

ORDINANCE NO. 10-17

**AN ORDINANCE ADOPTING BYLAWS AND RULES APPROVED
BY THE SPENCER VILLAGE BOARD OF PUBLIC AFFAIRS
NECESSARY FOR THE SAFE, ECONOMICAL AND EFFICIENT
MANAGEMENT AND PROTECTION OF THE SPENCER VILLAGE
PUBLIC WATER SUPPLY AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Spencer,
Ohio, three-fourths (3/4) of its members concurring herein as follows:

Section 1: Attached hereto and incorporated herein as "Exhibit A" are Bylaws and Rules adopted by the Village of Spencer Board of Public Affairs that have been determined to be necessary for the safe, economical, and efficient management and protection of the Spencer Village water supply. The Council of the Village of Spencer hereby approves and adopts the Bylaws and Rules attached hereto as a valid ordinance that is necessary for the safe, economical and efficient management and protection of the waterworks, water plants, the public utility, and the safe water supply in the Village of Spencer.

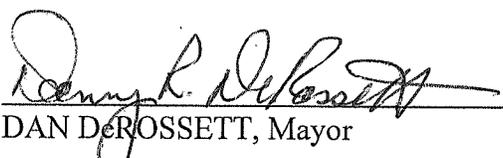
Section 2: This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Village, and for the particular reason that it is immediately necessary to update the Bylaws and Rules as they apply to the Spencer Village water supply, the waterworks, the water plant, and the water public utility service, and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: July 12, 2017

ATTEST:



SHERI RAMEY, Village Fiscal Officer



DAN DeROSSETT, Mayor

**RULES AND REGULATIONS
GOVERNING THE VILLAGE OF SPENCER, OHIO
WATER DEPARTMENT**

In the adoption of these Rules and Regulations, it is intention of the Village of Spencer Water Department, herein termed "Department" to provide Rules and Regulations as deemed necessary for the orderly conduct of its business, the preventing of unnecessary waste of water, to forestall discrimination among consumers and to protect the public water supply.

Effective: May 16, 2017

Most current revision shall supersede any pervious rules.

Revised:

August 12, 1992

March 18, 1993

October 13, 1993

September 13, 1993

May 11, 1995

September 14, 1995

September 23, 1997

November 1997

September 23, 1997

November 14, 2000

April 10, 2001

December 2002

December 2003

February 2005

July 2006

May 2007

March 2008

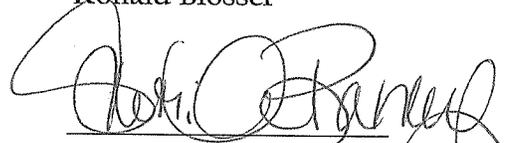
July 2017

Board of Public Affairs


Nell Hall


Irene Gehring


Ronald Blosser


Fiscal Officer, Village of Spencer



SECTION 1 ADMINISTRATION

A). ADOPTION

The following by-laws, rules and regulations as adopted by the Board of Public Affairs are for the information and the guidance of all users of the public water supply of Spencer, Ohio, and are the part of the contract between the Department and each user and owner of any premises where water is furnished.

B). VALIDITY

Each section or part thereof in these rules and regulations are hereby declared to be a separate and distinct enactment, and should any or section part of section be held inoperative or void, it shall not affect the validity of any other section.

C). CONTROL

The public water supply system of Spencer, Ohio including all mains, laterals, valves, hydrants, meters, and services, is under the exclusive control of the Board of Public Affairs, the Accounting authorized agents and employees. Such control shall include all piping from the Village mains to the point of ultimate consumption, or where the village water is finally discharged at atmospheric pressure.

D). PRESSURE AND SUPPLY

The Department does not guarantee any minimum, maximum, constant or fixed pressure, continuous supply or the quality of water. In case of any catastrophic emergency, causing an interruption of supply, the department will endeavor to notify the consumers. Those using steam boilers and receiving their supply directly from the village mains should have a storage tank of sufficient gallons to hold a supply for any emergency, as no claims will be considered for damage of any emergency, as no claims will be considered for damage of any nature what so ever, arising from such action.

E). LEAKS-MAINTENANCE

It shall be the responsibility of the owner of the property to keep their piping and plumbing fixtures in good condition and no adjustments will be made for leaks that register on the water meter.

F).WASTE AND FREEZING

Any person, firm, or corporation having a connection to the public water supply system who permits water to be wasted from such connection either by unnecessary use or by failing to prevent freezing, shall have after personal notification, such water connection turned off. The department and or Accounting may order water service to be disconnected to any premises where insufficient heating facilities cause danger or freezing to line.

