

CHAPTER 911
Water Rules and Regulations

PREAMBLE

- 911.001 Method of using references.**
- 911.010 Definitions.**

GENERAL

- 911.100 Rules and regulations for Department of Utilities, Division of Water, under the Department of Public Service of the City of Lorain, Ohio; adoption and effect.**
- 911.101 Supervision of Department of Utilities, Division of Water.**
- 911.102 Official name.**
- 911.103 Rules and regulations.**
- 911.104 City not liable for damage caused by interruption of service.**
- 911.105 No guarantee of supply or pressure.**
- 911.106 Chemical, physical and bacteriological characteristics.**
- 911.107 Entrance to premises.**
- 911.108 Tanks for reserve supply should be provided.**
- 911.109 Notification of water turn-off in mains.**
- 911.110 Stoppage of water service because of leaks, etc.**
- 911.111 Turn-off of water to customer.**
- 911.112 Water turn-on.**
- 911.113 Razing of building - abandoned services.**
- 911.114 Discontinuance of service to enforce rent payment, etc.**
- 911.115 Damages due to leaks.**
- 911.116 Pumping on private premises.**

**PUMPS FOR INCREASING
FLOW AND PRESSURE**

- 911.117 Service Director to make rules for rate collection.**
- 911.118 All abandoned services shall follow procedures set forth in Section 911.113.**

ADMINISTRATIVE

- 911.200 Types of accounts.**
- 911.201 Application and contract for water/sewer service.**
- 911.202 Reserved for future legislation.**
- 911.203 Reserved for future legislation.**
- 911.204 Application for service by delinquent customers.**
- 911.205 Bankruptcy proceedings.**
- 911.206 Billing and collection periods.**
- 911.207 Time limit on payments.**
- 911.208 Estimated bills.**
- 911.209 No partial payments accepted.**
- 911.210 Bills must be paid in the order contracted.**
- 911.211 Extension of time of payment.**
- 911.212 Service charge for bad checks.**
- 911.213 First bill - new account.**

- 911.214 Final bills.**
- 911.215 Owner may have tenant pay water/sewer bill.**
- 911.216 Delivery of bills.**
- 911.217 Charges for water/sewer are a lien against property.**
- 911.218 Applicants must agree to conform to bylaws.**
- 911.219 Reserved for future legislation.**
- 911.220 Water may be shut off against delinquents.**
- 911.221 Water to be turned off at main for protection and charge therefor.**
- 911.222 Water/sewer may be refused delinquent persons.**
- 911.223 Adjustment of bills.**
- 911.224 If meter fails to register.**
- 911.225 No allowance or rebate on account of leaks.**
- 911.226 Remote register failure.**
- 911.227 Water for public improvements, when to be paid.**
- 911.228 Deduction of water used for fire protection.**
- 911.229 Seasonal accounts.**
- 911.230 Sewer only accounts.**
- 911.280 Providing notice to purchaser of real property as to status of water and sewer account.**
- 911.280A Statistics of water and sewer account.**
- 911.281 Reserved for future legislation.**
- 911.282 Reserved for future legislation.**
- 911.283 Reserved for future legislation.**
- 911.284 Rights of purchaser.**
- 911.290 Addendum: listing of charges.**

WATER RATES

- 911.300 Permit for use of water; penalty.**
- 911.301 Determination of application of rates as to inside and outside of the City limits.**
- 911.302 Readiness to serve charge.**
- 911.303 Rates for water furnished inside City limits.**
- 911.304 Rates for water furnished outside City limits.**
- 911.305 Operations, maintenance and replacement cost recovery.**
- 911.306 Establishment of Operation, Maintenance and Replacement Contingency Fund.**
- 911.307 Exceptions to the water rates.**

SERVICES (TAP AND SERVICE CONNECTIONS)

- 911.400 Application for the installation of taps and service connections.**
- 911.401 Taps outside City limits.**
- 911.402 Installation of taps and service connections.**
- 911.403 Only City personnel to operate valves, stops, etc.**
- 911.404 Payment for taps and service connections.**
- 911.405 Charge for installation of taps and service connections.**
- 911.405.1 Manifold set-ups.**
- 911.406 Taps - service size - materials.**

- 911.407 Reserved for future legislation.**
- 911.408 Repairs to tap and service connection.**
- 911.409 Temporary water service.**
- 911.410 Workmanship on customer's branch.**
- 911.411 Depth of pipe on customer's branch.**
- 911.412 Customer's branch location and construction.**
- 911.413 Customer's branch leaks.**
- 911.414 Limiting size of main to be tapped.**
- 911.415 Maintenance of service lines.**
- 911.416 Attachment of wires to services forbidden.**
- 911.417 Defective work.**
- 911.418 New water service inspection requirements.**
- 911.419 Reserved for future legislation.**
- 911.490 Addendum: listing of charges.**

METERS

- 911.500 Services to be metered.**
- 911.501 Services not required to be metered.**
- 911.502 Maintaining metering systems.**
- 911.503 Entering properties for operation of metering systems.**
- 911.504 Access to property for operation of metering systems.**
- 911.505 Number of meters allowed.**
- 911.506 Reserved for future legislation.**
- 911.507 Installation of meters by Division of Water only.**
- 911.508 Removal of meters.**
- 911.509 Reserved for future legislation.**
- 911.510 Meters subject to inspection.**
- 911.511 Attachments.**
- 911.512 Meters shall be accessible.**
- 911.513 Customer to protect meter from freezing, vandalism or other type of negligence.**
- 911.514 Meter repairs and charges.**
- 911.515 Tampering with meter.**
- 911.516 Type of metering system.**
- 911.517 All water must be metered.**
- 911.518 Meter to be furnished by City.**
- 911.519 Replacement of meters.**
- 911.520 Reserved for future legislation.**
- 911.521 Bypasses on meter settings.**
- 911.522 Limitation on one customer to each service.**
- 911.523 Meter settings and locations.**
- 911.524 Meter service charges.**
- 911.525 Testing of meters.**
- 911.526 Accuracy of meters.**
- 911.527 Installation regulations.**
- 911.528 Customers responsible for meters.**
- 911.529 Further purchases of used meter prohibited.**

- 911.530 Assignment of privately owned meters to City.**
- 911.531 Remote reader for estimated bills.**
- 911.532 Changes in piping to be at cost of customer.**
- 911.533 Fire hydrant meter charges.**
- 911.590 Addendum: listing of charges.**

**WATER SERVICE MAIN
EXTENSIONS AND
CAPITAL IMPROVEMENT**

- 911.600 Capital improvement fee.**
- 911.610 Water main extension.**
- 911.611 Location and size of water mains.**
- 911.612 Procedure for extension of water mains within City.**
- 911.613 Exception to water main extension by Engineering Division.**
- 911.614 Water line extension charges and contract.**
- 911.615 Applicant to be free of indebtedness to the Utilities Department, Division of Water.**
- 911.616 Submittal of plans and charges.**
- 911.617 Procedure for outside the City extension of water mains.**
- 911.618 Outside sale of City water.**
- 911.619 Furnishing water outside City limits.**
- 911.620 Consideration.**
- 911.621 Water lines - newly annexed territory.**
- 911.622 Will not furnish water on claim of damages.**
- 911.623 Adjustment of claims.**
- 911.624 Fees for approval of water line extension application.**
- 911.625 Rate schedule established by Director of Public Service.**

**MAIN AND SERVICE
REPAIRS BY CONTRACTORS**

- 911.670 Disconnecting services and repairing breaks.**
- 911.671 Procedure for disconnecting services and repairing breaks.**
- 911.672 Discontinuance of service.**

**FIRE PROTECTION
SERVICE**

- 911.700 Application for fire protection system service.**
- 911.701 Changes in fire protection system.**
- 911.702 Deposit for installation by Division of Water.**
- 911.703 Consumption water from a fire system.**
- 911.704 Water supply and pressure.**
- 911.705 Violations.**
- 911.706 Tanks, etc., to have metered supply pipe.**
- 911.707 Charges for fires.**
- 911.708 Pipes, etc., to be accessible for inspection.**
- 911.709 Test of private fire protection system.**
- 911.710 Tests by insurance company representatives.**

- 911.711 Fire flow tests by insurance company representatives.**
- 911.712 Fire pipes, etc., to be accessible for inspection.**
- 911.713 Not to be used except in case of fire.**
- 911.714 Fire Department may use any fixtures.**
- 911.715 Where not allowed.**
- 911.716 Reserved for future legislation.**
- 911.717 Overflow pipes.**
- 911.718 Pumps for fire protection.**
- 911.719 Valves to be sealed.**
- 911.720 Payment for fire service pipe.**
- 911.721 Fire line service.**
- 911.722 Plans for information to be furnished.**
- 911.723 Fire protection service.**
- 911.724 Connections for fire protection to be by the Division of Water.**
- 911.725 Rate schedule established by Director of Public Service for Division of Water.**
- 911.726 Detector meter.**
- 911.727 Detector meter flow.**

PUBLIC FIRE HYDRANTS

- 911.750 Use of fire hydrants.**
- 911.751 Use of public hydrants to other than authorized City agencies.**
- 911.751A Application for permit to obtain temporary water from a public hydrant.**
- 911.752 Rules for use of hydrants by authorized City agencies.**
- 911.753 Location of hydrant.**
- 911.754 Unauthorized use of water from fire hydrant, etc.**
- 911.755 Penalties for violations of Sections 911.754, 911.756, 911.757, 911.758.**
- 911.756 Depositing dirt.**
- 911.757 Tampering with apparatus.**
- 911.758 Breaking of seals; fire hydrant, etc.**
- 911.759 Replacement of hydrants.**
- 911.760 Hydrants on private property required.**

MISCELLANEOUS - CROSS

CONNECTIONS

- 911.900 General provisions of Ohio Revised Code.**
- 911.901 Responsibility and liability of customer.**
- 911.902 Type connections permitted.**
- 911.903 Cross connections.**
- 911.904 Adoption of Chapter 3745-95 of the Administrative Code.**
- 911.905 Chapter 4101:2-51 (The Ohio Plumbing Code) of the Ohio Administrative Code.**
- 911.906 Policy on use of antifreeze in fire protection systems.**

MISCELLANEOUS - AIR

CONDITIONING

- 911.950 Limitations and regulations on use of water by air conditioning systems and other equipment.**

**MISCELLANEOUS -
SWIMMING POOLS**

911.960 Swimming pool connection.

MISCELLANEOUS

911.9800 Identification and uniform.

911.9801 Reserved for future legislation.

911.9802 Reserved for future legislation.

PENALTIES

911.995 Enforcement and penalty.

CROSS REFERENCES

Water pollution - see Ohio R.C. 715.08, 743.25

Compulsory connections - see Ohio R.C. 729.06, 743.23

Management and control of waterworks - see Ohio R.C. 743.02

Notice to customers concerning theft offenses - see Ohio R.C. 4933.19

PREAMBLE

The adoption of rules and regulations is not for the purpose of imposing unnecessary or burdensome regulations upon the users of water from the Lorain municipal water supply system but only to provide for the orderly conduct of the business of the Lorain Utilities Department, to prevent the waste of water, and to ensure equal treatment of all customers of the Department.

