



CITY OF PATASKALA

ORDINANCE 2019-4340

Passed June 3, 2019

AN ORDINANCE AMENDING SECTION 925.01 (RULE 8, RULE 9, RULE 11 AND RULE 15) OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA AS SHOWN IN EXHIBIT A

WHEREAS, section 925.01 of the codified ordinances of the City of Pataskala define the rules and regulations governing water service from the City of Pataskala Department of Utility Services; and

WHEREAS, language needs to be changed to reflect the current billing cycles of the Department of Utility Services; and

WHEREAS, language needs to be changed to reflect the current general fees ordinance of the Department of Utility Services; and

WHEREAS, language needs to be added to reflect the current landlord policy utilized by the Department of Utility Services; and

WHEREAS, language needs to be added to establish a penalty for unauthorized operation of water valves and/or fire hydrants owned by the Department of Utility Services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:

Section 1: Section 925.01 Rule 8 of the Codified Ordinances of the City of Pataskala shall be amended to read as follows:

RULE 8. All water rates are charged against the property and not against the occupant thereof. If the owner of the premises elects to have his tenant or lessee pay the water rent, the owner is responsible and the Department will refuse to furnish any more water to the premises until the delinquent water rent is paid. In case of a delinquent water rent against a property where more than one tenant or caretaker is supplied from the same service pipe, the water will be turned off at street until said delinquent water is paid, regardless of the fact that one or more of the consumers may not be delinquent.

New ownership shall not eliminate any provisions of this rule.

Section 2: Section 925.01 Rule 9 of the Codified Ordinances of the City of Pataskala shall be amended to read as follows:

RULE 9. All unpaid water rents become delinquent on the 15th of the month of issue, and water shall be shut off without further notice, it being deemed sufficient notice of such assessment being due when the original bills were mailed to consumer or owner. When shut off, it shall not be turned on again unless the amount is paid in full together with an additional charge of thirty-five dollars (\$35.00) to reimburse the Department of Utility Services for losses in time, etc., sustained by such delinquency of the premises.

Final/Initial meter readings will not be obtained on rental properties. Meter readings from the monthly reading cycle will be used for billing purposes. Any partial month consumption by a tenant will be the responsibility of the property owner.

Collections on rental properties are completed following the same procedure as all other properties in the City of Pataskala. Payment plans and extensions are available to all customers, to include rental properties, pending approval from the Department of Utility Services. The Department of Utility Services will attempt to contact the owner of a rental property before granting a payment plan.

Section 3: Section 925.01 Rule 11 of the Codified Ordinances of the City of Pataskala shall be amended to read as follows:

RULE 11. The authorized agents of the Department of Utility Services shall have free access at all reasonable hours of the day to all parts of the premises to which water is supplied, and upon discovery at any time of any irregularities in making attachment, the water may be shut off without notice, until a remedy has been provided satisfactory to the Department, and a fee of thirty-five dollars (\$35.00) paid as an equivalent for loss and damage sustained and labor and time spent in turning on and off the water.

Section 4: Section 925.01 Rule 15 of the Codified Ordinances of the City of Pataskala shall be amended to read as follows:

RULE 15. No one, other than authorized government entities and/or first responders, shall use water from any service, unless the use is metered. Whoever violates this Rule shall pay a fine of one thousand dollars (\$1,000.00) for each violation. Every day a violation occurs constitutes a separate offense.

Section 5: All other Rules set forth in Section 925.01 shall remain unchanged, in effect, and enforceable.

Section 6: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 7: This Ordinance shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

ATTEST:


Kathy M. Hoskinson, Clerk of Council


Michael W. Compton, Mayor

Approved as to form:



Brian M. Zets, Law Director

**CHAPTER 925
Water Regulations**

925.1	Rules and regulations.	925.3	Lawn watering.
925.2	Backflow prevention devices; private water supply; inspections.	925.99	Penalty.

