

COUNCIL OF THE VILLAGE OF FLETCHER, OHIO

ORDINANCE NO. 0-4-2019

**AN ORDINANCE ESTABLISHING RATES AND FEES
FOR MONTHLY WATER CHARGES**

WHEREAS, all rules and regulations are established under the Ohio Revised Code, Section 743.01 through 743.04 and Chapter 6109 – Safe Drinking Water, and Chapter 6111 – Water Pollution and 37450-95 of the Ohio Administrative Code; and

WHEREAS, the adoption of Rules and Regulations is not for the purpose of imposing unnecessary or burdensome regulations upon the users of water from the Fletcher water supply system, but only to provide for the orderly conduct of the business of the Board of Public Affairs / Fletcher Water Department, to prevent the waste of water and to ensure equal treatment of all customers of the departments and to protect the public health and safety, and

WHEREAS, reasonable diligence and care will be exercised to provide a continuous and sufficient supply of water to all customers at a normal pressure and to avoid any shortage or interruption in delivery; and

WHEREAS, there is neither an express or implied guarantee that a continuous supply, fixed pressure, or full volume shall be maintained at all times, the service being subject to all the variable conditions that could affect the ability of the Board of Public Affairs / Fletcher Water Department to maintain normal service,

WHEREAS, this Ordinance supersedes all previous ordinances and publications of the Rules and Regulations for the Board of Public Affairs / Fletcher Water Department.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Fletcher, Ohio, as follows:

Section 1. Rate Schedule - Updated water rates shall go into effect on the first day of January each year. A 25% increase of the rates will occur every year for the next five (5) years, unless the Board of Public Affairs determines that an increase is not necessary.

Section 2. Application Required - Application for new water service shall be made through the Board of Public Affairs / Fletcher Water Department by the property owner, or the property owner's duly authorized agent, on a form furnished by the Water Department. The Board will classify the service as residential, commercial, or industrial. Changes to existing service must be made in person at the monthly board meeting. Photo identification is required when applying for new service or requesting a change to existing service.

Section 3. Deposits - At the time of application for water service, a deposit will be required of applicants who have not previously received service from the Village or who have a unsatisfactory payment history in reference to Village utility services as determined at the discretion of the Water Dpartment. The deposit will be returned, without interest, upon request by the Applicant made at the monthly Board meeting after an established record of prompt payment of water bills for a period of two (2) years.

Section 4. Tapping Fees - At the time of application for new water service, the Applicant will be required to pay a fee and obtain a permit for the installation of the service. The applicable fee is set forth in the current rate schedule. All permits issued as herein provided are valid for a period of six (6) months from the date of issue. An extension of six (6) months may be granted provided the request for the extension is received within six (6) months of the date of issue. There shall be no refund of application fees.

Section 5. Meter Installation Requirements - The Water Department or its contractor shall install all meters two (2) inches in size and smaller. Installation of meters larger than two (2) inches shall be subject to the prior approval of the Water Department Superintendent. The Board of Public Affairs/Fletcher Water Department shall be responsible for developing further guidelines and regulations regarding meters and their installation, and shall make said guidelines and regulations available to the public at the Water Department.

Section 6. Service Outside Village Limits – Water service outside the Village limits will be billed at one hundred fifty percent (150%) of the regular rate. All water service outside Village limits may be terminated at any time with a 30-day notice to said property.

Section 7. Separate Meters Required - Each new structure connected to the Village water system shall have a separate meter. Properties on which only one metered supply line provides water service to two (2) or more separate structurers shall be remediated to comply with this Section within ninety (90) days of notification to the property owner by the Board. Any exemption from the regulations set forth in this Section must be approved in writing by the Water Department Superintendent, and the procedures for requesting said exemptions shall be made available at the Water Department.

Section 8. Account Responsibility - All accounts shall be listed in the name of the property owner. Bills may be sent to the renter living in the property at the property owner’s request. Rates are set forth in Appendix A herein.

The property owner shall be responsible, pursuant to Ohio Revised Code, section 743.01 through 743.04, for all bills left unpaid by any tenants renting the property from the property owner.

In the event the water bill becomes delinquent, the Village may secure payment for water service provided by placing a lien against the property to which water service was provided, which shall be recorded as set forth under the law of this State. Said lien shall encumber the property until such time as the amount billed for water service and secured by the lien is paid, together with all applicable administrative fees of the Village and any costs necessarily incurred by the Village to create, record, enforce, foreclose upon, collect in satisfaction of, or release said lien. Such charges are in the nature of an obligation of the land itself and a subsequent purchaser of the land takes the property subject to any lien, unpaid charges, fees, and costs described herein. Until such charges are paid, continued water service may be shut off, and resumption of service may be refused.