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. However, 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 Lorain Utilities Department to maintain normal service.

As provided in Sections under this Chapter 911, these rules and regulations have the same validity as ordinances when not repugnant thereto.
(Ord. 167-96. Passed 9-16-96.)

911.001 METHOD OF USING REFERENCES.

(a) In order to establish a format which shall enable persons to read and interpret this chapter easily, references have been inserted. References shall be made both to specific Sections and to whole groups of titled Sections which shall be called Sub-Chapters.

(b) Whenever a reference is made to a specific Section, e.g. 911.524, only that Section referred to is pertinent.

(c) Whenever a reference is made to a specific Sub-Chapter, e.g. 911.400, the whole group of Sections within the titled Sub-Chapter shall be considered and any pertinent Sections shall apply.
(Ord. 167-96. Passed 9-16-96.)

911.010 DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- (a) "Abandoned service" means premises where buildings are being demolished, remodeled, moved or disconnections required.
- (b) "A.S.T.M." means the American Society for Testing Materials.
- (c) "Auxiliary meters" means meters used by the Division of Water for uses other than billing.
- (d) "Available frontage" means the frontage for all parcels which abut on the water main. On corner parcels, the frontage shall be the shortest frontage which abuts on a street right-of-way. Parcels which already abut on a water main shall not be considered as part of the available frontage.
- (e) "Capital improvement" refers to a tap or connection for domestic, industrial and commercial betterment of premises.
- (f) "Chemist" means a person employed at the Lorain Water Treatment Plant with a degree in chemistry or microbiology from an accredited university.
- (g) "City" means the City of Lorain, Ohio.
- (h) "Consumer" means the person, persons, firm or corporation having the use or benefits of a supply of water, or services rendered by the Division of Water.
- (i) "Consumer branch" means that part of the service line situated between the curb stop and the meter.
- (j) "Contract areas" means areas served with water by the City where a contract exists between the City and a political subdivision.
- (k) "Control Authority" refers to the Director of Public Service or the Director of Utilities.
- (l) "Corner parcel" means a lot or parcel abutting on two or more intersecting streets.
- (m) "Current bond market rate" means the rate at which a municipality has to convert project notes into bonded debts; the rate to be determined by City Auditor.
- (n) "Director of Public Service" means the duly appointed Director of all the service departments in the City of Lorain as agent for the Mayor and as defined and designated by the Ohio Revised Code. Reference made herein to the "Director of Public Service" means the "Director of Public Safety/Service."
- (o) "Director of Utilities" means the duly appointed supervisor of the Utilities Department for the City of Lorain.
- (p) "Division of Water" means the City of Lorain, Utilities Department Division of Water.
- (q) "Engineering Division" means the Water Engineering Division of the Division of Water of the Utilities Department for the City of Lorain.
- (r) "Environmental Protection Agency (EPA)" means the United States or Federal Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said Agency.
- (s) "Front foot" means the frontage which abuts on the street right-of-way. On corner parcels, it shall be the shortest frontage so abutting. When the property to be served does not abut upon a street right-of-way, "front foot" means the width of the parcel.
- (t) "Frontage line" means the line dividing the public space, street or right-of-way from the abutting lot or parcel of land held and used by the owner as a unit.
- (u) "Hydrant" means a connection extending from a water main to or above the ground surface, with valve connections to which a fire hose may be attached for discharging water at a high rate for the purpose of extinguishing fires, washing down street, or flushing out the water main.
- (v) "Manifold" means a pipe fitting with several lateral outlets for connecting one pipe with others used in multiple occupancy premises.
- (w) "Meter service" means a water meter installed on the service pipe of a consumer.
- (x) "Noncontract areas" means areas outside the City served with water by the City where no

contract exists with a political subdivision.

(y) "Person," "enterprise," "establishment" or "owner" means any individual, partnership, firm, company, association, society, corporation or any other entity using the water system or water works.

(z) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(aa) "Plastic line" means water line of rating of 160 PSI and meeting approval of the Director of Utilities.

(bb) "Service connections" means the connection of all or any part of the service line to the tap.

(cc) "Service line" means the line extending from the tap onto the premises to be served and includes all the necessary pipes, lines and appurtenances from the tap to and including the meter.

(dd) "Shall" is mandatory; "May" is permissive.

(ee) "Superintendent of Distribution" means the duly appointed supervisor of the Division of Distribution, of the Utilities Department for the City of Lorain.

(ff) "Superintendent of Water Filtration" means the duly appointed supervisor of the Division of water Filtration, of the Utilities Department for the City of Lorain.

(gg) "Tap" means the connection to the water main and the necessary pipes or lines extending from the water main to and including the curb stop or valve and box.

(hh) "Tap branch" means that part of the service line situated between the main to and including the curb stop and box.

(ii) "Water distribution system" means all the facilities for pumping or distribution of potable water.

(jj) "Water main" means the principal line or conduit through which water is conveyed or drawn to hydrant branches or service lines.

(kk) "Water service inspection form" means the application to be filled out before any water service and building permit will be granted.

(ll) "Water service outside City" means water service furnished to consumers in contract areas or water service authorized by the Director of Public Service for consumers in noncontract areas.

(mm) "Water supply meter" means any meter used on any water supply line supplying water to a premise from any source, whether municipal or private, i.e., meters on service branches from municipal water mains, meters on service branches from private water company water mains, meters on lines from wells, or any other meters as shall be determined by the City.

(nn) "Water treatment plant" means any arrangement of devices and structures for treating water from intake to distribution.

(Ord. 167-96. Passed 9-16-96.)

GENERAL

911.100 RULES AND REGULATIONS FOR DEPARTMENT OF UTILITIES, DIVISION OF WATER, UNDER THE DEPARTMENT OF PUBLIC SERVICE OF THE CITY OF LORAIN, OHIO; ADOPTION AND EFFECT.

Under and by virtue of the Ohio Constitution, Ohio Revised Code, power to provide and regulate water systems (Ohio R.C. 715.08, 717.01, 743.01, 743.02, 743.03, 743.04, 743.05, 743.06, 743.07, 743.08, 743.09, 743.10, 743.11, 743.14, 743.15, 743.16, 743.17, 743.18, 743.19, 743.20, 743.21, 743.22, 742.23, 743.24) and the ordinances of Council, the Director of Public Service may make such rules and regulations as he deems necessary for the safe, economical and efficient management and protection of the water works of the City and also for the administration of the Department of Utilities, Division of Water. Such rules and regulations shall have the same validity as ordinances when not repugnant thereto. When not otherwise specifically provided by the Ohio Constitution, the

City, by ordinances enacted by Council or by the rules and regulations adopted under the authority of the Director of Public Service thereof as hereinbefore provided, the general laws of the State applicable to the subject matter hereof shall apply. (Ord. 167-96. Passed 9-16-96.)

911.101 SUPERVISION OF DEPARTMENT OF UTILITIES, DIVISION OF WATER.

The Director of Utilities, under the direction of the Director of Public Service shall manage, conduct and control the water works of the City, furnish supplies of water and collect water charges. He may, for the purpose of paying the expenses of conducting and managing the municipal water works, assess and collect a water charge of sufficient amount and in such manner as he deems most equitable from all tenements and premises supplied from the City water system wherever such tenements and premises are located. All main line extensions and all installations of service lines outside the City shall be governed by appropriate action of Council and implemented by the rules and regulations of the Department of Utilities, Division of Water.
(Ord. 167-96. Passed 9-16-96.)

911.102 OFFICIAL NAME.

The water works of the City of Lorain shall be officially known as the Utilities Department, Division of Water, under the Department of Public Service of the City of Lorain.
(Ord. 167-96. Passed 9-16-96.)

911.103 RULES AND REGULATIONS.

Every person, company or corporation who uses water supplies to his or its premises and every person, company or corporation who uses water supplies to the premises of another owner after having made formal application for water service to the Division of Water shall, by taking such water, be considered as having expressed his or their consent to be governed by the following rules and regulations. Any violation of these rules shall be reason for discontinuance of water service until such time as the matter in question shall be corrected to the satisfaction of the City.
(Ord. 167-96. Passed 9-16-96.)

911.104 CITY NOT LIABLE FOR DAMAGE CAUSED BY INTERRUPTION OF SERVICE.

The City shall not be liable for damage resulting from interruptions in service. Temporary shutdown may be resorted to by the City for improvements or repairs. Whenever possible, and as time permits, all customers will be notified prior to such shutdowns. The City shall not be liable for interruptions, shortage or insufficiency of supply or for any loss or damage occasioned thereby, if caused by accident, Act of God, fire, strikes, riots, war or any other cause. The City, whenever it shall find it necessary or convenient, for the purpose of making repairs or improvements to its system, shall have the right temporarily to suspend delivery of water and it shall not be liable for any loss or damage occasioned thereby. Repairs or improvements will be prosecuted as rapidly as is practicable and, so far as possible, at such time as will cause least inconvenience to the Customer.
(Ord. 167-96. Passed 9-16-96.)

911.105 NO GUARANTEE OF SUPPLY OR PRESSURE.

The City does not guarantee a fixed or continuous pressure, these being subject to the variable conditions which may arise in the operation and maintenance of the water works. The City shall not be liable for damage due to change in pressure.
(Ord. 167-96. Passed 9-16-96.)

911.106 CHEMICAL, PHYSICAL, AND BACTERIOLOGICAL CHARACTERISTICS.

The water furnished shall equal or exceed the most recent standards established by the United

States Public Health Service for drinking and culinary water supplied by carriers subject to the Federal Quarantine Regulations. However, the City does not guarantee water as to quality, purity, or temperature, these all being subject to variable conditions which may arise in operations and maintenance of the water works. The City shall not be responsible for the production of water suitable for manufacturing and packaging processes requiring water of peculiar or special characteristics.

(Ord. 167-96. Passed 9-16-96.)

911.107 ENTRANCE TO PREMISES.

The Director of Utilities reserves the right, through his authorized agents, to, at any reasonable hour, enter any premises to which the Division of Water service extends, for the purpose of reading, repairing, installing, removing and inspecting meters, for investigating cross connections, or for any other purpose which the Division of Water may deem necessary for the proper operation and maintenance of the water supply system. When access is refused, the water shall be immediately turned off and not turned on again until the request of the Division of Water has been complied with and an off and on charge of twenty-five dollars (\$25.00) (twelve dollars and fifty cents (\$12.50) to Water Funds; twelve dollars and fifty cents (\$12.50) to Water Pollution Control Funds) is paid.

(Ord. 167-96. Passed 9-16-96.)

911.108 TANKS FOR RESERVE SUPPLY SHOULD BE PROVIDED.

Consumers whose operations require a constant and steady supply of water should provide against interruptions in the service by the installations of tanks, reservoirs or other auxiliary supplies sufficient to carry them over a period of interruptions of service, or over their own peak demand periods. (Ord. 167-96. Passed 9-16-96.)

911.109 NOTIFICATION OF WATER TURN-OFF IN MAINS.

Before the water in a main is turned off, for reasons of repairs or alterations, all customers affected will be notified, if possible. Notice shall be considered to have been given if some person at each address has been told, either in person or in writing, of such action.

