed contractor.

10. Violations

A. The Backflow Prevention Supervisor or the Water Distribution Department Superintendent shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention assembly required by these regulations is not installed, tested and maintained in a manner acceptable to the Backflow Prevention Supervisor or the Water Distribution Department Superintendent, if it is found that the backflow prevention assembly has been removed or by-passed, or if an unprotected cross connection exists on the premises, or if a low pressure cut-off required by these regulations is not installed and maintained in working order.

B. Water service to such premises shall not be restored until the property owner has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Backflow Prevention Supervisor or the Water Distribution Department Superintendent.

PART B – WASTEWATER DIVISION

PREAMBLE

This set of rules and regulations is established under the Ohio Revised Code, Section 743.01 through 743.04 and Chapter 6109 – Safe Drinking Water, and Chapter 6111 – Water Pollution and 3745-95 of the Ohio Administrative Code.

The adoption of this set of rules and regulations is not for the purpose of imposing unnecessary or burdensome regulations upon the users of the wastewater system of the City of Chillicothe, but only to provide for the orderly conduct of the business of the Chillicothe Utilities Department, to prevent the inefficient use of the wastewater system, to ensure equal treatment of all customers of the Utilities Department, and to protect the public health and safety.

Reasonable diligence and care will be exercised to provide a continuous, uninterrupted, and sufficient collection of wastewater from all customer sand to avoid any interruption in collection. However, there is neither any expressed or implied guarantee that a continuous collection of wastewater will be maintained al all times. Wastewater collection is subject to all the variable conditions that could affect the ability of the Chillicothe Utilities Department to maintain normal service.

The following supersedes all previous publications of the Rules and Regulations for the City of Chillicothe Utilities Department

There herein after named Rules and Regulations for the City of Chillicothe Utilities Department shall be considered a part of the contract of every person, company, or corporation that is provided with wastewater service by the Utilities Department of the City of Chillicothe, Ohio and every such person, company, or corporation, by contributing to the wastewater system shall be considered to express his or their consent to be governed thereby. This set of rules and regulations may be altered, amended, or added to at any time, but any alterations shall not affect any contract wit the consumer for the current term.

SECTION I – DEFINITIONS

Certain term and phrases appearing in these Rules and Regulations have specific definitions, which are set forth in the glossary appearing at the end of this document. These definitions shall apply in the interpretation and enforcement of these Rules and Regulations.

SECTION II - INITIATION OF SERVICE

1. Application Required

Application for a new sanitary sewer service tap shall be made at the office of the Engineering Department, 35 South Paint Street, Chillicothe, Ohio, by the property owner, or his duly authorized agent, on forms furnished by the Engineering Department. At this time the Engineering Department will classify the service as Residential, Commercial, or Industrial.

Changes to any service or account (including the turn-on, activation of a new service, or reactivation of an existing service) must be made in person by the property owner at the Utility Department Billing Office, 35 South Paint Street, Chillicothe, Ohio. Proof of ownership of the property (such as a copy of the deed for the property) for which a change in service is requested must be supplied at the time of application. Form UD-1 may be completed by the property owner, with a notarized signature, granting authority for another individual to apply for a change in service or account. A currently valid driver's license or State photo I.D., or two other acceptable forms of I.D. will be required from the applicant.

2. Deposits

At the time of application for changes to existing sanitary sewer service, a deposit will be required of applicants who have not previously received service from the City, who do not own the property for which service is requested, or who have an unsatisfactory record of payment of sewer bills. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance. Upon discontinuation of service and full payment of all outstanding financial obligations to the Utilities Department, the deposit (or remaining balance thereof) will be returned, without interest, upon request by the applicant at the Utility Department Billing Office, 35 South Paint Street, Chillicothe, Ohio.

3. Tap and User Fees

At the time of application for a new sanitary sewer service the applicant will be required to pay a tap and user fee for the installation of the sanitary sewer service. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance. Tap fees shall be paid no more than thirty (30) days prior to tap.

4. Sanitary Sewer Service Installation Requirements

All individual connections, taps and service laterals will be installed from the sanitary sewer main to the public right-of-way, utility easement, or property line by an employee of the Wastewater Collection Department. Only duly authorized employees or agents of the Chillicothe Utilities Department will be permitted to install a service lateral from the service main to the customer's premises.

The applicant shall install the service lateral from the building to the public right-of-way, utility easement, or property line where the service lateral installed by the Water Distribution Department ends.

A minimum of two (2) working days will be required from the time the Wastewater Collection Department is notified that a new service lateral is ready to be installed to the time of the installation. This period is to allow the Ohio Utilities Protection Service to notify all utility companies of the proposed construction so they may, in accordance with the laws of the State of Ohio, mark their underground utilities and thereby protect them from damage.

If the Wastewater Collection Department employee travels to the site of the service lateral installation and the applicant has failed to comply with any regulation defined herein, the service will not be installed and a trip fee charged to return to complete the service. Trip fee charges are provided in section IX of these Rules and Regulations.