G). TAMPERING

No person, other than an authorized agent of the Department, may connect to any public water line, tamper with or remove any meter, or parts thereof, or any seal or insert a meter by-pass. No person shall operate, open or otherwise tamper with any valve, corporation stop, curb stop, or any other device, after the same shall have been closed for the violation of any rule or regulation of the Department, or in any way take water private use unlawfully or without first having secured the necessary permit from the Department and Accounting.

If the Department finds evidence of tampering, the water shall be immediately shut off and shall not be turned on again until the consumer or owner of the premises has paid for the estimated quantity of water which has been used and not registered, and in addition thereto, a fee of fifty dollars (\$50.00) for turning on said water.

The criminal laws of the State of Ohio provides severe penalties for the tampering with water meters, meter seals, valves and any other devices in the water system. The penalties herein above provided are in addition to the penalties provided by the criminal laws of the State of Ohio, and by making the payment herein above will not in any way relieve any person from criminal prosecution.

H). CONTAMINATION

No person shall do injury to, bathe in, or put filth, animal matter, debris or any other substances or contaminants into any Village water supply or distribution system.

I). APPLICATION FOR CONNECTION

Any person, firm, contractor, or corporation desiring a water connection shall make application for said connection in person, or by agent, at the office of the Village Clerk, 109 North Main Street, Spencer, Ohio 30 days in advance. In case of technical difficulties or an act of God, the Department cannot guarantee connection in any said time.

J). APPLICATION FOR SERVICE

Application for service through a meter shall be made at the office of the Village Clerk. Where applicable, an occupancy certificate must be displayed before an application for service will be accepted.

Section 2 BILLING

A).CHARGE

A minimum deposit of two hundred dollars (\$200.00) is required for all rental properties; It shall be paid in full at the time of application, by the renter, for those renters responsible for payment of bills. The Board of Public Affairs reserves the right to require that the Landlord maintain all water and sewer billing in his/or her name, rather than tenants.

Bills will be rendered during each calendar month, by the tenth (10th) of each month , the minimum charge shall be billed and the monthly meter charge, based on current rates as determined by the Board of Public Affairs.

All bills shall be payable on or before the twenty- fifth (25th) day of the month in which rendered. A penalty of \$25.00 will be added to bills not paid when due.

In the event the bill is not paid on or before the due date, the water service may be disconnected following a written notice. Service shall not be resumed until payment of all delinquent charges, including penalties and a \$25.00 off and a \$25.00 on a total of (\$50.00) fee are paid in FULL. There will be NO after hour reconnections done.

A fee of \$25.00 off and or \$25.00 on will be charged to any resident, including rental and commercial properties requesting service to be turned on and or off unless it is an emergency situation determined by the Water Superintendent and or the Board of Public Affairs .

B).RATES

Class 1 Metered service water, except as otherwise provided in Class 2 of this schedule, the rates for metered service for public or private use shall be the current rates adopted by the Board of Public Affairs.

Class 2 Add fifteen percent (15%) to the water rates for all services outside the corporation limits.

Any property with one or more units will be charged a separate minimum per each unit in dwelling.

C) COLLECTIONS AND PENALTIES

The department sends out bills as a matter of convenience to the owner or water consumer, failure to receive same will not relieve anyone of the responsibility for prompt payment.

When the last day for payment of the net bill falls on a Saturday, Monday or legal holiday The time for payment of the net bill will automatically extended to include the first full business day.

Accounts, except partial payments, may be paid at the Farmer Savings Bank, to the Clerk, or mailed to P.O. Box 336, Spencer Ohio 44275.

There shall be a twenty five \$25.00 dollar penalty added for water bills not paid by the 25th of each month.

D) RESPONSIBILTY FOR PAYMENT

On rental property, it shall be the responsibility of the owner to pay all delinquent water charges. Service will not be disconnected unless it is delinquent or requested in writing by the owner of dwelling. If the property owner does not order water shut off at the curb and or meter locked out at the unoccupied dwelling the minimum charge will be charged each month until proper notice is given. All delinquent accounts against property shall furnish just cause for water shut off or civil suit against, property owner.

E) DELINQUENT ACCOUNTS

No water will be supplied to any premises, the owner of which is delinquent in the payment of any water bills or who is indebted to the Department for any materials, supplies or labor charges, until any such indebtedness has been paid; and the Department reserves the right to shut off the water from any premises owned by the person so delinquent upon giving a fourteen day (14 day) notice to do so. A delinquent account shall furnish just cause for civil suit: against the property owner.