(Ord. 167-96. Passed 9-16-96.)

911.110 STOPPAGE OF WATER SERVICE BECAUSE OF LEAKS, ETC.

In case of leaks or breaks, and/or failure in mains, services, pumping and auxiliary machinery, reservoirs or other water works equipment, the supply of water may be shut off without notice.

(Ord. 167-96. Passed 9-16-96.)

911.111 TURN-OFF OF WATER TO CUSTOMER.

The supply of water through any service may be turned off and the contract therefor terminated by the Division of Water for the following reasons, after an effort has been made by the Division of Water to notify the customer that the water service to the subject premises is being discontinued.

- (a) For willful waste of water.
- (b) For failure to promptly repair leaking customer branch after notice from the Division of Water to do so. A three day notice will be given as a maximum time limit.
- (c) For the use of water on any premises other than that recorded in the application, except as may herein otherwise be provided for.
- (d) For cross-connection or interconnection with any other supply of water when not approved by the Division of Water. This includes installation of pipe and fixtures such that a possibility of back-siphonage or backflow, in the opinion of the Director of Utilities or his designated representative, exists.
- (e) For molesting any service pipe, meter, curb stop, corporation stop, or any other appurtenance, or the seal on any appurtenance.

- (f) For nonpayment of water bills, or other charges assessed under the terms of these rules and regulations.
 - (g) For failure to provide reasonable and safe entrance to premises for the purpose of reading, inspection, installation, maintenance or removal of meter, and inspection of piping.
 - (h) For making any additions or alterations in or about the customer's branch without notice thereof being previously given to and permission obtained from the Division of Water.
 - (i) For failure to pay the water bill at any location for which a customer has a valid contract, or the water bill at any property for which a customer has guaranteed payment therefor.
 - (j) For failure of a water user to execute a proper contract for a supply of water.
 - (k) If amount of money owed the Division of Water by a lessee or renter exceeds the amount of the deposit.
 - (l) Water to vacant property may be turned off by the Division of Water and the meter removed as soon as such vacancy becomes known, unless otherwise arranged for beforehand, and the contract terminated if, in the opinion of the Division of Water, damage may be caused to building or contents.
 - (m) When a building or premises receiving temporary service has been completed to the extent that a meter could be reasonably protected and has not been installed.
- (Ord. 167-96. Passed 9-16-96.)

911.112 WATER TURN-ON.

The supply of water turned off under Section 911.111 will not be turned on again until the cause of the turn-off has been removed and all charges, including a turn-on charge has been paid. The turn-on charge during regular working hours is \$25.00 (\$12.50 to Water Funds; \$12.50 to Water Pollution Control Funds). The turn-on charge after working hours is \$45.00 (\$22.50 to Water Funds; \$22.50 to Water Pollution Control Funds). Water to a premises shall be turned on only by employees of the Division of Water when turned off for any of the reasons set forth in Section 911.111. (Ord. 192-02. Passed 11-18-02.)

911.113 RAZING OF BUILDING - ABANDONED SERVICES.

- (a) Before a permit to demolish or move a building is given by the City Division of Inspection, verification must be made by the Division of Water that a deposit has been made to cover the cost of disconnecting all taps in the water main serving the subject premises.
 - (b) Premises where buildings are being demolished, remodeled, or moved, will be inspected and all tap branches thereto found will be disconnected from the main at the expense of the owner.
 - (c) When it is contemplated that water service will again be needed on the premises whereon buildings are being razed, a reasonable delay in disconnecting the service may be granted by the Director of Utilities, but in no case longer than one year. However, it shall not be granted if the service is smaller than the minimum allowed or, in the opinion of the Director of Utilities, found to be in an unserviceable condition. A deposit to cover the cost of the disconnection must in all cases be made, regardless of whether or not a delay in disconnecting the service is granted.
 - (d) Abandoned services, either on vacant or improved property, discovered to be connected to the main, shall be disconnected from the main by the Division of Water and the cost of removing such taps charged to the owner of the premises.
 - (e) Where water has been turned off and the contract terminated and the contract is not reopened for a period of one year, and no commitment can be obtained from the owners as to possible future use, the Division of Water will consider this connection, and any other connections not in use at said property, as abandoned and may disconnect said connections at the expense of the owner of said property for time and materials.
- (Ord. 167-96. Passed 9-16-96.)

(f) City or municipal properties may be exempt from the deposits and/or fees as required in subsections (a), (b), (c), (d) and (e) hereof at the discretion of the Safety/Service Director of the City of Lorain.

(Ord. 190-12. Passed 12-17-12.)

911.114 DISCONTINUANCE OF SERVICE TO ENFORCE RENT PAYMENT, ETC.

Requests for discontinuance of service in legally occupied premises will not be honored or accepted for such purposes as eviction, enforcing collection of rents, or as a result of differences between owner and occupant. (Ord. 167-96. Passed 9-16-96.)

911.115 DAMAGES DUE TO LEAKS.

The Division of Water disclaims any responsibility for damage by water to any personal or real property caused by leaks or broken or open pipes, meters, or fixtures. No adjustments or credits will be allowed for wasted or lost water.

(Ord. 167-96. Passed 9-16-96.)

911.116 PUMPING ON PRIVATE PREMISES.

(a) All pumps installed on private systems which are directly connected to the Division of Water System must be of such type that no abrupt change in pressure in the City's mains of any magnitude will be produced. All pumping equipment must be approved by the Director of Utilities before installation. All existing pumping installation causing excessive fluctuations in the Division of Water distribution pipes or excessive reduction in pressure, in the opinion of the Director of Utilities, must be modified to an acceptable degree in a reasonable time.

(b) Pursuant to the authority vested in the Director of Public Service and the Director of Utilities by Section 911.100 and Section 911.101, the following rule and regulation is hereby established for the government of the Division of Water:

Pumps for Increasing Flow and Pressure

No pump or device, the purpose and use of which is to increase the volume of the flow and pressure of water in plumbing fixtures, and/or systems of water pipes, located on premises to which there is conveyed a supply of water from the City's water distribution system, shall be installed, connected thereto, and/or operated for the purpose and use aforesaid without the expressed written permission therefor obtained from the Director of Utilities .

(Ord. 167-96. Passed 9-16-96.)

911.117 SERVICE DIRECTOR TO MAKE RULES FOR RATE COLLECTION.

The Director of Public Service is hereby authorized and directed to establish such rules and regulations in addition to the provisions herein contained as will enable him to fully and properly enforce the provisions of this chapter and insure the payment by water users for water furnished by the Division of Water in accordance with the rates herein established.

(Ord. 167-96. Passed 9-16-96.)

911.118 ALL ABANDONED SERVICES SHALL FOLLOW PROCEDURES SET FORTH IN SECTION 911.113.

(a) Premises where buildings are being demolished, remodeled, moved or disconnections required shall be inspected by the Division of Water and all tap branches thereto found can be disconnected by either of the following methods which is authorized by the Director of Public Service and/or the Director of Utilities, whichever is decided on, shall be binding on the contractor or property owner.

- (1) Disconnecting the service or services from the existing water main.
- (2) Disconnecting the service from the curb box.

- (3) Disconnecting the service from the curb and remove the curb box.
- (4) Cut the line and remove from the water main.

(b) It will also be the responsibility of the contractor or the property owner to make application for the disconnections. The contractor or property owner shall pay the City Department of Water, time and material as soon as the services are removed. If the contractor does not pay for the work done, then it shall be the responsibility of the property owner whichever shall be determined by the Director of Public Service and/or the Director of Utilities. These rules set forth in this section and Section 911.113 shall apply to all disconnections and any violation shall be considered a misdemeanor and shall be subject to a fine of one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00).

(Ord. 167-96. Passed 9-16-96.)

ADMINISTRATIVE

911.200 TYPES OF ACCOUNTS.

(a) Regular. All regular accounts are continuous, and shall be either monthly or quarterly. The designation of individual accounts shall be by the Department of Utilities. All accounts that are designated as regular accounts shall be divided into categories as follows:

- (1) Domestic
- (2) Commercial
- (3) Industrial

(b) Seasonal. This type of account shall be for water service for certain periods of the year only, such as ice cream stands, etc.

(c) Hydrant. Hydrant accounts shall be those wherein contractors and others are permitted to take water from fire hydrants for construction or other temporary use.

(d) Fire Protection. This type of account is for water service for fire fighting only, through a system of pipelines terminating in private hydrants or sprinkler heads.

(Ord. 167-96. Passed 9-16-96.)

911.201 APPLICATION AND CONTRACT FOR WATER/SEWER SERVICE.

(a) An application for water/sewer service of any of the aforementioned types, made in accordance with these rules and regulations, when accepted by the Department of Utilities, shall constitute a contract. Service will be continuous so long as these rules and regulations are complied with, until termination is requested by the customer, except as elsewhere herein specified for seasonal or hydrant contracts.

(b) Application for all types of water/sewer service must be made at the Department of Utilities office on the forms provided. It must be signed by the person who is to be responsible for all charges arising from bills for water/sewer service supplied or meter repairs, or by his authorized agent. The customer shall be liable for charges for water/sewer service supplied and/or meter charges.

(c) The owner of the property shall be liable for any and all services, repairs and damages which in accordance with these rules and regulations are the responsibility of the property owner. The Director of Public Service may require a deposit from a property owner, if he deems it in the best interest of the Department of Utilities.

(Ord. 167-96. Passed 9-16-96.)

911.202 RESERVED FOR FUTURE LEGISLATION.

911.203 RESERVED FOR FUTURE LEGISLATION.

911.204 APPLICATION FOR SERVICE BY DELINQUENT CUSTOMERS.

Customers delinquent in payment for charges for water/sewer service supplied, or for meter or service repairs will not be given service to other properties owned or rented out by them until all

bills owed by the applicant shall have been paid in full. Neither will service be given to his agent or tenant for property owned by the Customer who is delinquent. (See Section 911.207).
(Ord. 167-96. Passed 9-16-96.)

911.205 BANKRUPTCY PROCEEDINGS.

An adjudication of bankruptcy by a United States Bankruptcy Court shall discharge a customer's water/sewer service account to the extent so included in a schedule of bankruptcy. The Department of Utilities shall comply with the order of bankruptcy by discharging said debt and releasing said debt from its file of current outstanding accounts.
(Ord. 167-96. Passed 9-16-96.)

911.206 BILLING AND COLLECTION PERIODS.

(a) All accounts shall be billed monthly or quarterly as directed by the Director of Utilities and shall be paid on a monthly or quarterly basis. However, meters may be read monthly or quarterly, in both of which cases the exact date of reading and billing is to be determined by the Department of Utilities.

(b) Whenever customers are located in an area which is annexed to the City, the immediate billing following annexation shall be charged at the rate applicable to the major part of the billing period.
(Ord. 167-96. Passed 9-16-96.)

911.207 TIME LIMIT ON PAYMENTS.

(a) If bills payable monthly are not paid within seventeen days after the billing date, a ten percent (10%) late charge will be added to the current bill only. A two percent (2%) fee will be added on any arrears or unpaid balance thereafter on a monthly basis.
(Ord. 167-96. Passed 9-16-96.)