5. Service Outside City Limits

Out-of-City service will be granted only in accordance with duly enacted Ordinances or Resolution adopted by City Council.

All construction methods and materials shall be in accordance with the standards and inspection of the City.

Any and all easements necessary for the provision of sanitary sewer service shall be obtained by the applicant and provided by the applicant to the City.

Provided a three-day written notice is given, the Utilities Department reserves the right to discontinue sanitary sewer service to consumers outside City Limits at any time, should they deem it necessary to protect the sanitary sewer service for consumers within the City Limits.

6. Separate Service

No person shall, for sanitary sewer collection purposes, connect more than one house, building or other structure to any sanitary sewer service lateral connected to the City system, except for a private garage or similar structure used as an adjunct to and located on the same

property, with any house, building or other structure. Any arrangements that exists different form this exception shall be corrected within ninety (90) days of notification to do so by the City.

Each structure connected to the City Sanitary Sewer System shall have a separate service lateral.

Council, based upon the recommendation by the Utilities Director, must approve exceptions to this regulation.

Failure to comply with this regulation within ninety (90) days of notification to do so will result in sanitary sewer service being terminated.

A customer may request additional service laterals be installed for the same property. The charge for installation would be the same as that for a new service connection or the estimated cost of installation, whichever is greater.

SECTION III - BILLING FOR SERVICE

1. Account Responsibility All accounts are listed in the name of the property owner. With the consent of the property owner, one or more persons who occupy a consumer benefited unit may appear jointly on an account.

PROPERTY OWNERS SHALL BE LIABLE FOR THE PAYMENT OF BILLS FOR SANITARY SEWER SERVICES AT ANY SERVICE ADDRESS WHICH HAS BEEN LAWFULLY OCCUPIED BY A CONSUMER OR TENANT, REGARDLESS OF WHETHER THE CONSUMER IS A CUSTOMER WHO HAS ENTERED A CONTRACTUAL AGREEMENT WITH THE CITY TO PAY FOR UTILITY SERVICES AT THE SERVICE ADDRESS, OR IS OTHERWISE LIABLE TO PAY FOR SANITARY SEWER SERVICE PURSUANT TO AGREEMENT BETWEEN THE OWNER AND CONSUMER.

The billing address for Sanitary Sewer services shall be that of the property owner, unless he designates some other address or consents to have bills for Sanitary Sewer services issued to another customer who specifies some other address.

Presentation by an adult consumer of a written lease agreement pursuant to which the consumer is entitled to occupy premises owned by the property owner and is responsible for the water and sewer service, shall be deemed consent of the owner for the consumer to appear jointly on the account if the consumer enters into a contractual relationship with the City to receive and pay for utility services provided by the City, and for bills to be issued only to the consumer. An owner may notify the City, in writing, that the property owner's consent for bills to be issued only to a tenant has not been given or is being withdrawn, in which event bills will be issued to both. The withdrawal of consent may apply to specific service addresses or to all properties owned by the property owner. Failure of the tenant to timely pay for water services shall be deemed his consent for the City to provide unpaid bills for water services to the property owner at such address as the property owner may have specified in writing.

In the event a consumer is entitled to occupy premises owned by another pursuant to an oral lease or rental agreement, the property owner must expressly consent for bills to be issued to the consumer on a form provided by the City, which shall include the notice set forth above.

All persons applying for sewer service shall be required to disclose, in writing at the time of application, whether applicant has previously received sewer service for which the applicant failed to pay when due or if applicant is otherwise delinquent with regard to any account for sewer services provided by the City. In the event applicant has failed to pay for service or is

otherwise delinquent with regard to any account for sewer services, then the owner of the premises shall be notified and service shall be provided only upon the express agreement of owner to assume liability for all unpaid sewer services at the service address. Failure to accurately disclose the foregoing shall be punishable as falsification pursuant to R.C 2921.13 (A) (8).

2. Basis for Billing

Sanitary sewer user charges are based on the amount of water consumption registered on the consumer's water meter. Any residential consumer who does not have City water service will be billed for wastewater service on the basis of 800 cubic feet (6,000 gallons) per month. The fee for billing a nonresidential consumer without City water service will be determined by Council, based upon the recommendation of the Utilities Director. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance.

3. Billing Schedule

Sanitary sewer bills will be mailed out by the first day of the month. Sanitary sewer bills are due and payable at the Utility Department Billing Office, 35 South Paint Street, Chillicothe, Ohio, on or before the twentieth (20th) day of the month or the first business day following the twentieth if the twentieth falls on a holiday or weekend.

If the bill is not paid by the due date, the customer will be charged an additional 10% to cover bookkeeping and collection costs.

Meters will be read bi-monthly except for large consumers for which meters will be read monthly. In the event that extenuating circumstances or severe weather conditions preclude reading of the meters, the sanitary sewer usage for the period shall be estimated for billing purposes. Every effort will be made by the Utilities Department to minimize the necessity for estimating usage. Estimated usage will be based upon the average over the previous twelve (12) months.