F) PENALTIES

If any person shall refuse or neglect to pay the water charge when due, or for any repairs on service line or meters, or permit use of any water contrary to these Rules or ordinances governing the same, or violates any provision of these Rules and Regulations for the management and protection of the Department, the water shall be turned off after fourteen (14 days) notice and not turned on again until the damages and charges have been paid, plus a penalty of fifty dollars (\$50.00) for shutoff and turn on service. There will be no after-hours reconnection done. Any tax supported agency shall not be penalized for late payment of water bills.

G) NON-SUFFICIENT FUND POLICY

A thirty five (\$35.00) fee will be charged for all returned checks.

Service will be disconnected immediately upon receiving a NSF check, if that payment is past due. If payment is not past due, account will be subject to regular disconnection procedures. To resume service, payment in full of the amounts due, plus fee, plus fifty (\$50.00) On and off charge must be paid with cash or money order to the Board of Public Affairs clerk.

SECTION III INSTALLATION

A) WATER TAP CHARGES

Advance payment for water taps for water service or fire protection shall be in accordance with the following:

Tap size	
¾ inch	\$2250.00 meter included
1" inch	\$3600.00
1½ inch	\$5600.00
2" inch	\$6900.00
3" inch	\$20,000
4" inch	\$29,000
6" inch	\$36,000

These fees do not pertain to anything past the curb valve, anything past this point is your responsibility.

If a backflow protection is required it will be at the owner's expense.

B) SERVICE OR LATERALS-MAIN TO CURB STOP

1) Advanced Service Laterals

Advanced service laterals are those defined necessary by the Village of Spencer, running across areas to be paved or connected to water mains under areas to be paved, also laterals through areas where underground electrical power, cable television, etc., installations are anticipated.

Where ever possible, open trenching is to be eliminated by use of boring equipment, to be completed before paving operations.

Backfilling of open trenches is to be performed by the paving or developers contractor with compacted, approved granular material. All excavations are subject to inspection by the Spencer Water Department.

The owner of the property to be served by the service lateral shall pay in advance the usual tap fee at the time application is made for service. The tap fee shall be in accordance with the schedule included in these Rules and Regulations.

The owner of the property to be serviced lateral shall pay in advance the usual tap fee the appropriate size tap in accordance with section III, A.

The service laterals shall be installed at the desired location at the time the service is required, at the owners expense.

C).SERVICE LINE EXTENSION TO BUILDING

All service lines laid from the curb shut- off or end service to the inside wall of the premises to supply water with, shall be constructed of "K" type copper or of ductile iron, not Less than (3/4") inside, and shall have a covering of not less than four feet of earth and shall not be laid on a ninety degree angle from the main to structure entrance, unless otherwise designated by the Board of Public Affairs. All service lines shall be inspected by the Department before covering. The laterals, from the curb box in, shall be the responsibility of the owner.

D).SEPERATE SERVICE

Multiple dwellings are permitted one service line and master meter, with the curb stop placed in the curb lawn. Meters will be furnished in accordance with Section III, A.

All multiple dwellings shall be required to install a village approved locking ball valve and submit proof of installation completion within 120 days. Those directly affected by this requirement may contact the Village Clerks office. To aid with the compliance, the village will be supplying approved valves on a no cost basis during the 120request only. Effected residents who do not comply within this time frame shall be responsible for the valve purchase and subsequent enforcement penalties and shut -off.

There may be only one resident on a service branch and each branch shall be metered. Each house or building shall have a separate curb stop located outside the premises and on the public right-of-way unless otherwise approved. The Board of Public Affairs and Accounting may require properties or premises not to be equipped, to install additional services and/or curb stops at; the expense of the property owner.

New construction will require separate taps and meter for multiple dwellings residential unit.

Business operations that are required to have grease traps operating on the premises are controlled by Medina County.

E). REPAIR TO SERVICE LINE

Whenever a break, leak, or freezing occurs in any line between the main line and the curb shut-off, the Department will repair it and restore service at the Village expense as soon as possible: but if said break, leak or freezing is in the property owners line (between curb box shut -off or street property line in the absence of a curb box and the structure) and the Department is to prevent leakage or damage, deems it proper shutoff the water, and so doing it becomes necessary to dig up the curb or line, then the owner of the property will be charged with the cost of doing such work and for all necessary material used therein.

The Department shall not be responsible for breakage of the pipes or valves occurring during removal or installation of meters, where such breakage is due to old or faulty plumbing.