(b) In cases of all accounts, after sixty days the account is considered delinquent. A red bill of notification of the delinquency will be mailed. Water service may be discontinued at any time after mailing the red delinquent bill. Water service shall be discontinued and water shall not thereafter be turned on again until the bill is paid in full or partial payments are arranged with the Credit Counselor (see Section 913.209). If the water is turned off, the turn on charge shall be fifty dollars (\$50.00) [twenty-five dollars (\$25.00) to Water Funds; twenty-five dollars (\$25.00) to Water Pollution Control Funds].
(Ord. 42-05. Passed 3-7-05.)

(c) Bills for repairs, or other charges stipulated in these rules and regulations will be processed in the same manner, with the same periods for payment, as set forth herein for bills for water/sewer service supplied.

(d) If a tenant's landlord is responsible for the bill, the tenant should contact both his/her landlord and the Utilities Department immediately. A tenant has the right to continuous water/sewer service so long as the tenant pays the current month's bill every month by the seventh of each month. The tenant also has the right to a hearing. If the tenant asks for a hearing within seven days of the date of this notice, his/her water will not be shut off until after the hearing. The tenant may request a hearing concerning the following issues:

- (1) Dispute of the amount due.
- (2) Suffering from financial hardship.
- (3) Suffering from medical hardship.
- (4) Some other good cause.

(Ord. 167-96. Passed 9-16-96.)

911.208 ESTIMATED BILLS.

(a) Once a bill is established, based on the last two reads, the bill will continue for the same

consumption until another valid read is obtained.

(b) A correction of estimated bills will not be made until the next billing is made on the basis of an actual meter reading. Refund of overpayments will not be made, but will be credited to the customer's account. If the customer terminates his water/sewer service account, any refund due will be credited on the final bill.

(c) When a remote reader is installed, the Department of Utilities requires that inspection shall be made of the meter by the Department of Utilities whenever it is deemed necessary. (Ord. 167-96. Passed 9-16-96.)

911.209 NO PARTIAL PAYMENTS ACCEPTED.

Partial payment of water/sewer bills will not be accepted unless, upon investigation by the Credit Counselor it is determined that unusual hardship will result, in which case arrangements may be made for partial payments.

(Ord. 167-96. Passed 9-16-96.)

911.210 BILLS MUST BE PAID IN THE ORDER CONTRACTED.

Water/sewer bills must be paid in the order in which they are contracted and accordingly the Department of Utilities will refuse to accept payment of a current bill when there is one delinquent against the same property. The payment will be applied to the delinquency first and any balance will be applied to the current bill.

(Ord. 167-96. Passed 9-16-96.)

911.211 EXTENSION OF TIME OF PAYMENT.

Because of unusual conditions and upon proper investigation thereof, the Director of Utilities may extend the time of payment without penalty or may waive collection of the penalty charge. (Ord. 167-96. Passed 9-16-96.)

911.212 SERVICE CHARGE FOR BAD CHECKS.

There will be a thirty dollar (\$30.00) service charge [fifteen dollars (\$15.00) to Water Funds; fifteen dollars (\$15.00) to Water Pollution Control Funds] on all checks that are returned with insufficient funds, stop payment, account closed, or any other reason the check is not honored. (Ord. 42-05. Passed 3-7-05.)

911.213 FIRST BILL - NEW ACCOUNT.

The first bill for water/sewer service after the meter has been installed will be pro-rated in the exact manner prescribed for final bills.

(Ord. 167-96. Passed 9-16-96.)

911.214 FINAL BILLS.

(a) Customers wishing to terminate their water/sewer service contract may do so by notifying the Billing Office in person or by phone at least one business day in advance. Customers wishing to terminate water service fire contracts must do so in writing. When the Department of Utilities is notified that the customer wishes to terminate the service, a work order will be prepared to secure a reading from the master meter which will be used to prepare a final bill, stating thereon all the charges required to be paid by the customer. Customers having a master meter inside their properties must provide access to such for the final reading. If access is denied, the water service will be terminated until access is arranged.

If the customer fails to be home on the pre-arranged day, a thirty-five dollar (\$35.00) service charge [seventeen dollars and fifty cents (\$17.50) to Water Funds; seventeen dollars and fifty cents (\$17.50) to Water Pollution Control Funds] will be added to the billing for a return trip by the Meter Reader. On the same day, if an after-hour call is made, the charge will be one hundred dollars (\$100.00) [fifty dollars (\$50.00) to Water Funds; fifty dollars (\$50.00) to Water Pollution Control

Funds].

(b) Change of Account Read. A new occupant can change the account into his name in person or by notarized card sent from the Utilities Department.

If a new occupant fails to notify the Department of Utilities of the change of account, he will be fined thirty dollars (\$30.00) [fifteen dollars (\$15.00) to Water Funds; fifteen dollars (\$15.00) to Water Pollution Control Funds) for failure to do so. When the work order requesting a read from the meter is not secured, the Water Service Representative will leave a notice stating the he was not able to secure the read and water was discontinued. If a second trip has to be made on the same day, a fifty dollar (\$50.00) turn on charge [twenty-five dollars (\$25.00) to Water Funds; twenty-five dollars (\$25.00) to Water Pollution Control Funds] will be incurred and collected. If not, a reinstatement of service can be scheduled with one day's notice. A work order will be held for the duration of history on screen to allow time for the individual to request the water be turned back on, at which time the reading will be indicated on the work

order and processed as usual. If request for a turn on is not received before closing for the month, the order will be sent back, etc.

(c) Turn Offs. Requests will be made either by phone or by the individual personally. Listed on the work order will be the telephone caller's name, the date called, the date the service is being requested, and whether a.m. or p.m. The Meter Reader will make the call for the turn off at the date requested and if the premises is not open so the meter can be read or removed, he will leave a card saying "the service was turned off-please call office to reschedule." If, on the second day, he does not gain entrance and read the meter so a final bill can be processed, the water will be turned off, or left off until such time as a read from the meter can be obtained, the work order processed, and the customer billed for a missing meter. If later entrance is provided and the meter is removed and bill for the missing meter is canceled, the final bill will be processed and in addition, the customer will be charged thirty-five dollars (\$35.00) [seventeen dollars and fifty cents (\$17.50) to Water Funds; seventeen dollars and fifty cents (\$17.50) to Water Pollution Control Funds] for the extra service. (Ord. 42-05. Passed 3-7-05.)

(d) New Meter Settings - New Construction. When a contractor fails to notify the Department of Utilities for an appointment to set meter prior to occupancy in a home, building or new construction, said party shall be fined thirty-five dollars (\$35.00) [seventeen dollars and fifty cents (\$17.50) to Water Funds; seventeen dollars and fifty cents (\$17.50) to Water Pollution Control Funds] and be charged double the estimated water consumption from date of occupancy. If the amount is not collected from the contractor, the contractor is liable for payment of said charges.

If the Water Service Representative is not able to gain entrance, he will leave. If, on the second try, he cannot gain entrance, the water will be turned off and a notice left that the water is off and that a new request for service must be made. When this request is received by the Department of Utilities, a scheduled appointment will be made. If, during this period the wiring for remote meters is found to be incorrect, the deficiencies will be noted and the customer informed. If these are not corrected, the water will be turned off. In either case, the customer will be charged thirty-five dollars (\$35.00) [seventeen dollars and fifty cents (\$17.50) to Water Funds; seventeen dollars and fifty cents (\$17.50) to Water Pollution Control Funds] for a turn on when the third call is made.

(Ord. 174-09. Passed 12-7-09.)

911.215 OWNER MAY HAVE TENANT PAY WATER/SEWER BILL.

(a) The owner may arrange to have the tenant or lessee pay the water/sewer bill but such arrangement shall not relieve the owner of responsibility for payment of any delinquencies that may accrue.

(b) Only existing agreements with tenants will be honored after passage of this chapter. No new agreements with tenants shall be made with the Department of Utilities after passage of this chapter unless specifically provided for in this section. When an existing tenant moves out, the landlord will take over the bill at the premises.

(c) To comply with Section 8 and the Discounted Water/Sewer Rate available under Section 911.307, applicants will be allowed to have the water and sewer bill put into their name, but such arrangement where the tenant has received the Discounted Water/Sewer Rate shall not relieve the property owner from liability for any delinquency that may occur regarding the water and sewer bill at the residence. When a tenant who has been receiving the Discounted Water/Sewer Rate vacates the premises, the billing for the water and sewer services shall automatically revert to the owner of the residence.

(Ord. 139-99. Passed 9-7-99.)

911.216 DELIVERY OF BILLS.

When bills are sent or delivered to premises supplied with water, the occupant shall pay the bill if he is the customer or if not, return the bill to the Department of Utilities accompanied by a statement as to why the bill is being returned. Failure to receive the bill shall not relieve any person of their obligation to pay the bill, provided that failure to receive a bill was through no fault or neglect of the Department of Utilities. (Ord. 167-96. Passed 9-16-96.)

911.217 CHARGES FOR WATER/SEWER ARE A LIEN AGAINST PROPERTY.

(a) All charges for water/sewer are assessed against the property to which the service is rendered and are a lien against such property collectable as other liens and taxes.

(b) The lien list will be completed as deemed necessary. The lien list will be forwarded to the County through the City Auditor. Once submitted, the list must remain unchanged save for legal or court directives. After the lien list is submitted, all references and payments are to be made to the County.

(c) Failure to investigate such charges and services does not relieve the new owner of debt of such charges against said property and shall be cause for the Department of Utilities to refuse water/sewer service to said property until all charges against said property are paid in full.

(Ord. 167-96. Passed 9-16-96.)

911.218 APPLICANTS MUST AGREE TO CONFORM TO BYLAWS.

Applications for water/sewer service shall be in writing and applicant shall make such deposit or pay such assessments as may be required under the rules and regulations of the Divisions of Water and Water Pollution Control. It is understood that the signature of the applicant on the application is the applicant's guarantee that the applicant agrees to comply with the rules and regulations of the Divisions of Water and Water Pollution Control as stipulated in said ordinances and those rules and regulations established by the Director of Public Service under rights granted to him under Ohio R.C. 743.02, 743.03 and 743.04.

(Ord. 167-96. Passed 9-16-96.)

911.219 RESERVED FOR FUTURE LEGISLATION.

911.220 WATER MAY BE SHUT OFF AGAINST DELINQUENTS.

Whenever an owner becomes delinquent in the payment of water/sewer bills or of any other obligation to the Department of Utilities, the supply of water may be shut off from any premises of such owner or consumer, notice having previously been given as provided in these regulations, regardless of whether such indebtedness was incurred at the premises where the service is discontinued or at any other property of such owner or consumer.

(Ord. 167-96. Passed 9-16-96.)

911.221 WATER TO BE TURNED OFF AT MAIN FOR PROTECTION AND CHARGE THEREFOR.

In the case of water being turned off at the curb stop for nonpayment of bills and it is found to have been turned on again without authorization, or where in the opinion of the Director of Utilities turning off the water at the curb stop is insufficient protection against unauthorized use of the water, the pavement will be opened and the ferule removed at the main. The owner shall pay for the labor involved in removing the ferule and shall pay for such labor and material that may be required in the excavation and repaving necessary when the ferule is finally reconnected. Payment for such extraordinary work will not relieve him of payment for certain other fixed charges as may accrue and as are established elsewhere in these regulations.