Opening and closing bills will be based on consumption or minimum bills for the month, whichever amount is greater. It is the consumer's responsibility to notify the department of "turn-on" and "turn-off" requests. The dates of these requests will be used as a basis for computing minimum bills. In all cases, "turn-on" and "turn-off" requests will be billed at least a monthly minimum charge.

The Utilities Department will bill customers for sanitary sewer usage based upon the water usage registered on their meters or the minimum amount, whichever is greater.

4. Delinquency Policy

Bills not paid by the due date are considered delinquent. Customers billed on a bimonthly basis are mailed a delinquent notice three (3) days after the original bill was due notifying them of a final date for payment, which is twenty (20) days after the due date. If bills remain unpaid at these final dates, service will be discontinued without further notice. (See Part A, Section IV - Turn Off Policy.)

5. Major Industrial Consumers

Industrial waste shall not be discharged into a stormwater sewer but may be discharged into a sanitary sewer if the waste is of such character as not to be detrimental to the POTW Chillicothe wastewater system. Where such waste is detrimental to the POTW it shall be otherwise disposed of in a satisfactory manner or so improved in character by pretreatment as not to be detrimental to the POTW.

Any major industry situated within the service area of the Chillicothe wastewater system and having any connection with that system or otherwise discharging industrial waste, either

directly or indirectly, into said system will be billed in accordance with the rate schedule. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance. The volume used for computing the charge for wastewater service shall be the metered water consumption of the industry except as provided hereinafter.

If the industry discharging industrial waste into the public sewer obtains any part, or all, of this water from sources other than the Chillicothe water system, all or part of which is discharged into the public sewer, the industry shall install and maintain at its expense water meters of a type approved by the Utilities Director for the purpose of determining the volume of water obtained from those other sources.

The industry discharging industrial waste into the public sewer may install and maintain at its expense metering facilities for determining the volume of waste being discharged. The metering instrument shall be of a type acceptable to the Utilities Director.

The Utilities Director may require the installation of an instrument for measuring the volume of waste being discharged if the volume cannot otherwise be determined from metered water consumption records. Any measuring instrument required by the Utilities Director shall be installed and maintained at the sole expense of the industry and shall not be removed without the written consent of the Utilities Director.

Industrial wastes with concentrations of the following parameters in excess of the established limits that are discharged to the Chillicothe wastewater system shall be charged for in accordance with the rates as established by duly enacted Ordinance.

Chemical Oxygen Demand.....	800 milligrams per liter
Suspended Solids.....	300 milligrams per liter
Total Phosphorous.....	25 milligrams per liter
Ammonia.....	100 milligrams per liter

Industries having an OEPA permit to discharge cooling water to the stormwater system may be provided a credit on its bill for wastewater service if a meter is installed on the connection to the system.

6. Returned Check Policy

A fee will be charged for all checks returned from the Consumer's bank, as established by duly enacted Ordinance. Consumers will be given ten (10) business days to pick up the check and make any payments due at the Office after being notified that the check has been returned.

Should the City receive two (2) returned checks in a two (2) year period, no City Department will accept checks from the Consumer for a period of two (2) years following the most recent returned check.

Consumers who provide proof of overdraft protection on their checking account may have their check writing privilege restored. A Consumer whose check writing privilege is restored, either by overdraft protection or the passage of the two (2) year period, and who is responsible for another returned check will have his check writing privilege revoked forever.

When check-writing privileges have been revoked, payment of water bills must be by certified check, money order or cash.

The City reserves the right to refuse to accept checks from any person for reasons other than the aforementioned.

A Consumer using the Auto-Pay system of the Office who has inadequate funds to cover the transaction or who has the transaction stopped for any reason will have his Auto-Pay service terminated and will be charged the returned check fee.

SECTION IV – DISCONTINUATION OF SERVICE

After the expiration date on the Delinquent Notice the service will be considered discontinued and inactive. Use of or contribution to the sanitary sewer system after the date of discontinuance or inactivation will be considered unauthorized and subject to an unauthorized use fee. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance.

Services considered discontinued and inactive for nonpayment will be reactivated only after payment of the delinquent bill in full, the unauthorized use fee, plus a fee for any trips required of the serviceperson or Utilities Department personnel. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance. An extension of the discontinuance or inactivation date on the Consumers Delinquent Notice may be granted if requested by the Consumer in person and if, in the opinion of the Office Manager, the Consumer's past payment record warrants doing so.

SECTION V – SANITARY SEWER EXTENSIONS

1. Within Corporate Limits

The City Engineer and the Utilities Director are responsible for the review and approval of the installation of sewer extensions to serve new areas within the corporate limits. The proposed sanitary sewer shall be connected to an existing sanitary sewer main, unless the proposed sewer will result in overloading the existing sewer system. In this case permission for connecting to an existing sewer may be denied until such time as the necessary corrective measures have been taken.