CROSS REFERENCES

Water power contract - see Ohio R.C. 735.08
 Easements for water supply - see Ohio R.C. 715.34
 Contract for water supply - see Ohio R.C. 743.24, 4933.04
 Power to regulate water rates - see Ohio R.C. 743.26, 743.28,
 4909.34 et seq.

925.01 RULES AND REGULATIONS.

RULE 1. Meters shall only be set or removed by authorized employees of the Department of Utility Services.

Water shall only be turned on or off by authorized employees of the Department, provided however, that plumbers may turn water on to test their work, but must shut it off immediately after such test.

No connection shall be made ahead of any meter.

Meters shall not be tampered with, repaired or seals broken except by authorized employees of the Water Works.

No changes, alterations or extensions of any fire system shall be made without first securing a permit from the Director of Utility Services. Application for the same shall be made in the same manner and under the same conditions as for a new connection.

RULE 2. Water service connections will not be made to any premises until the owner or his duly authorized agent has made application therefor, upon a form prepared for the purpose and signed a contract agreeing to be responsible for the water rent on said premises.

RULE 3. No person other than the properly authorized agents of the Department of Utility Services will be permitted to tap or make any connection with the main or distributing pipes of the waterworks.

RULE 4. A single service pipe, intended to supply two or more distinct premises or tenements must be provided with separate and distinct curb cocks for each tenement, to be placed on the outside of each premises on the sidewalk, or the public alley, opposite the same, as the Department of Utility Services may direct.

RULE 5. Persons taking water must keep their service pipes, meters, and fixtures connected therewith in good repair and protected from frost and hot water at their own expense, and must prevent any unnecessary waste of water.

RULE 6. No addition to or alteration of any taps, pipe, water-cock or other fixtures, shall be made, or caused to be made by persons taking water, except through a duly licensed plumber, and by permit obtained from the Department of Utility Services.

RULE 7. Failure to receive notice by mail will be no excuse for not paying water bills.

RULE 8. All water rates are charged against the property and not against the occupant thereof. If the owner of the premises elects to have his tenant or lessee pay the water rent, the owner is responsible and the Department will refuse to furnish any more water to the premises until the delinquent water rent is paid. In case of a delinquent water rent against a property where more than one tenant or caretaker is supplied from the same service pipe, the water will be turned off at street until said delinquent water is paid, regardless of the fact that one or more of the consumers may not be delinquent. ~~An advance payment will be required of each consumer in an amount equal to the minimum rate for the current quarter.~~

New ownership shall not eliminate any provisions of this rule.

RULE 9. All unpaid water rents become delinquent on the 15th of the months of issue, ~~viz: January, April, July, October~~ and water shall be shut off without further notice, it being deemed sufficient notice of such assessment being due when the original ~~cards-bills~~ were mailed to consumer or owner.

When shut off, it shall not be turned on again unless the amount is paid in full together with an additional charge of ~~twentythree~~-five dollars (\$~~2535~~.00) to reimburse the Department of Utility Services for losses in time, etc., sustained by such delinquency of the premises.

~~Final Initial meter readings will not be obtained on rental properties. Meter readings from the monthly reading cycle will be used for billing purposes. Any partial month consumption by a tenant will be the responsibility of the property owner.~~

~~Collections on rental properties are completed following the same procedure as all other properties in the City of Pataskala. Payment plans and extensions are available to all customers, to include rental properties, pending approval from the Department of Utility Services. The Department of Utility Services will attempt to contact the owner of a rental property before granting a payment plan.~~

RULE 10. If a meter gets out of order and fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order. All water that passes through a meter shall be paid for whether used or not. The Department of Utility Services reserves the right to repair all meters whenever necessary.

RULE 11. The authorized agents of the Department of Utility Services shall have free access at all reasonable hours of the day to all parts of the premises to which water is supplied, and upon discovery at any time of any irregularities in making attachment, the water may be shut off without notice, until a remedy has been provided satisfactory to the Department, and a fee of ~~twentythree~~-five dollars (\$~~2535~~.00) paid as an equivalent for loss and damage sustained and labor and time spent in turning on and off the water.