(Ord. 167-96. Passed 9-16-96.)

911.222 WATER/SEWER MAY BE REFUSED DELINQUENT PERSONS.

No water shall be supplied to any premises, the owner of which is delinquent in the payment of water/sewer bills or who is indebted to the Department of Utilities for materials, supplies or work done or in any other manner, until that indebtedness is paid, whether the indebtedness was incurred at the premises for which service is applied or at any other place within the service area. The Department of Utilities reserves the right to shut off the water from any premise owned by a person so delinquent upon giving five days notice. The delivery of such notice to the premises is to be considered sufficient notification. It will not be turned on until all delinquencies have been paid, together with a charge of fifty dollars (\$50.00) [twenty-five dollars (\$25.00) to Water Funds; twenty-five dollars (\$25.00) to Water Pollution Control Funds] to defray the expense of turning on the water.

(Ord. 42-05. Passed 3-7-05.)

911.223 ADJUSTMENT OF BILLS.

(a) All water that passes through a meter shall be charged for whether used or wasted, or lost by leakage. The only basis for adjusting a bill is an inaccurate meter.

(b) If a customer feels that the meter is inaccurate, the Department of Utilities will honor a request to have the meter tested, as provided in Section 911.525. If the meter is found to be accurate within the allowable limits (3% plus or minus), the testing charge will be retained to cover our costs. If it is found to be inaccurate beyond the allowable limits (3% plus or minus), the meter may be replaced at the discretion of the Department of Utilities. The current bill only will be adjusted, either increased or decreased, by the percentage of inaccuracy beyond the allowable limits and the testing charge returned to the customer.

(c) If, after the above action has been completed, the customer feels that he is still unjustly charged, he may forward in writing all facts pertinent to his account in question to the Director of Utilities.

(d) The Director of Utilities will review the facts of the case and shall forward all pertinent information, together with his recommendation, to the Director of Public Service for a final decision.

(e) If, after an investigation has been completed and facts determine the Utilities Department's actions were not responsible for the discrepancy, the account will be charged for the current cost of a service call. (Ord. 167-96. Passed 9-16-96.)

911.224 IF METER FAILS TO REGISTER.

If a meter fails to register, or is found to be out of order, the customer will be charged at the estimated consumption, as shown by the meter when in order and registering accurately.

(Ord. 167-96. Passed 9-16-96.)

911.225 NO ALLOWANCE OR REBATE ON ACCOUNT OF LEAKS.

No deductions shall be made or rebate allowed to any consumer of water under meter control by or on account of leakage or alleged leakage in any water pipe, tank or other apparatus or device. The amount of water registered by any meter shall be charged and paid for in full irrespective of whether such water, after having been registered, was lost by leakage, accident or otherwise. (Ord. 167-96. Passed 9-16-96.)

911.226 REMOTE REGISTER FAILURE.

If the remote register fails to read accurately, the inside meter is the master meter and the reading on this master meter shall prevail.
(Ord. 167-96. Passed 9-16-96.)

911.227 WATER FOR PUBLIC IMPROVEMENTS, WHEN TO BE PAID.

Water used for public improvements performed under contract with the City shall be paid for before receiving the final estimate from the Utilities Department, Division of Engineering.
(Ord. 167-96. Passed 9-16-96.)

911.228 DEDUCTION OF WATER USED FOR FIRE PROTECTION.

A deduction may be made for metered water used to put out or prevent the spread of fire, provided, however, that such use of water be immediately reported by the Fire Department and/or property owner to the Department of Utilities in writing. Otherwise the same shall be paid for according to the regular rates.
(Ord. 167-96. Passed 9-16-96.)

911.229 SEASONAL ACCOUNTS.

(a) An application for seasonal water service must be made at the office of the Department of Utilities. The contract shall be for a period of less than twelve consecutive months.

(b) The Department of Utilities shall furnish and set the meter in the location provided by the customer. Approved meters will be furnished at a price determined by the Department of Utilities. The Department of Utilities will determine the dates when seasonal meters shall be activated and inactivated. A work order will be issued at the appropriate time for the turn on and the turn off. All meters will remain in place unless the customer elects to have it removed. The inlet valve to the meter will be sealed when the seasonal meter is inactivated. In the event the seal is broken by anyone other than the Department of Utilities serviceman, the Department of Utilities will bill the customer to the previous billing period. When a compound meter is used on a seasonal account, the bypass on the meter setting shall be eliminated.
(Ord. 167-96. Passed 9-16-96.)

(c) A fifty dollar (\$50.00) charge [twenty-five dollars (\$25.00) to Water Funds; twenty-five dollars (\$25.00) to Water Pollution Control Funds) will be required for reactivating the account. This charge is for meters left in place. If the seasonal customer wants the meter removed, tested and stored at the Department of Utilities, the cost shall be for actual cost to the Department of Utilities. (Ord. 42-05. Passed 3-7-05.)

911.230 SEWER ONLY ACCOUNTS.

(a) An application for sewer service must be made at the Department of Utilities. The customer will pay sewer service charges that will be determined by the Director of Utilities.

(b) The customer will be billed monthly or quarterly for the sewer service as determined by the Director of Utilities. The billing will be at the same time that the water and sewer bills are due in the location of the customer.
(Ord. 167-96. Passed 9-16-96.)

911.280 PROVIDING NOTICE TO A PURCHASER OF REAL PROPERTY AS TO THE STATUS OF THE WATER AND SEWER ACCOUNT.

The Codified Ordinances of the City of Lorain, Ohio, hereby provide notice to a purchaser of real property as to the status of the water and sewer account of said real property prior to sale. (Ord. 167-96. Passed 9-16-96.)

911.280-A

CITY OF LORAIN, OHIO

UTILITIES DEPARTMENT

Statistics of Water & Sewer Account

Name Date

Address Telephone No.

Service No. Purchase Date

Amount of Bill Due as of \$ Water

\$ Sewer

\$ Other

\$ Total

Last Meter Reading Date

FINAL READING HAS NOT BEEN INCLUDED.

ARRANGEMENTS MUST BE MADE TO HAVE FINAL METER READING TAKEN.

Ordinance No. 39-73, passed by Council of the City of Lorain, on March 5, 1973, provides that notice be given to a purchaser of real property as to the status of the Water and Sewer Account of said real property prior to sale.

We call your attention to paragraph c., Section 911.214, in the rules and regulations of the Utilities Department, City of Lorain, Ohio, which reads as follows: "If a new occupant fails to notify the Division of Water of the change of account, he will be fined TWENTY-FIVE DOLLARS (\$25.00) for failure to do so."

Signature of Seller Date Cashier

Signature of Buyer Date Director of Utilities

Signature of Escrow Agent Date Date

911.281 RESERVED FOR FUTURE LEGISLATION.

911.282 RESERVED FOR FUTURE LEGISLATION.

911.283 RESERVED FOR FUTURE LEGISLATION.

911.284 RIGHTS OF PURCHASER.

Conviction under any Section of this chapter shall not be a bar to the rights of the purchaser of real property to recover by civil suit from either the previous owner, seller, real estate agent or escrow agent the amounts of money due for water and sewer services supplied by the Department of Utilities to the previous owner or seller and paid for by the purchaser.
(Ord. 167-96. Passed 9-16-96.)

911.290 ADDENDUM: LISTING OF CHARGES.

As per Ohio Revised Code Sections 743.02, 743.03 and 743.04:

(a)	Section <u>911.207</u> Turn on charge	\$50.00 (\$25.00 Water; \$25.00 WPC)
(b)	Section <u>911.212</u> Service Charge for Bad Checks.	\$30.00 (\$15.00 Water; \$15.00 WPC)
(c)	Section <u>911.214</u> Failure to be home for pre-arranged appointment	\$35.00 (\$17.50 Water; \$17.50 WPC)
	After hour charge	\$100.00 (\$50.00 Water; \$50.00 WPC)
	Failure to notify office of new occupant	\$30.00 (\$15.00 Water; \$15.00 WPC)
	Turn on charge	\$50.00 (\$25.00 Water; \$25.00 WPC)
	Extra service charge	\$35.00 (\$17.50 Water; \$17.50 WPC)
	New meter setting - new construction: Failure to notify Utilities Department	\$30.00 (\$15.00 Water; \$15.00 WPC)
	Second attempt to gain entrance	\$35.00 (\$17.50 Water; \$17.50 WPC)
(d)	Section <u>911.222</u> Turn on charge.	\$50.00 (\$25.00 Water; \$25.00 WPC)
(e)	Section <u>911.229</u> Seasonal Accounts. Reactivation charge	\$50.00 (\$25.00 Water; \$25.00 WPC)

(Ord. 42-05. Passed 3-7-05.)

WATER RATES

911.300 PERMIT FOR USE OF WATER; PENALTY.

(a) It shall be unlawful for any person, persons, association, firm or corporation to take water or in any way use water for private use which is furnished by the Division of Water of the Utilities Department, unless such person, persons, association, firm or corporation shall have first paid for and received a permit for said use from the Director of Utilities of the Division of Water.

(b) Any person violating any of the provisions of this section or any of the prescribed rules and regulations of said Division of Water, upon conviction thereof, shall be punished by a fine not to exceed two hundred fifty dollars (\$250.00) or to be imprisoned not longer than six months, or both, in the discretion of the court.

(Ord. 167-96. Passed 9-16-96.)

911.301 DETERMINATION OF APPLICATION OF RATES AS TO INSIDE AND OUTSIDE OF THE CITY LIMITS.

(a) Rates to be applied shall be determined by the location of the measuring meter. If the meter is located inside the City and is on land which is an undivided, normally useful part of the premises served, then the inside rates shall apply for all water metered at such location. In all other cases the outside rates shall apply, as provided herein or by contract.

(b) In any case, the inside the City rate shall be applied regardless of the location of the meter, whenever all of the water passing through said meter is used inside the City.

(Ord. 167-96. Passed 9-16-96.)

911.302 READINESS TO SERVE CHARGE.

All consumers supplied with water by the City shall be charged a monthly readiness to serve charge based on the size of their meter, as follows:

<u>Meter Size</u>	<u>Per Month</u>
5/8"	\$0.30
3/4"	0.90
1"	1.20
1 1/2"	3.20
2"	4.50
3"	10.00
4"	18.00
6"	40.00
8"	80.00
10"	120.00

(Ord. 167-96. Passed 9-16-96.)

911.303 RATES FOR WATER FURNISHED INSIDE CITY LIMITS.

Pursuant to Ohio R.C. 743.04, assessment and collection of water rents, the Safety Service Director may assess and collect a water rent or charge of sufficient amount and in such manner as he or she determines to be most equitable from all tenements and premises supplied with water. The current rates for water furnished inside City limits shall be maintained on file and available to the public in the Safety/Service Director's office and/or the City of Lorain Utilities Department.