All new sanitary sewers and appurtenances shall meet the specifications adopted as standard by the City for the construction and installation of same and any plans or specifications approved by the City Engineer and the Utilities Director.

Sewer extensions into new real estate subdivisions will not be permitted until the preliminary plan for such subdivision is approved by the Chillicothe Planning Commission and the construction plans are approved by the City Engineer, Utilities Director, and the OEPA.

2. Outside Corporate Limits

Subject to Section II, Part 5 above, the Utilities Director shall review and approve of the installation of sewer extensions to serve new areas beyond the corporate limits. The proposed sanitary sewer shall be connected to an existing sanitary sewer main, unless the proposed sewer will result in overloading the existing sewer system. In this case permission for connecting to an existing sewer may be denied until such time as the necessary corrective measures have been taken.

All new sanitary sewers and appurtenances shall meet the specifications adopted as standard by the City for the construction and installation of same and any plans or specifications approved by the City Engineer and the Utilities Director.

Sewer extensions into new real estate subdivisions will not be permitted until the preliminary plan for such subdivision is approved by the Chillicothe Planning Commission and the construction plans are approved by the City Engineer, Utilities Director, and the OEPA.

In all cases, such extensions shall be made in accordance with Sections II, Part 6, Section V, Part 1, and Section V, Part 3. Such extensions shall be affected only by written agreement.

3. Expense of Extensions

Unless the extension is made under the provision of Section V, Part 5, all extensions of sanitary sewer to serve new areas within the corporate limits shall be constructed by the developer at his own expense, unless the extension is approved by Council or is constructed in accordance with the provision of the Ohio Revised Code regarding assessments. The full cost of the extension includes any and all inspection costs, preparation of plans and estimates and any other related expenses.

The developer shall submit proper plans and estimates for the main, obtain the approval of the City Engineer and Utilities Director for the plans and estimates, and shall construct same in accordance with City regulations relative to the installation of water mains.

4. Procedures

The subdivision or lot owner shall submit proper plans and cost estimates for the sewer and shall obtain the approval of the City Engineer and the Utilities Director for the plans and estimates.

The determination of the estimated cost of any proposed sewer extension shall include all items of materials and labor, including any costs associated with the opening of pavement, street surfacing and rock excavation, together with allowances thereon for engineering and general office expense pertaining to the purchase, storage, delivery and installation of all materials necessary for the extension.

Prior to beginning any installation or construction of proposed sewers, the subdivision or lot owner shall be required to post a bond, the amount to be determined by the City Engineer, to ensure compliance with these Rules and Regulations and proper and complete installation of the sewers.

In dedicated streets or new real estate subdivisions, the City Engineer may permit an owner to arrange for the construction of a sewer extension by private contract; the performance of the work shall be done under the supervision and control of the Engineering and Utilities Departments. In the construction of any extension, the plans shall have the prior approval of the City Engineer and Utilities Director. Only duly approved and inspected materials will be permitted. The contractor shall be required to furnish a bond, either cash or surety, as a guarantee against defective workmanship or materials and shall be required to pay for inspection and supervision of the work unless otherwise exempted by the City Engineer.

5. Assessment Arrangements

The owners of property to be served by a proposed sewer extension may petition for the construction of such an extension and the assessment of the cost thereof in accordance with the provisions of the Ohio Revised Code.

6. Rights of City

All sewers installed within the public right-of-way or utility easement, including service laterals to the property line, whether within or outside the corporate limits, shall become the sole property of the City upon connection with City sewers and shall thenceforth be maintained by the City. The City shall make any repairs to the service laterals requiring excavation only within the public right-of-way or utility easement. All other maintenance or repairs of the service lateral shall be the responsibility of the property owner.

The City shall have the right and authority to further extend any extension, under any of the procedures set forth herein, to serve additional properties beyond any earlier or original extension of sewers without reimbursement to any person who may have contributed to the cost of an earlier or original extension.

At locations where sanitary sewer is not available and the property owner/developer desires the use of the public sewer, the property owner/developer shall cause a sanitary sewer line to be constructed from an existing sanitary sewer line to, along, and/or across the entire parcel that the property owner/developer desires to serve. The entire cost associated with the construction of the sanitary sewer line, including engineering and approval, shall be borne by the property owner/developer that desires the sanitary sewer service. Upon the completion of construction of the water line by the property owner/developer and acceptance of such by the City, the sanitary sewer line becomes the property of the City of Chillicothe.

SECTION VI - MISCELLANEOUS PROVISIONS

1. Control of Wastewater System

The Utilities Director shall have complete supervision and regulation of the design, construction and inspection of the entire wastewater system of the City.

The City Engineer shall issue all necessary permits and licenses for the construction and installation of all building sewers and their connection to the main wastewater collection system of the City.

The Utilities Director shall have complete supervision of the operation and maintenance of the wastewater system.

The entire wastewater system shall be under the direction, control and enforcement of the Utilities Director.

2. Right to Interrupt Service

Whenever the City finds it necessary or convenient for the purpose of making repairs or improvements to the City Wastewater System, it shall have the right to temporarily suspend collection of wastewater and shall not be liable for any loss or damage occasioned thereby.