Section 9. Billing Schedule - All water bills shall be issued monthly. Water bills are due and payable to the Board of Public Affairs/Water Department no later than the twentieth (20th) day of the month. A 10% late charge shall be applied to any water bills not paid by the due date. If the bill is not paid by the first day of the following month the water bill shall be deemed delinquent.

Section 10. Delinquency Policy - If a bill is delinquent for more than eight (8) days, the service may be shut off without further notice and an additional fee will apply in order to resume service.

Section 11. Leaks - All leaks in the property owner's water system, whether detected by the party to whom the bill is sent or a representative of the Village, shall be repaired within seventy-two (72) hours of its detection.

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

Section 12. Meter Test - The Water Department will test a meter upon request of the property owner made at a Water Board meeting. If the meter is found to be over register by more than two percent (2%), the property owner's bill for that billing period shall be adjusted accordingly.

If the water meter is tested and found not to be over registering by more than two percent (2%), the bill shall be paid as rendered plus a fee for testing the meter. The amount of the fee is provided in the rate schedule set forth in Appendix A herein. The tested meter shall be reinstalled at the property owner's expense.

Section 13. Meter Replacement - Replacement of meters requested by the property owner will be billed on the basis of the actual cost of labor, materials, and equipment plus a fee of fifteen percent (15%) of said cost.

Section 14. Returned Checks - A fee of fifty dollars (\$50.00) will be charged for all returned checks as set forth in Appendix A herein.

Anyone who issues a check that is returned unpaid shall be notified by the Water Department of the returned check, and shall have two (2) business days to pay the bill plus the returned check fee by certified check, money order, or cash.

If no payment is made on the bill after the second business day, the water service may be shut off without further notice. The Village reserves the right to refuse checks from any person that in the past two (2) years has had a check.

The water board clerk or board member has the right, if in their opinion based on past payment record, to not discontinue service for non-payment.

Section 15. Location and Accessibility – Each property owner shall provide at no cost to the Board of Public Affairs/Fletcher Water Department, a suitable location for the required meter and all associated equipment.

All meters and associated equipment must be located so as to be easily accessible to the employees or agents of the Board of Public Affairs/Fletcher Water Department. Meters shall not be set in a place where there is a likelihood that they may be damaged, hidden, or where access to them may be obstructed.

The Board of Public Affairs/Fletcher Water Department reserves the right to require a relocation of its meters and associated equipment due to inaccessibility, safety hazards, freezing, vandalism, damage to meters, additional services, and such other reasons that are necessary to read and maintain the meters. The property owner shall provide for this relocation at the property owner's expense upon written notice from the Board of Public Affairs to do so.

Section 16. Damaged Meters – Any meter or associated equipment damaged through negligence on the part of the property owner shall be repaired or replaced at the property owner's expense. This includes, but not limited to, meters damaged by freezing or excessive heat.

Section 17. Inspection Required – No service will be turned on subsequent to installations of new water supply lines, meter, or associated equipment, or replacement of old water supply lines, meter, or associated equipment unless both (1) the installation or replacement has been inspected for leaks and for compliance with all applicable codes and approved by the appropriate inspecting authority and (2) without the property owner present.

Section 18. Operation of Curb Stops and Hydrants – No one except a member of the Board of Public Affairs/Fletcher Water Department or an agent thereof may turn water on or shut water off at the curb stopcock, fire hydrant or valve, or at a water meter, without permission of the Board of Public Affairs.

Appendix A

Current Rate Schedule

Updated water rates will go into effect on the first (1st) of the year. A 25% increase of the rates will occur every year for the next five (5) years, unless the Board of Public Affairs determines that an increase is not necessary.

Base Charge Per Month – 0-2000 Gallons	\$27.50
Per 1000 Gallons Additional	\$13.75
Per 1000 Gallons Hydrant Meter	\$13.75

Miscellaneous Fees

New Customers	\$250.00
Fee For Returned Checks	\$50.00
Service Charge to Shut Water Off	\$55.00
Service Charge to Turn Water On	\$55.00
Service Charge to Turn Water On After 4 PM	\$75.00
Service Charge to Turn Water on Weekends or Holidays	\$100.00
Basic Service Call	\$25.00
Mailed Out Late Notice	\$3.00
Passing Out Late Notice	\$10.00
Customer Address or Name Change	\$10.00
Temporary Water Service	\$150.00 + Usage
Meter Test	\$40.00 + Usage
Application Fee for Water	\$30.00 per Customer
Meter and Reading Equipment	\$300.00
Requested Meter Change Out	\$300.00

Appendix B

Tap In Fees

The following fees are based upon meter size of that application. These fees do not include time and material or outside contractor costs.

¾"	\$ 1,500.00
1"	\$ 1,800.00
1 ½"	\$ 2,000.00
2"	\$ 3,800.00
3"	\$ 4,500.00
4"	\$ 6,000.00
6"	\$ 8,000.00
8"	\$10,000.00