F) WATER LINE EXTENSIONS IN NEW SUBDIVISIONS AND ALLOTMENTS

The developer of any new subdivisions or allotment or parts thereof, shall install all water mains, service laterals, fire hydrants, valves, etc.; at his expense. Only standard hydrants and valves will be approved and all material and work performed shall be in accordance with the plans and specifications approved by the Department.

G) CONTRACTOR TO BE APPROVED

All waterline extensions or service lateral shall be installed by a bonded and insured person or contractor, subject to the approval of the Board of Public Affairs.

H) DISINFECTION

No new water mains, main extension's, main replacements and/or other appurtenances which will be connected to, or become a part of the Village water distribution system shall not be activated or placed into service until they have been properly disinfected in accordance with the EPA Certified Laboratory and approved for use by the Board of Public Affairs. It shall be the responsibility of the contractor making the installation to provide approved sampling taps at locations suitable to the Department.

I) COVER

All water mains shall be installed so as to have a minimum cover of four and one-half feet: (4 1/2) from the ground surface or proposed future street grade.

J) LOCATION

The location of all waterline and appurtenances including service laterals shall be approved by the Board of Public Affairs.

SECTION IV METERS

A) METERS

The Department shall furnish and install one five eights inch (5/8") by three quarter inch (3/4") domestic meter per three quarter inch (3/4") tap. The cost of additional or larger than three quarter inch (3/4") meters where required shall be paid by the owner, and maintained by the owner. Meter shall be provided by the Village at Village cost plus 20% and maintained of such service.

B) METER LOCATION AND PROTECTION

Where a meter cannot be conveniently and safely located within a building, the Department may require an approved outdoor meter box or BAT meter and reading system approved by The Board of Public affairs at the consumer's expense.

It shall be the owners responsibility to protect the meter from damage including freezing and any cost or repairs resulting there from, shall be borne by the owner.

C) METER SUBSTITUTION

The Department reserves the right to remove a meter from any premises and substitute another in its place for purpose of testing and repair.

D) VALVES

Each meter in size greater than three quarter inch (3/4") shall be provided with an approved shut-off valve at both inlet and outlet side of said meter. Domestic meter (5/8" and 3/4"), shall have one approved shut-off valve in the inlet piping. Such shut-off valves shall be readily accessible.

E) COMPOUND METERS

All meters two inch (2") in diameter and larger shall be compound indicating type.

F) READINGS

All meters will be read by the Department. If for any reason the Department cannot obtain reading due to the meter being out of service, it will be replaced in accordance with Section IV, A.

If meter is out of service due to tampering or neglect of the meter it will be replaced by the Village and charged to the homeowner plus 20% and maintained of such service.

If reading cannot be obtained due to obstruction of any kind the homeowner will be notified and have two (2) days to clear the way of the reader or make appointment with Department to get proper reading.

The Board of Public Affairs has the right to inspect Village owned meters at ANYTIME. Random checks will be made of all meters with the schedule frequency of up to four times a year. Anyone who does not comply with this request will face enforcement penalties and or service will be shut-off .

G) RECONNECTION OF SERVICE

If service has been shut off for any reason, an appointment must be made with the Department for reconnection and the home owner or account holder must be present at time of reconnection. No exceptions.

SECTION V MISCELLANEOUS

A) BACKFLOW PREVENTION

See ordinance 10-00 and Appendix IV

B) BOILERS

The potable supply to the boiler shall be equipped with a backflow preventer with an intermediate atmospheric vent complying with ASSE 1012. Where conditioning chemicals are introduced into the system, the potable water connection shall be protected by an air gap or reduced pressure principle backflow preventer complying with ASSE 1013.

Damage to water meters resulting from improper connections between boilers, furnaces or other heaters, shall be the responsibility of the consumer.

C) SWIMMING POOLS

The Village of Spencer, by its Department, will NOT fill swimming pools under no circumstances, from a hydrant.

Pools may be filled via the regular billing service, through the meter any time required by the owner, subject to payment of the appropriate sewer charge.

A fifty (\$50.00) dollar penalty will be charged for violations, and all damages incurred.

D) INSPECTIONS OF METERS, BACKFLOW DEVICES, PIPING, ETC.

Inspectors, meter readers or employees of the Department whose duty it may be to enter upon private premises to collect water samples or to examine meter, backflow devices, pipes or other fixtures use in connection with the Village water supply shall be equipped with the proper credentials, as the Board of Public Affairs deems necessary, to identify them as agents of the Department. Such authorized inspectors, meters readers, or employees of the Department must have free access at all reasonable hours to all parts of the building for the purpose of inspecting meters, examining fixtures and observing the manner in which the water is used. In case any authorized inspector, meter reader or employee is refused admittance to any premises, or shall

be hindered or prevented from making such examination, the water will be turned off and not turned on again until free access.