Whenever possible, and as time permits, all affected Consumers will be notified prior to such suspension by personal contact and/or news release.

The City shall NOT be liable for interruptions in wastewater service, backups, or lack of collection, or for any loss or damage occasioned thereby, if caused by accident, act of God, fire, strikes, riots, war or other cause.

Repairs or improvements will be made as rapidly as is practicable and, so far as possible, at such time as will cause the least inconvenience to the customer.

3. Access

A. Entry to Buildings: The officials and employees of the Utilities Department may enter at reasonable hours into any house or building supplied with wastewater collection service to examine pipes, vents, meters, and connections that are a part of the wastewater collection system. All Utilities Department employees carry and display City identification cards and must present these cards upon request prior to being permitted entry.

B. Hours of Access: Access, at reasonable hours, will be provided for the Utilities Department personnel to premises in which meters are located. It is the responsibility of the consumer to provide this access in such a manner so that the Utilities Department does not incur excessive or overtime costs. In the event that trouble is encountered obtaining this access, the Utilities Department assumes no liability for unread meters.

C. Right of Entry for Repairs: By requesting service, entering into an agreement with the City for the provision of wastewater collection service, and the City providing wastewater collection service, the customer automatically grants the City and the Utilities Department the right of entry to the premises for the sole purposes of making any necessary

repairs or improvements to the public wastewater collection system which may be located upon said premises.

4. Tampering with Service Laterals or Pipes

No person shall maliciously tamper with service laterals, pipes, or other lines or apparatus of the City. No person shall tap, sever, open, or make unauthorized connections to a main or pipe used or intended for the collection of wastewater. This section does not apply to the agents or employees of the Utilities Department for that purpose, of the owner or operator of the appliances referred to in this section, and does not apply to anything done by or under authority of any regularly constituted fire department. (Chapter 4933.22 (12512-1) of Ohio Revised Code.)

Violators of Chapter 4933.19 or 4933.22 of the Ohio Revised Code shall be fined not less than one hundred nor more than one thousand dollars or imprisoned not more than thirty days, or both.

5. Maintenance of Service Lines

All consumers shall keep their private service laterals, pump stations, backflow preventors, connections and any and all other private wastewater collection equipment or apparatus in good repair and protect same from frost at their own expense. They shall prevent waste, and no claim shall be made against the City of Chillicothe, by reason of any breakage of any service lateral or connection, or drainage arising from discontinuing wastewater collection service to repair mains or for any other reason.

6. Use of Sanitary Sewers

No person shall maintain any private wastewater facilities, or other private facilities for sanitary use, on any property where the public sewer main is located in a street, alley or right of way abutting such property, unless the foundation of the building having wastewater facilities is located further than two hundred (200) feet from the sewer main.

No person shall, for sanitary purposes, connect more than one house, building or other structure to any sanitary sewer lateral connected to the City system, except for a private garage or similar structure used as an adjunct to and located on the same property, with any house, building or other structure.

The City reserves the right to deny connections to the POTW Chillicothe wastewater system for reasons of insufficient capacity.

Downspouts, sump pumps, or footing drains are not permitted to be discharged to the public sewer system.

7. Private Sewage Disposal Systems

Where a public sanitary sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the OEPA, City Engineer, Utilities Director, and Ross County Board of Health. Availability is defined as being where the public sewer main located in a street, alley, or right of way is located within two hundred (200) feet of the foundation of building having wastewater facilities.

At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the sanitary sewer within one (1) year of the time the sewer becomes available for use. Unless being used for pretreatment and a contiguous part of the private lateral system, any septic tanks, cesspools and similar private sewage disposal facilities shall be removed or abandoned in accordance with OEPA and Ross County Board of Health requirements. Use of any septic tanks, cesspools and

similar private sewage disposal facilities for pretreatment and a contiguous part of the private lateral system shall be approved by the Utilities Director.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City and in such a manner as not to create a public nuisance.

Downspouts, sump pumps or footing drains are not permitted to be discharged to the septic system.

8. Unauthorized Connections

Any person having any private drain connected to any public sewer in the City which is constructed contrary to the provision of these Rules and Regulations shall disconnect said private drain within ten (10) days of being notified by the City Engineer. A penalty in accordance with the law, shall be incurred for each day after notification that the prohibited connection continues in place.

No connection with, or opening into, any public sewer of the City shall be made except as provided in these Rules and Regulations. A penalty, in accordance with the law, shall be incurred for each day the prohibited connection continues to exist after notice from the City Engineer to disconnect.

9. Connections with Public Sewer

No building sewer shall be constructed to connect with a public sewer nor shall any connection to be made to a public sewer within the City except in accordance with these Rules and Regulations.

No connection of any kind or nature shall be made to any sanitary sewer without first obtaining a permit for such connection from the City Engineer. All such connections shall be inspected by the City Engineer, the Utilities Department or their authorized representative before the trench is backfilled. Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance.