Golden Agers and Disability Customers

See Section 911.307

(a) Also, effective May 1, 1996, the City's current thirty percent (30%) surcharge for water furnished outside the City shall remain.

- (b) The above rate structure will be based on a monthly billing.
- (c) The minimum bill chargeable shall be based upon 300 cubic feet per month.
- (d) For customers classified under "Exceptions" under Section 911.307, the minimum bill chargeable shall be 200 cubic feet per month.

(Ord. 140-07. Passed 9-17-07.)

911.304 RATES FOR WATER FURNISHED OUTSIDE CITY LIMITS.

- (a) Any and all rates (see Section 911.303) for any type of service and material provided for outside the City limits will be charged an additional thirty percent (30%).
 - (b) This charge will not be enforced for any contracts that have been signed and prices quoted prior to this chapter, or for any future contract that specifies a quoted figure for service or material.
- (Ord. 167-96. Passed 9-16-96.)

911.305 OPERATIONS, MAINTENANCE AND REPLACEMENT COST RECOVERY.

There is hereby established a committee comprised of the Director of Utilities, the City Auditor and the Director of Public Service, whose function shall be to review the water rental charges of the Water Department on a biennial basis in accordance with 40 CFR Sec. 35.929-2(b) of the Federal Register. Beginning in 1997 and on or about March 10th of every other year thereafter, the City Auditor shall submit a report of all expenditures of the Water Department for the previous biennial period to said committee and to Council. Thereafter, on or about April 1st of each such biennial year, said committee shall calculate and compare the operation, maintenance and replacement costs of the Water Department for the immediately preceding biennial period to those of the operation, maintenance and replacement costs of the second immediately preceding biennial period and make recommendations to the Service Director as to suggested adjustments, if any, to the water rental rates in accordance with the difference reflected between those comparative operation, maintenance and replacement cost figures. The purpose of any such adjustment shall be to reflect in the water rental rates the actual cost for the operation, maintenance and replacement of the Water Department and/or any anticipated expenditure pertaining to the operation, maintenance and replacement costs proportionately among the users of the water system. However, the Service Director as set forth in Ohio R.C. 743.04 retains final authority to assess and collect water rents or charges of sufficient amount and in such manner as he determines to be most equitable from all tenements and premises supplied with water.

(Ord. 55-97. Passed 4-7-97.)

911.306 ESTABLISHMENT OF OPERATION, MAINTENANCE AND REPLACEMENT CONTINGENCY FUND.

There is hereby established within the Water Department's budget a separate fund which shall be known as the Operation, Maintenance and Replacement Contingency Fund. Initially the amount of said Fund shall be five and one-half percent (5½%) of the actual operation, maintenance and replacement costs of the year immediately preceding the effective date of this section. Thereafter, said Fund shall be maintained in an amount equivalent to five and one-half percent (5½%) of the previous year's actual operation, maintenance and replacement costs. The monies in said Fund shall be used only for unusual, extraordinary or emergency expenses incurred in the operation, maintenance and replacement of the Water Department. Any moneys used from said Fund shall be returned to it no later than the first Monday of the month of February of the following fiscal year.

(Ord. 167-96. Passed 9-16-96.)

911.307 EXCEPTIONS TO THE WATER RATES.

- (a) Any person who has applied for and is currently receiving a Homestead

Reduction/Exemption pursuant to Ohio R.C. 323.151 through 323.154 shall be entitled to a water rate equal to fifty percent (50%) of the rates established in Section 911.303 on the basis of 100 cubic feet of water used, provided however, that this rate shall not be available to that part of a household's usage which exceeds 400 cubic feet in any month.

(b) To be eligible for the reduced rates provided for in this section, a person must submit a copy of the certificate of reduction issued by the Lorain County Auditor, and complete an application furnished by the Department of Utilities, as approved by the Safety/Service Director. (Ord. 71-04. Passed 5-17-04.)

SERVICES (TAP AND SERVICE CONNECTIONS)

911.400 APPLICATION FOR THE INSTALLATION OF TAPS AND SERVICE CONNECTIONS.

Taps and service connections shall be installed to serve only those premises which are located on dedicated streets or thoroughfares or which abut a plot for which a deed of easement has been duly executed and accepted by the City, in which has been installed a water main line of not less than four inches inside diameter. Service connections may be obtained by applying at the office of the Director of Utilities and/or those agents authorized by the Director of Utilities and making such payment as hereinafter provided. For all applications for three or more units, a plot plan must be submitted with the application. Such application shall contain the name of the owner of the premises, or his agent, the use to which water is to be applied, the correct name of the street, street number, lot number and plot plan of the premises to be supplied with water. The service inspection section of the water service application form must be signed for both new service and replacement service (when applicable) at the time of application.

(Ord. 167-96. Passed 9-16-96.)

911.401 TAPS OUTSIDE CITY LIMITS.

Applications for taps involving property outside the City limits must be accompanied by a permit issued by the political subdivision in which said property is located. Further, application must be approved by Council.

(Ord. 167-96. Passed 9-16-96.)

911.402 INSTALLATION OF TAPS AND SERVICE CONNECTIONS.

Taps and service connections shall be installed only by duly authorized agents of the City. Installation will be made only after customer's branch has been properly marked and the Division of Water has been notified as herein required.

(Ord. 167-96. Passed 9-16-96.)

911.403 ONLY CITY PERSONNEL TO OPERATE VALVES, STOPS, ETC.

Only duly authorized agents of the City shall operate any valve, stop cock or corporation stop so as to turn City water into any system or service pipe or remove the cover from any curb box or meter box. (Ord. 167-96. Passed 9-16-96.)

911.404 PAYMENT FOR TAPS AND SERVICE CONNECTIONS.

(a) Advance payment of the established charge for tap and service connection two inches and smaller must be made by the applicant for water service. Schedule of current tap and service connection charges for two inches and smaller sizes shall be, as hereinafter stated, kept on file in the Division of Water.

(b) A deposit of thirty percent (30%), the amount determined by the Division of Water on the basis of anticipated cost, shall be made before services larger than two inches are installed. Any unused portion of said deposit will be refunded and any additional cost billed to the customer.

(Ord. 167-96. Passed 9-16-96.)

911.405 CHARGE FOR INSTALLATION OF TAPS AND SERVICE CONNECTIONS.

(a) All service lines from the mainline to, and including, the curb stop shall be installed by the City at the cost of the customer, such cost shall include the cost of all labor and material incident to the service installation as determined by the City. That part of the service line on the property side of the curb stop shall be installed by the customer at the customer's cost. No service line shall be installed nearer than six feet to any sewer trench horizontally and eighteen inches vertically.

(b) The Division of Water will make and maintain the water tap which shall remain the property of the City. (Ord. 167-96. Passed 9-16-96.)

(c) Service Connection Charges are as follows. Service connection charges shall be established as per Ohio R.C. 743.02, 743.03 and 743.04 by the Director of Public Service. This shall be subject to annual change.

<u>Size of Tap (inches)</u>	<u>Charge</u>
0.75	\$1,000; duplex \$1,200
1.00	1,100
1.25	1,200
2.0	1,400

(1) Taps which require concrete or paved surface removal and replacement shall be charged an extra fifteen dollars (\$15.00) per square foot.

(2) Any unusual circumstances such as taps located in sidewalks, streets, etc., shall be charged an additional fee to be determined by time and materials.

(Ord. 174-09. Passed 12-7-09.)

(d) On all application for tap services from a lesser size to a larger size, the new tap charge of the larger size shall be the tap charge.

(e) Costs on all services over two inches will be computed on a time and material basis.

(f) Add thirty percent (30%) on all services outside the City, except those excluded by contract or agreement. (Ord. 167-96. Passed 9-16-96.)

911.405.1 MANIFOLD SET-UPS.

(a) Where there is a multiple occupancy in a premise, such as a duplex, a manifold setting is required in order that each unit will have a meter installed and a separate line from the curb box to the meter; no more than two metered services shall be fed off a three-fourths inch tap.

(b) The charges for the manifold set-up for this type of metering shall be based upon the size needed and the specific type of manifold to be fabricated by the Utilities Department Distribution Division.

(c) These charges shall be reviewed and reappraised every year by the Director of Public Service and the Director of Utilities. (Ord. 167-96. Passed 9-16-96.)

(d) Manifold Connection Charges Are as Follows. Manifold connection charges shall be established as per Ohio R.C. 743.02, 743.03 and 743.04 by the Director of Public Service. This shall be subject to annual change.

<u>Size (inches)</u>	<u>Charge</u>
0.75	\$500.00
1.25	Time and Materials
2.00	Time and Materials

(Ord. 174-09. Passed 12-17-09.)

(e) In case of existing duplexes with single meter and shutoff (installed prior to this Ordinance) where homeowner requests a second meter, owner must install a manifold at the service connection complete with shutoffs and separate line.

(Ord. 167-96. Passed 9-16-96.)

911.406 TAPS - SERVICE SIZE - MATERIALS.

(a) All original taps and services, including tap and customer branches, shall be at least three-fourths of an inch in diameter. The Division of Water will recommend the size of the tap and service, commensurate with the amount of water and type of usage anticipated.

(b) All builders applying for a three-fourths inch water tap but installing a one inch water line from the shutoff valve to the house must provide the necessary adaptor and fitting in order that the hook-up to City water can be used.

(Ord. 167-96. Passed 9-16-96.)

(c) Services two inches and smaller shall be Type "K" soft copper or plastic that complies with American Water Works Association (AWWA) standard C-901, and services over two inches shall be ductile cast iron, or Type "K" copper, or plastic that complies with AWWA standards C-900 or C-909, the quality of both equal to that used by the Division of Water. No other type of material such as iron, steel or galvanized iron shall be used from the curb stop or control valve to and including the meter setting.

(Ord. 174-09. Passed 12-7-09.)

911.407 RESERVED FOR FUTURE LEGISLATION.

911.408 REPAIRS TO TAP AND SERVICE CONNECTION.

(a) Only authorized employees of the Division of Water are permitted to make repairs to the tap or service connection. When deemed advisable by the Division of Water, the entire service connection will be replaced.

(b) Repairs to the tap and service connection two inches and smaller in size in all areas served directly by the Division of Water shall be assumed by the Division of Water unless the repairs are made necessary because of work done by, or for, the owner, in which case he shall pay the full cost thereof.

(c) Where the tap and service connection is damaged by a contractor or other utility, the full cost of repairs shall be charged to those responsible for the damage.

(d) The total cost of repairs of services four inches or larger in all areas is borne by the owner.

(e) Where the Division of Water determines that it is more economical to replace than repair a substandard tap and service connection (smaller than one inch in size) the owner may be notified, if practical, and be permitted to have a standard tap and service connection installed in accordance with the schedule of charges for such work, as stated in Section 911.405.

(Ord. 167-96. Passed 9-16-96.)

911.409 TEMPORARY WATER SERVICE.

(a) When it is not possible, or not feasible, as determined by the Division of Water to construct a water service main in the street in front of a premise, water service may be obtained from other water service mains, under sixteen inches in size, on a temporary basis, at the customer's own full expense.