RULE 12. All water connections installed shall be supplied by meter only. The meter shall be furnished by the Department of Utility Services.

RULE 13. Where real estate or other property upon which there are waterworks fixtures is transferred from one party to another, the water works must be notified and all charges against the same paid in full.

RULE 14. The minimum rate on meters must be paid for the entire time whether the premises are occupied or not; unless the owner or tenant notifies the Department of Utility Services immediately upon vacancy of such fact and requests the Department to turn the water off at the curb stop. In the case of apartment houses or any services that have more than one meter on a single service connection, the minimum rate must be paid for the entire time, unless the water is turned off at the street.

The Department will not seal or disconnect any meter on the consumers' premises to relieve them from paying the minimum rate.

The Department reserves the right to order a master meter installed upon any service where there is more than one meter on a single service line, by giving thirty days' notice of refusal to continue service under the above conditions. Upon the installation of a master meter, the Department will render only one bill for the entire water supplied by the service. The property owner or owners can read the several meters and then apportion the assessment as they see fit.

RULE 15. No contractor shall use water from any service, unless the same is metered.

No one, other than authorized government entities and/or first responders, shall use water from any service, unless the use is metered. Whoever violates this Rule shall pay a fine of one thousand dollars (\$1,000.00) for each violation. Every day a violation occurs constitutes a separate offense.

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RULE 16. When manufacturers and others desire fire protection, the application must be made to the Director of Utility Services; said application to be accompanied by a diagram showing in detail the service requested. The line must be separate and distinct from the main to the property and no attachments for any other purposes than for fire will be permitted. The Department of Utility Services reserves the right of inspection at all times and for such inspection an annual fee of ten dollars (\$10.00) will be demanded; and also reserves the right to seal any and all connections, which seals can only be broken in case of fire; should a seal be broken from any other cause the same must be reported to the Department within twenty-four hours.

RULE 17. If any consumer or owner neglects or refuses to pay for repairs found necessary to be made to meters due to frost, hot water or other negligence of the owner or consumer, or for water furnished, or violates any of the provisions of these rules or ordinances for the management and protection of the Water Works, the water will be turned off without any preliminary notice, and will not be turned on against until all such charges and damages shall have been paid.

RULE 18. Any plumber wishing to obtain permission to make connections or attachments to the service pipes of the Water Works, shall before receiving a license permit to do so, state his willingness, and agree to be governed by all and singular, the rules and regulations of said Department of Utility Services and be subject to all rules, penalties and conditions heretofore or that may be hereafter adopted for the government of the Water Works.

RULE 19. No plumber shall, after making any connections with the service pipes, or after making repairs, or putting in any new attachments, leave the curb-stop open and the water turned on, on the premises without permission from the Department of Utility Services.

RULE 20. Any plumber leaving water turned on without the permission of the Department of Utility Services shall be held responsible for all water so used.

RULE 21. Service connection will be furnished to the property line on such services where the pipe can be driven from the street across the sidewalk; in all cases where excavations are made beyond the property line, for storage or any other purposes and a wall is built of stone, concrete or other material, the Department of Utility Services only furnishes the line to the outside of the structure work. Whenever it may be beyond the property line, all fittings, valves, etc., shall be at the expense of the consumer.

RULE 22. In furnishing the line from the street, the Department of Utility Services will determine the size of the tap to be made in the water main under any application, and in no event will one consumer be granted a larger size unless said consumer pays the difference in cost of such increase desired over the standard tap as usually made.

RULE 23. A ten percent (10%) penalty will be charged on all bills unpaid on the 15th of each month in which bills are rendered.

RULE 24. Repairs to meters will be made by the Department of Utility Services, and if caused by any of the following reasons, a charge will be made for same:

Water freezing in them;

Hot water backing into them;

Damage by reason of negligence or accident not the fault of the Department of Utility Services.

Bills for meter repairs must be paid within twenty days from date of invoice, and if not paid, water will be turned off without notice and an additional charge made for resumption of service. (A.O.)

RULE 25. REGULATION ON PRIVATE WELL SYSTEMS.