After a permit has been issued, and before making the connection, notice shall be provided to the City Engineer or the Utilities Department by the person who will make the connection stating when the work will be ready for inspection. An inspection shall be made by the City Engineer or the Utilities Department within two (2) working days, unless agreed upon by all parties involved differently.

All permits issued as herein provided are valid for a twelve (12) month period. A trap for the interception of grease and oil, consistent with City standards, shall be provided on all connections from hotels, restaurants, clubs, public garages, car washes and institutional kitchens.

See Section II, Part 4 for reference as to location of connection.

10. Oversize Main Policy

The minimum size for new sanitary sewer mains is established by the City as eight (8) inches in diameter, unless engineering calculations performed by a Registered Professional Engineer can justify a smaller size.

The size (diameter) of the proposed sanitary sewer line shall be approved by the City Engineer. If it is determined that the City requires a sanitary sewer line larger in diameter than needed by the proposed development, the difference in the cost of materials will be paid by the City to the property owner/developer, provided:

- That the property owner/developer requests said reimbursement,
- The request for said reimbursement is approved by City Council and the City Engineer, and

- That the actual difference in material costs is clearly documented and the request for payment is submitted in a timely manner (No more than six (6) months after acceptance of the sanitary sewer line by the City).

11. Contractor's License

No person shall excavate or construct sewers for the purpose of making a connection to any public sewer in the City except by virtue of being a licensed contractor by the City Engineering Department to do so.

12. Authority of the Utilities Director

Subject to the approval of Council, the Utilities Director may make any such bylaws, rules, and/or regulations as he deems necessary for the safe, economical, and efficient management and protection of the Utilities Department for the City of Chillicothe. Such bylaws and regulations shall have the same validity as ordinances when not repugnant thereto or to the constitution or laws of the state.

13. Penalties

No provision herein shall be construed as limiting or abridging the right of the City of Chillicothe, through legislative enactment, to declare violations of provision of these Rules and Regulations as constituting offenses punishable as criminal violations.

SECTION VII - DISCHARGE RESTRICTIONS

In the installation of a sewer connection and in the issuance of a permit for the use thereof, the following requirements shall be observed:

- Sewage, including wastes from water closets, urinals, lavatories, sinks, bath tubs, showers, laundries, cellar floor drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains and other objectionable wastes shall be discharged into a sanitary or combined sewer, and in no case into a stormwater sewer.
- Industrial waste shall not be discharged into a stormwater sewer, but may be discharged into a sanitary sewer if the waste is of such character as not to be detrimental to the POTW or public sewer. Where such waste is detrimental to the POTW or public sewer, it shall be otherwise disposed of in a satisfactory manner or so improved in character through pretreatment as not to be detrimental.
- Surface water, rainwater from roofs, downspouts, subsoil drainage, building foundation drainage, cistern overflow, clean water from condensers, wastewater from water motors and elevators, and any other clean and unpolluted wastewater shall be discharged into a storm sewer and in no case into a sanitary sewer. No surface water, rainwater from roofs, downspouts, subsoil drainage, building foundation drainage, cistern overflow, clean water from condensers, wastewater from water motors and elevators, sump pumps, or any other clean and unobjectionable wastewater shall be discharged into a combined sewer without first obtaining a permit for each and every such connection from the City Engineer. The City Engineer shall prescribe uniform rules, regulations and specifications concerning the installation of surface water, rain from roofs, downspouts, subsoil drainage, building foundation drainage, cistern overflow, clean water from condensers, wastewater from water motors and elevators, and other clean and unobjectionable wastewater drainage into combined sewers, and any such connections shall be prohibited except in accordance with such rules, regulations and specifications as prescribed by the City Engineer, but in no event shall any such connection be made into any combined sewer without the installation of

separate storm and sanitary lines past the sidewalk or into the street right of way, and then joined before being connected to any such combined sewer.

- Connection with a cesspool or a privy vault shall not be made into a sanitary, combined or stormwater sewer.
- No person shall discharge into a building sewer or shall tap a building sewer for the purpose of discharging into it any waste or drainage water prohibited by the provisions of this Section. Any existing connection in violation of the provisions of this Section shall be abandoned or removed.
- No surface water, rainwater from roofs, downspouts, subsoil drainage, building foundation drainage, cistern overflow, clean water from condensers, wastewater from motors and elevators, sump pumps, or any other clean and unobjectionable wastewater shall be discharged into any combined or storm sewer without first obtaining a permit for such a connection from the City Engineer. Fees for these permits are provided in Section IX of these Rules And Regulations.
- Wastewaters that are strictly prohibited from being discharged to any public sewer and those substances for which specific limitations on their concentrations have been established may be determined by contacting the Wastewater Superintendent at 405 Environmental Way, Chillicothe, Ohio.

SECTION VIII – SPECIAL SERVICE FEES

Fees for services provided by the Utilities Department shall be as established by duly enacted Ordinance.

The Utilities Department shall maintain a current list of fees which shall be provided on request.