(b) Before application for a temporary water service shall be granted, the applicant shall execute an agreement approved by the Director of Public Service. The agreement shall be recorded with the City Auditor with a copy on file with the Division of Water. The agreement shall contain the following provisions:

(1) The service shall be installed in accordance with instructions from the Division of Water.

(2) Only the premises stipulated in the agreement shall be served.

(c) Temporary water service pipe shall be laid in the public right-of-way whenever possible or in recorded permanent easements only. Water service shall be discontinued whenever the status of permanent easements is changed.

(d) When a water service main is constructed in the street in front of the premises served by the temporary service, the temporary service must be discontinued and connection made to such water service main, which must be agreed to in writing before a temporary water service is authorized.

(e) When a water service main is petitioned for, all eligible premises served by temporary private services shall be counted as signers of the petition, the customer receiving the temporary water service agreeing beforehand to sign and support such petitions for water service mains. (Ord. 167-96. Passed 9-16-96.)

911.410 WORKMANSHIP ON CUSTOMER'S BRANCH.

(a) Installation work on customer's branches shall be in accordance with best Journeyman practice and rules and regulations and/or ordinances of the City.

(b) The customer's branch shall be without joints from the meter to a point outside the building on copper services.

(c) The pipe shall have full waterway throughout, equal to the inside diameter of the pipe. Pipe ends shall be reamed to remove any obstruction of the flow of water.

(Ord. 167-96. Passed 9-16-96.)

911.411 DEPTH OF PIPE ON CUSTOMER'S BRANCH.

All service pipe lines outside buildings, from the main to the meter, shall have a minimum of forty-eight inches cover of earth, and/or surface materials such as pavements or gravel. Service line in crawl space and unheated buildings must be insulated to prevent freezing.

(Ord. 167-96. Passed 9-16-96.)

911.412 CUSTOMER'S BRANCH LOCATION AND CONSTRUCTION.

(a) The customer's branch shall be installed in a direct line from the house to the street, and at right angles to the street. If the branch enters the building from the side, it shall be installed at right angles to the street and no further than three feet from the building. If local conditions do not permit, a deviation may be permitted; however, the location must be approved by the Division of Water. The customer's branch shall not be laid closer than four feet to any drain, gas line or other underground facility.

(b) At least six inches of the customer's branch pipe shall extend beyond the point where the curb box is set which normally is in the tree lawn as shown on the drawing of Addendum 911.412.

(c) The customer's branch must be properly marked, and approved by the Engineering Division of the Division of Water before the Division of Water will install the service connection. The owner and/or the customer or his representative shall notify the Division of Water at the time that the application for the tap is made, that the customer's branch is properly marked. The priority of the tap installation will be as of the date the application is made.

(d) The customer's branch shall be so valved and/or controlled that after it is connected to the service connection, the curb stop valve can be left open. If, for any reason whatsoever, the curb stop valve cannot be left open without the loss of water, the owner and/or customer must pay established charge for turn on of water before service to premises will be started.

(Ord. 167-96. Passed 9-16-96.)

911.413 CUSTOMER'S BRANCH LEAKS.

When a leak on a customer's branch between the curb stop and the meter comes to the attention of the Division of Water, the owner and/or customer shall be notified by notice left at the premises.

This notice will also contain a directive to repair the leak with reasonable dispatch. If within seventy-two hours evidence is lacking that the owner and/or customer has not taken positive steps to repair the leak, then the water service to the premises will be shut off at the curb stop. Water service to the premises will not again be started until the ordered repairs have been completed. If deemed desirable by the Division of Water, on the basis of age and condition of the pipe, the entire customer's branch shall be replaced with Type "K" soft copper for services two inches and smaller, and ductile cast iron or Type "K" copper, the quality of both equal to that used by the Division of Water, for services over two inches. If service cannot be turned off, for whatever reason, a charge to be determined by the Superintendent of Distribution based on his estimate of the lost water will be added to the bill each month until the leak is repaired.

(Ord. 167-96. Passed 9-16-96.)

911.414 LIMITING SIZE OF MAIN TO BE TAPPED.

Water mains sixteen inches in size or larger are considered trunk mains and are not to be tapped for water service, except when approved by the Division of Water after an engineering study of the affected part of the Distribution System.

(Ord. 167-96. Passed 9-16-96.)

911.415 MAINTENANCE OF SERVICE LINES.

The City shall maintain in good repair at no cost to the customer that portion of the service line between the street main and the curb stop; including the curb stop. The customer shall maintain that portion of the service line on the property side of the curb stop in good repair and protect the same from frost at his own cost. The customer shall prevent waste of water and no claim shall be made against the City for damage resulting from breakage of any service pipe or connection or drainage arising from shutting off water to repair mains or for any other reason.

(Ord. 167-96. Passed 9-16-96.)

911.416 ATTACHMENT OF WIRES TO SERVICES FORBIDDEN.

All individuals or business organizations are forbidden to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main line belonging to the City; the City 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 such ground wire attachments will be sufficient cause for immediate discontinuance of service.

(Ord. 167-96. Passed 9-16-96.)

911.417 DEFECTIVE WORD.

Whenever the Inspectors of the Division of Water find a job of plumbing, pertaining to Sections specified in the rules and regulations, that is defective, although not in direct violation of these rules, water will not be turned on until such defective work has been remedied.

(Ord. 167-96. Passed 9-16-96.)

911.418 NEW WATER SERVICE INSPECTION REQUIREMENTS.

(a) Water service will not be provided to premises unless opened the customer's water line and sewer connection trenches are inspected and approved by the Engineering Division of the Division of Water to meet the requirements as stated in Sections 911.405(a), 911.407, 911.410, 911.411, and 911.418, regardless of the extent of correction alterations needed.

(Ord. 167-96. Passed 9-16-96.)

(b) Inspection charges are as follows: \$110.00

(Ord. 174-09. Passed 12-7-09.)

911.419 RESERVED FOR FUTURE LEGISLATION.

911.490 ADDENDUM: LISTING OF CHARGES.

The Director of Public Service hereby establishes the following rate schedule, as per Ohio Revised Code Sections 743.02, 743.03 and 743.04: This shall be subject to annual change.

(a) Section 911.405 Service Connection Charges are as follows:

Size of Tap	Charge
0.75"	\$1,000; duplex \$1,200
1.00"	\$1,000
1.25"	\$1,200
2.0"	\$1,400

(1) Taps which require concrete or paved surface removal and replacement shall be charged an extra fifteen dollars (\$15.00) per square foot.

(2) Any unusual circumstances such as taps located in sidewalks, streets, etc., shall be charged an additional fee to be determined by time and materials.

(b) Section 911.405.1 Manifold set-ups are as follows:

Size	Charge
0.75"	\$500.00
1.25"	Time and Materials
2.00"	Time and Materials

(c) Section 911.418 New Water Service Inspection Requirements.

Inspection charges are as follows: \$110.00

(Ord. 174-09. Passed 12-7-09.)

METERS

911.500 SERVICES TO BE METERED.

All services shall be metered unless specifically exempted by these rules and regulations, and/or ordinances. (Ord. 167-96. Passed 9-16-96.)

911.501 SERVICES NOT REQUIRED TO BE METERED.

The following services do not need to be metered:

(a) Fire service lines when used only for furnishing water for fighting fires through private hydrants. A meter sized as specified by the Division of Water shall be installed at or near the property line in an approved enclosure whenever water has been used from a fire service pipeline for other purposes than for fire fighting.

(b) Services furnished under hydrant contracts.

(c) Temporary service to a premises when it is not practical to install a meter because of the difficulty of protecting the meter, during the construction of a building. This installation is permitted only until in the opinion of the Division of Water, the building has been completed to the extent that reasonable protection can be given to the meter. This does not mean that the building has to be so completed as to be capable of being locked with the permanent locks.

If the building has been completed so that it can be locked with temporary locks, and a meter has not been installed, the Division of Water will shut the water off at the curb box and not again turn it on until a meter has been set and the turn-on charge paid.

This temporary service charge shall be the cost of parts and labor for installation, plus a minimum flat rate of 1,000 cubic feet, plus meter charge, or may be higher if deemed applicable.

When in the opinion of the Division of Water the meter and remote wire are not

properly installed (Section 911.523) and readily accessible (Section 911.512), the water will be shut off at the curb box and not turned on until acceptable repairs are made.

(Ord. 167-96. Passed 9-16-96.)

911.502 MAINTAINING METERING SYSTEMS.

The Director of Public Service hereby authorized to install, read and maintain metering systems to any and all properties served with water by the Division of Water. Reference is made to the Ohio R.C. 743.02, 743.03 and 743.04.

(Ord. 167-96. Passed 9-16-96.)

911.503 ENTERING PROPERTIES FOR OPERATION OF METERING SYSTEMS.

The Director of Public Service or his appointed agents are authorized to enter all properties served with water by the Division of Water for the purpose of installing, reading and maintaining the metering system.

(Ord. 167-96. Passed 9-16-96.)

911.504 ACCESS TO PROPERTY FOR OPERATION OF METERING SYSTEMS.

(a) Water service may be terminated for failure of a customer to provide access to the property for the purpose of installing, reading or maintaining the metering system after being given notice and reasonable time to comply with such notice.

(b) The property owner shall pay the appropriate service termination and resumption charges as specified in Section 911.207 for denying access to the Director of Public Service or his agents for the purpose of installing, reading and maintaining the metering system.

(Ord. 167-96. Passed 9-16-96.)

911.505 NUMBER OF METERS ALLOWED.

No more than one meter shall be used per premise served by a single service. Where there is multiple occupancy on one premise such as a duplex, each side shall have a meter in a separate line from the second shutoff to the second meter. The owner of the premise shall pay as stated in Section 911.524 for manifold, additional shutoff and meter in duplex or similar multiple occupancy premise.

A second meter may be installed upon approval of the Director of Utilities for the purpose of monitoring pond, irrigation, or pool use water. The meter and waterline are subject to inspection by Utilities Department staff upon notice to the owner of the residence. An inspection fee will be assessed for each inspection. Customers must petition the director in writing to request a second meter. Customers with second meters installed shall not be subject to provisions of summer sewer averaging. (Ord. 42-05. Passed 3-7-05.)

911.506 RESERVED FOR FUTURE LEGISLATION.

911.507 INSTALLATION OF METERS BY DIVISION OF WATER ONLY.

The water metering system will be installed by the Division of Water or their duly authorized representatives. This system will include the water meter, remote register and necessary wire to connect the remote register to the meter.

(Ord. 167-96. Passed 9-16-96.)

911.508 REMOVAL OF METERS.

Meters shall be removed only by authorized employees of the Division of Water except as otherwise herein provided for. Violations of this regulation will result in a charge being added to the customer's account for expenses incurred, in addition to charges for damage to or loss of meters, and charges for amount of unmetered water estimated to have been used.

(Ord. 167-96. Passed 9-16-96.)

911.509 RESERVED FOR FUTURE LEGISLATION.

911.510 METERS SUBJECT TO INSPECTION.

(a) Meters shall be subject to inspection by duly authorized representatives of the Division of Water at any reasonable time.