(a) The owner of all new houses or buildings used for human occupancy, employment, recreation or other purpose; situated in the City may be required to connect to the City of Pataskala's Water System if a water main is within two hundred (200) feet of structures designed for habitation, employment, recreation or other purpose.

(b) If an existing well system for a house or building used for human occupancy, employment, recreation or other purpose fails, or is unable to be repaired to meet the potable water needs of the structure the owner may be required to connect to the City of Pataskala's Water System if a water main is within two hundred (200) feet of the structure. Approval will include City Utility and County Health officials.

(c) The installation of new wells within a 1,000 feet radius of any Well Heads located at Pataskala Well Fields requires Utility Department and County Health Department approval.

(d) Private wells used for non-potable uses where Pataskala portable water is provided to the structure may be subject to an inspection by the Utility Department to determine if a Backflow Prevention Device is applicable. The Utility Department recommends such devices be utilized.

(e) The reinstatement of an abandoned well for potable water may be approved if the Pataskala Utility Department provides potable water to the structure. However the structure owner may still be responsible for basic fees associated with the water service. Approval will include City Utility and County Health Officials. (Ord. 2013-4147. Passed 7-15-13.)

925.2 BACKFLOW PREVENTION DEVICES; PRIVATE WATER SUPPLY; INSPECTIONS.

(a) If, in the judgment of the Director of Utilities and/or Superintendent of Water, an approved backflow prevention device is necessary for the safety of the public water system; the Superintendent of Water will give notice to the water consumer to install such an approved device immediately. The water consumer shall at his/her own expense install such an approved device at a location and in a manner approved by the Superintendent of Water and shall have inspections and tests made of such approved devices as required by the Superintendent of Water.

(b) No person, firm, corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City of Pataskala may enter the supply or distributing system of said municipality, unless private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent of Water of the City of Pataskala Ohio and by the Ohio Environmental Protection Agency.

(c) It shall be the duty of the Superintendent of Water to cause surveys and investigations to be made of industrial and other properties served by the public by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Superintendent of Water shall deem necessary.

(d) The Superintendent of Water of the City of Pataskala or his/her or its duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City of Pataskala for the purpose of inspecting the piping system or systems thereof. On demand of the owner, lessees, or occupants of any property so served shall furnish to the Superintendent of Water any information, which he/she may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded shall, within the discretion of the Superintendent of Water, be deemed evidence of the presence of improper connections as provided in this ordinance.

(e) The Superintendent of Water of the City of Pataskala is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he/she may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this section.

(f) "Regulations on Cross-Connection Control" as currently written or as maybe hereafter be amended is adopted as a policy to serve in conjunction with the provisions of this section. The "Regulations on Cross-Connection Control" are to be available on file located in the Office of the Director of Utility Services and in the Administrative Offices of the City and provided to any member of the public upon appropriate request.
(Ord. 2011-4049. Passed 10-17-11.)

925.3 LAWN WATERING.

(a) No domestic or commercial user or any other person shall use water supplied by the City to sprinkle, saturate, water, or wet their lawn or grass except in accordance with the conditions established in subsection (b) hereof. For the purposes of this section, "lawn" or "grass" is intended to include grass, ivy or any other form of ground cover, but shall not be construed to include gardens, shrubs, trees, and flowers.

(b) Lawn sprinkling shall be permitted in compliance with the following odd/even systems. Residents with a street address number as assigned by the assigning authority ending in an odd number shall water their lawn or grass only on days of the year ending with an odd number. Residents with a street address number assigned by the assigning authority ending in an even number shall water their lawn or grass only on days of the year ending in an even number.

(c) Whoever violates the prohibition described in this section is guilty of an unclassified misdemeanor and may be fined up to five hundred dollars (\$500.00) if convicted of a violation of the lawn watering restriction. Repeated violators of this section may result in reduction or termination of water service.
(Ord. 99-3286. Passed 6-7-99.)

925.99 PENALTY.

Whoever violates any provision of this chapter where no other penalty is provided is guilty of a misdemeanor of the third degree.