SECTION IX – WASTEWATER RATES

Current sanitary sewer rates shall be established in accordance with Chapter 913 of the Codified Ordinances of the City of Chillicothe.

Rates shall be established by City Council after a recommendation from the Water Rate Review Committee, who shall review the rates annually. Rates shall be designed to recover the cost of rendering wastewater service for the year under consideration. Rates shall be established so as to maintain adequate fund reserves to provide for reasonably expected variations in the cost of providing services, as well as variations in the demand for services. The Utilities Director shall prepare an annual wastewater rate report with a recommended rate schedule. This report shall contain data utilized in the determination of said wastewater rates. The report will be presented to the City Council on or before the second Monday of February of each year. The Utilities Director shall make a recommendation to City Council concerning appropriate wastewater rates to become effective March 1 of each year. The Utilities Director shall annually notify in conjunction with the regular billing process, all users of the wastewater charge rate being charged and the portion of the wastewater service charge attributable to the operation, maintenance and replacement costs of the Wastewater Department.

SECTION X - GLOSSARY OF DEFINED WORDS AND PHRASES

Approved Laboratory Procedures: The measurements, tests, and analyses of the characteristics of water and wastes in accordance with analytical procedures determined acceptable by Federal Guidelines as established in Title 40, Code of Federal Regulations, Part 136, or as approved by the Regional Administrator, U.S. Environmental Protection Agency.

Billing Address: The address at which the customer contractually liable for utility services furnished to a service address receives billings from the City. Billing addresses may, but need not, be the address at which said services are received.

Biochemical Oxygen Demand (BOD5): The quantity of oxygen utilized in the biochemical oxidation of organic matter as determined by approved laboratory procedures.

Building Drain: That part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste or other drainage pipes inside the walls of a structure and conveys it to the building sewer which begins three (3) feet outside the outside face of the wall of the structure.

Building Sewer: The extension of the building drain to the public sewer or other place of disposal.

Chemical Oxygen Demand (COD): The amount of oxygen consumed from a chemical oxidant as determined by approved laboratory procedures.

City: The City of Chillicothe, Ohio.

City Engineer: The City Engineer of the City of Chillicothe, Ohio.

City Wastewater System: The City of Chillicothe Wastewater System, which consists of the treatment facilities, pumps and pump stations, and collection system, and shall include all those facilities of the wastewater system under the control of the Utilities Director up to the point of the consumer's private wastewater system. The City Wastewater System ends at the public right-of-way, utility easement, or property line, unless agreed to differently in writing between the property owner and Council.

City Water System: The City of Chillicothe Potable Water System, which is subject to Ohio Revised Code 6111.13. The City Water System consists of the source facilities (aquifers and wells), treatment facilities, storage facilities, and distribution system, and shall include all those facilities of the potable water system under the control of the Utilities Director up to the point of the consumer's private water system. The City Water System ends at the downstream (consumer's) side of the meter, which will be located at the public right-of-way, utility easement, or property line, unless agreed to differently in writing between the property owner and Council. The City Water System shall include any necessary backflow prevention assembly installed adjacent to the meter or shutoff in the building.

Combination Lines: Those water line extensions constructed on private property both for the purpose of fire fighting and domestic water supply.

Combined Sewer: A sewer intended to convey both wastewater and storm or surface water.

Commercial Customer: Any business engaged in retail, wholesale, personal services, repair services or any other activity which does not involve the mass production or manufacture of a commodity on the premises.

Consumer: Any person who is the ultimate user of water utility services or wastewater collection services provided by the City.

Consumer Benefited Unit: Any service address in which the customer who is contractually liable for utility services furnished that address does not reside.

Consumer Household: Any service address in which the customer who is contractually liable for utility services furnished to that address does not reside.

Consumer's Wastewater System: Any wastewater system, located on the consumer's premises, contributing to or in any manner connected to the City Wastewater System. A household plumbing system is considered to be a Consumer's Water System.

Consumer's Water System: Any water system, located on the consumer's premises, supplied by or in any manner connected to the City Water System. A household plumbing system is considered to be a Consumer's Water System.

Contracted Reserve Capacity: That portion of the unused system design capacity which has been retained by contract for future use by a user.

Cooling Water: The clean wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling or refrigeration.

Council: The body of elected officials serving the current term on the Chillicothe City Council.

Customer: Any person who enters into a contractual agreement with the City to receive or to pay for utility services provided by the City. Customers may, but need not be consumers of the services provided under such a contractual agreement.

Customer Benefited Unit: Any service address in which the customer contractually liable for utility services furnished that address resides.

Customer Household: Any service address in which the customer contractually liable for utility services furnished to that address resides.

Developer: Any corporation, individual, or the City involved in the building or extending of the public water lines or public sanitary sewer lines or any other part of either system.

Discharge: The disposal of sewage, water or any liquid from any sewer user into the Chillicothe sewerage system.