E) DETECTOR CHECK

All new fire service lines shall include an approved check valve and flow detection device or meter. The Department reserves the right, at any time, to order installation of a check valve and a meter or flow- detecting device of a type acceptable to and approved by the National Board of Fire Underwriters in any existing fire service line.

F) FIRE DEPARTMENT USE OF HYDRANTS,ETC.,

In case of fire, the Fire Department shall have the right to use any hydrant, hose or other fixture wholly, or part, for fire protection. It is the responsibility of the Fire Department to notify the Department when excessive water is used to ensure that the tower stays at a safe level.

G) DISTURBING FIRE HYDRANTS

No person except an authorized agent, of the Department or the Fire Department, or a person with a special permit from the Board of Public Affairs and Accounting shall disturb or damage any fire hydrant or any part thereof, or take any water from said hydrant under any circumstances. In case any damage is done to a fire hydrant by any person, he shall upon demand of the Department; pay such damages and all cost and expense incurred by reason thereof.

H) USE OF THE WATER FROM HYDRANT

Water will not be used from fire hydrant for any reason, other than stated.

I) AUTHORITY, PENALTIES FOR VIOLATION

Ohio Revised Code, Section 4933.22

Tampering with fire hydrant, pipe or meter.

No person shall maliciously open, close, adjust, or interfere with a fire hydrant, valve, regulator, gauge, disc, curb cock, stopcock, meter or regulator, operating or measuring device, or appliance in or attached to the walls, tanks, reservoirs, conduits, pipes, mains, service pipes, house pipes, or other pipes or apparatus of a water company or furnisher of water, with the 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 agent or employee for this purpose, of the owner operator of the appliance referred to in this section, and does not apply to anything done by or under authority of any regularly constituted fire department.

Ohio Revised Code, Section 4933.23

Interfering with pipe and meters

No person shall willfully or maliciously injure or destroy, or intentionally permit to be injured or destroyed, cut, break, adjust, or interfere with any pipe, valve, regulator, gauge, gate, stopcock, trap, meter or other regulating or measuring device or appliance used in construction or operation of any plant furnishing or distributing hot water or steam for heating purposes. No person shall willfully or maliciously divert any hot water or steam from pipe or other part of such heating plant water or steam supplied by any such heating plant.

Ohio Revised Code, Section 4933.99

Whoever violates Section 4933.16 of the Revised Code shall be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00).

Whoever violates Section 4933.19 or 4933.22 of the Revised Code shall be fined not less than twenty five dollars (\$25.00) nor more than three hundred dollars (\$300.00) or imprisoned not more than thirty (30) days.

Whoever violates Section 4933.20, 4933.21, or 4933.23 of the Revised Code shall be fined not less than fifty dollars (\$50.00), nor more than one thousand (\$1000.00) or imprisoned not less than thirty (30) days nor more than one (1) year, or both.

Waste Water Plant Operator Position Description

GENERAL STATEMENT OF DUTIES

Operate the Wastewater Plant and perform the mechanical maintenance of the Plant and minimum amount of basic laboratory sampling and testing.

SUPERVISION RECEIVED

Work as the supervisor of the Wastewater Plant and the Wastewater Plant operator.

JOB DUTIES

Open Plant

Gather daily samples for laboratory and testing.

Pump and assist in the sludge application program.

Perform daily analysis of wastewater influent and effluent that pertains to direct Operation of Plant.

Adjust and regulate equipment: i.e. , pumps, blowers, etc.

Gather daily readings and figures and enter data on monthly EMR and Plant Operations report.

Maintain Plant, grounds, buildings, fencing and distribution line.

Supervise and perform the maintenance and production of Wastewater treatment Plant, Including mechanical repairs.

Perform any other duties as assigned.

Inform Mayor, Council and Board of Public Affairs members of all communications from the Ohio EPA upon receipt.

Copies of all reports to Ohio EPA will be given to the Village Clerk for Village records.

Attend all meetings of the Board of Trustees of Public Affairs or be formally excused.

Operator must be present at line taps and repairs or have an EPA approved representative present.

Minimum Qualifications:

High School diploma or equivalent, satisfactory completion of Class 1 Wastewater Treatment training course and License within one year of employment in this position.

Licenses and Certificates Requires: Valid Ohio driver's license, Class Wastewater Treatment Certification.