Domestic Waste: Any discharge to the sewer system that has strength characteristics which do not exceed 250 mg/l of BOD, 300 mg/l of suspended solids and 40 mg/l of TKN.

Engineering Department: The City of Chillicothe Engineering Department.

Industrial Customer: Any business engaged in manufacturing, processing or fabrication of products to be wholesaled or retailed off site.

Industrial Process: Any activity where materials are received and are altered by one or more internal operations and then dispatched in the altered form.

Industrial User: Any nongovernmental user of the Chillicothe sewerage system identified in the Standard Industrial Classification Manual, 1972 edition, classified in Division A, B, O, E or I, that discharges wastewater from an industrial process, and the total wastewater discharged is not primarily non-process domestic waste.

Industrial Wastes: Solid, liquid or gaseous waste from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources.

Maintenance: Keeping the treatment works in a state of repair and shall include expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.

Mayor: The elected official serving the current term of the Mayor of Chillicothe, Ohio.

Natural Outlet: Any outlet, including storm sewers and combined sewers, into a water course, pond, ditch, lake or other body of surface or ground water.

Normal Domestic Sewage: Wastewater with characteristics similar to the discharge expected from a typical single family residence.

OEPA: Ohio Environmental Protection Agency.

Office: The Chillicothe Utility Billing Office.

Office Supervisor: The Utilities Billing Supervisor.

Person: The state, any political subdivision, public or private corporation, individual, partnership, or other legal entity.

POTW: Publicly owned treatment works.

Provider: A utility company (as defined in Chapter 6119, Ohio Revised Code) or a municipal utility company is a "provider" of utility services as that term is used in these rules, if it (1) delivers and/or controls the delivery of utility services to that service address; (2) decides if utility services to that service address are to be provided or terminated; or (3) bills or collects utility service charges for that service address. A public or municipal utility company which merely sells bulk utility services to a provider (as that term is defined in these rules) does not, for that reason alone, thereby become a provider itself.

Public Sewer: A common sewer controlled by a governmental agency or public utility.

Residential Customer: Personal homes or buildings used for human habitat, including apartments, condominiums, town houses, dormitories, etc.

Rotary Sewer: Any sewer constructed without grants or assessments.

Rotary Watermain: Any water main constructed without grants or assessments.

Sanitary Sewer: A sewer that conveys liquid and water-borne wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

Service Connection: The terminal end of a service line from the City Water System. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

Service Lateral: The service line from the City wastewater main which ends at the right-of-way, utility easement, or property line, unless agreed to differently in writing between the property owner and Council.

Service Address: Any individual address at which either or both water utility services and wastewater utility services are furnished to a consumer or customer benefited unit. The singular may include the plural. Most service addresses will be individually metered and served. However, in some buildings one water meter or wastewater lateral may supply or service more than one benefited unit. In such circumstances, each individual benefited unit is a separate service address as that term is used herein. In any case where one meter supplies more than one benefited unit or service lateral collects from more than one benefited unit, the customer shall be the owner or legally authorized agent of the owner of the premises.

Sewage: Water-borne human wastes or a combination of water-borne wastes from residences, commercial buildings, industrial plants and institutions together with such ground, storm or surface water as may be present.

Significant Industrial User: All industrial users subject to categorical pretreatment standards; and any other industrial user that: discharges an average of 25,000 gallons per day of process wastewater to the POTW; contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW; or has a reasonable potential, in the opinion of the Service Director, to adversely affect the POTW or for violating any pretreatment standard or requirement.

Standby Fire Service Lines: Those water line extensions constructed on private property for the sole purpose of fire fighting.

Storm Sewer: A sewer intended to convey surface water, ground water, subsurface water or unpolluted water from any source of natural origin.

User Classes: 1) An industrial user who discharges industrial wastes to the POTW. 2) Nonindustrial user, e.g., all other users of the POTW.

Utilities Director: City of Chillicothe Utilities Director.

Wastewater: The spent water of a community, which may be a combination of the liquid and water-borne wastes from residences, commercial buildings, industrial plants and institutions together with any ground water, surface water and storm water that may be present.

Wastewater Collector: The City of Chillicothe Utilities Department.

Wastewater Plant: Wastewater Treatment Plant.

Wastewater Tap Fee: A fee on all new connections which includes the processing of the application for a permit and the labor and materials necessary for the Utilities Department personnel to make the connection to the public sanitary sewer system.

Wastewater User Fee / Charge: A fee on all new connections to partially pay for the investment made by the City for the wastewater treatment facilities and collection system to serve additional consumers. The charge levied against a sewer user which has been determined to be that user's fair and equitable share of the costs associated with the operation and maintenance of the POTW

Water Plant: Water Treatment Plant.

Water Provider: The City of Chillicothe Utilities Department.

Water Tap Fee: A fee on all new connections which includes the processing of the application for a permit and the labor and materials necessary for the Utilities Department personnel to make the connection to the public water line.

Water User Fee / Charge: A fee on all new connections to partially pay for the investment made by the City for the water treatment facilities and distribution system to serve additional consumers.