(b) Refusal to admit a duly authorized employee of the Division of Water at a reasonable hour for the purpose of reading, inspecting, maintaining or changing a meter shall be considered a violation of these rules and regulations and shall be cause for discontinuance of service. (Ord. 167-96. Passed 9-16-96.)

911.511 ATTACHMENTS.

Attachments of whatever nature made to water pipes or other fixtures belonging to the Division of Water and intended for public use shall be subject to the same supervision rules and regulations as are made for the protection of the Division of Water against abuse, destruction and unnecessary use or waste of water. Whoever shall accidentally or otherwise damage, abuse, destroy, tamper, remove, etc., any water pipe attachment referred to herein shall be responsible for the total cost of its replacement or repair.

(Ord. 167-96. Passed 9-16-96.)

911.512 METERS SHALL BE ACCESSIBLE.

(a) Meters shall be freely accessible and shall not be hidden or covered with building materials, boxes, cabinets, or any other obstruction.

(b) If the customer causes the obstruction of the metering system after its installation, he shall be responsible for the relocation and/or removal of the obstruction at his cost.

(Ord. 167-96. Passed 9-16-96.)

**911.513 CUSTOMER TO PROTECT METER FROM FREEZING,
VANDALISM OR OTHER TYPE OF NEGLIGENCE.**

(a) The customer served through a meter located within a building on his premises shall make ample provision for the protection of his water against freezing or hot water damage. Damage caused by freezing or by the passage of hot water through the meter, shall be repaired at the cost of the customer.

(b) The customer is responsible for the damage resulting from negligence, vandalism, freezing, or hot water and shall be charged for said damage to the meter according to Section 911.514, except that said charge shall not be imposed if the damage is the result of conditions beyond the control of the customer. Such meter repair shall include all time and materials. If a meter is frozen two years in succession, a penalty of one hundred dollars (\$100.00) will also be added to the bill.

(Ord. 167-96. Passed 9-16-96.)

911.514 METER REPAIRS AND CHARGES.

(a) The cost of repairs to five-eighths inch, three-quarters inch and one inch meters, owned by the Division of Water, made necessary because of normal wear and deterioration, will be assumed by the Division of Water. Cost of repairs to meters outside of the City that are privately owned shall be charged to the owner as stated in these rules and regulations, Section 911.520.

(b) If the need for repairs to the meter owned by the Division of Water is caused by freezing, hot water, negligence or malicious damage, a charge based on the average cost will be made for the repair of the meter including the wages plus benefits of the employees and the amount of time needed for such repair.

(Ord. 167-96. Passed 9-16-96.)

911.515 TAMPERING WITH METER.

No person shall change or remove or break the seal on any meter after it is installed except a duly authorized employee of the Division of Water. Meters and appurtenances attached thereto shall not be tampered with. If the Division of Water finds that a meter seal has been broken and there is evidence that a meter has been tampered with, the water shall be shut off and not turned on again until a payment, determined by the Director of Utilities, has been made to pay for the resealing. The customer shall also pay for the estimated quantity of water which has not been registered because of said tampering before the water is turned on. Any violation of these rules shall be handed over to the Prosecutor's Office for prosecution.

(Ord. 167-96. Passed 9-16-96.)

911.516 TYPE OF METERING SYSTEM.

(a) The Director of Public Service or his appointed agent will determine the type of metering system to be installed for each customer and if in the Director's opinion an existing system is inadequate to meet the intent of Section 911.502, the Director shall cause it to be replaced with the system meeting said intent.

(b) The City reserves the right to select the metering system and replace any existing system. Any additional charges shall be borne by the customer.

(Ord. 167-96. Passed 9-16-96.)

911.517 ALL WATER MUST BE METERED.

No person shall consume or make use of water supplied by the Division of Water of the City of Lorain for any purpose whatsoever, except as hereinafter provided unless such water shall have passed through a meter supplied by the Division of Water. All meters shall be provided and installed by the City. The customer will be billed for installation cost as provided by Section 911.524. The size of the meter to be installed shall be requested by the owner and approved by the City on the basis of estimated use requirements.

(Ord. 167-96. Passed 9-16-96.)

911.518 METER TO BE FURNISHED BY CITY.

All water meters used for all purposes, or for vessels moored during the winter season, shall be furnished by the Division of Water of the City of Lorain.

(Ord. 42-05. Passed 3-7-05.)

911.519 REPLACEMENT OF METERS.

The Utilities Department, Division of Water, has the right to replace any of its meters it deems necessary and cannot be held responsible for damage to service lines caused by such work if reasonable care is exercised. Notice to replace inferior meters will constitute reasonable care.

(Ord. 167-96. Passed 9-16-96.)

911.520 RESERVED FOR FUTURE LEGISLATION.

911.521 BYPASSES ON METER SETTINGS.

Where the necessities of the service require a noninterrupted supply of water at all times, bypasses around meter settings will be allowed for one and one-half inch and larger meters only. Such bypass installations shall be in accordance with the Division of Water specifications.

(Ord. 167-96. Passed 9-16-96.)

911.522 LIMITATION ON ONE CUSTOMER TO EACH SERVICE.

(a) On and after the effective date of these rules and regulations, the installation of a service line to be used to serve more than one customer shall be prohibited. However, where such service lines are already installed serving more than one customer, upon the failure of any one of said customers to pay his water bill when due or to comply with established rules and regulations of the Division of Water.

(b) The Division of Water shall serve notice to all customers on same lines that the entire line will be discontinued and separate services shall be installed within 120 days of said notice or water service will be discontinued. All dwellings shall have an individual shutoff and meter for each customer served.

(Ord. 167-96. Passed 9-16-96.)

911.523 METER SETTINGS AND LOCATIONS.

(a) Valves must be provided on both the inlet and outlet sides of the meter and as close thereto as possible, in accordance with the Division of Water standards. These valves which must be installed at the owner's expense shall be of the Gate type, either solid wedge or double disc and nonrising stem, wheel handle and brass body, suitable for working pressures up to 125 pounds. The valve shall be the same diameter as the service pipe which in the case of the smallest service is required to be one inch. Only brass bushings shall be used in the meter setting.

(b) Location of Meter.

(1) In all structures with basements, the meter will be installed within two feet of where the service line enters the basement wall. The meter will be located between one and three feet from the basement floor and no closer than eight inches from the wall. After the meter has been installed, it will be the responsibility of the property owner to insure that complete access to the meter is maintained at all times.

(2) In all structures without basements, the meter will be located as follows:

A. Slab Type: The meter will be installed within two feet after entering the utility room with the same location requirements as for structures with basements.

B. Other Types: The meter will be installed in a location to be approved by the Division of Water.

(3) For all of the above installations, any permanent structures such as furnaces, water heater, etc., must be installed so that access to the meter for reading and maintaining is not restricted.

(c) All meters of two inches diameter or larger that are installed inside shall be installed at floor level. Meters one and one-half inches in diameter and smaller shall be installed at a height of not more than three feet above floor level. All inside meter installations shall be so arranged that the meter connections shall extend not less than eight inches from the wall. On all meter installations, a stop and waste valve shall be installed immediately ahead of the meter and a shutoff valve immediately behind the meter. On one and one-half inch diameter meters and larger, a bypass must be installed with Water Department seal on the bypass.

(d) Meters larger than two inches in size to be located outside a building shall be installed by the Division of Water at the expense of the customer in a vault equipped with piping and valves as specified by the Division of Water. Vault, piping and valves shall be installed by the customer at the customer's sole expense. Specifications for such vault with cover, small housing and piping for installation of a remote reader and valves shall be obtained upon request from the Division of Water.

(e) No box meter vault shall be installed on any residential services.

(f) The builders or property owners must provide an adequate location within the building for installation of the water meter. This location shall be freely accessible and shall not be hidden or covered with boxes, building materials, or any other obstruction. Such settings must at all times have unobstructed access for the purpose of reading and servicing the meter. Under no condition shall a meter be placed under a sink, in a closet, behind a hot water tank or furnace, in a crawl space, or a secluded location.

(g) A specially designed protective enclosure, removable by Division of Water employees

without removing screws, or bolts and latches may be placed over a meter in an unprotected position in the kitchen only.

(h) Meters may be placed in an attached garage, if heated.

(i) Plumbers shall install only brass meter connections approved by the Division of Water.

(j) A drain with sufficient capacity to carry off all water that can leak from a meter, or meter setting, is recommended to be installed in such a manner that damage to the property and/or furnishings from such leaks is prevented. The Division of Water in any case is not responsible for damages caused by water leaking from a meter or meter setting.

(k) All builders and property owners must also provide one-half inch conduit from the meter to the outside of the building so that the Division of Water can set a remote-read meter. The Division of Water will specify the location of the remote-read meter.

(l) Specifications for the Installation of the Electrical Circuit for Remote Meter Registers.

(1) The installation shall consist of a section of one-half inch TW conduit attached to the outside of the building in a vertical position parallel to and twelve inches to the side of the electrical house circuit.

(2) The conduit shall be attached to the house by corrosion resistant straps.

(3) The top strap shall be approximately six inches from the top end of the conduit.

(4) The straps shall be fastened to the building with corrosion resistant screws.

(5) On the lower end of the conduit shall be a conduit and a piece of one-half inch TW conduit stubbed through the outside wall with plastic bushing.

(6) The top end of the conduit shall be at a minimum height of four feet and a maximum height of five feet from the finished ground level.

(7) In cases of masonry construction, the top end of the conduit shall be one and three-quarters inches below the center of a horizontal mortar joint.

(8) All metallic materials shall be treated against rust and corrosion. Wire shall be 22 gauge of the three wire conductor type in a sheath which shall be abrasion and moisture resistant. Each conductor shall be color coded: red, green, and black.

(9) The wire from the meter to the conduit shall be securely fastened to the building with insulated staples in a workmanlike manner.

(10) The wire at the top of the conduit outside of the building shall extend out of the conduit a minimum of six inches and a minimum of two feet of wire shall be left at the meter setting.

(11) Please note: A wood backing plate must be provided for the remote meter reader location.

(m) Water service will not be provided to premises until the requirements of this section are complied with, regardless of the extent of corrective alterations needed.

(Ord. 167-96. Passed 9-16-96.)



911.524 METER SERVICE CHARGES.

(a) Meter Service Fees. Meter service fees shall be established as per Ohio R.C. 743.02, 743.03 and 7643.04 by the Director of Public Service. This shall be subject to annual change.

<u>Size of Meter (inches)</u>	<u>New Meter Service Fee</u>
0.625	\$ 120.00
0.750	150.00
1.0	300.00

1.500	400.00
2.0	600.00
3.0	800.00
4.0	2100.00
6.0	3200.00
7.0	Current market price (retail)
10.0	Current market price (retail)

Manifold charge is as follows:

All Manifolds - Time and material costs

No credit will be given for replacement tap or existing meters.

(b) Wherever possible and feasible, and at the discretion of the Division of Water, the Division of Water will install remote reading register in premises for a charge of two hundred dollars (\$200.00) to cover the installation.

(c) Where a previous meter has been installed in a premises, the owner can apply for a remote register for a fee of one hundred dollars (\$100.00).

(d) The Division of Water will maintain remote registers under the same provisions as meters are maintained.

(e) The charge of one hundred dollars (\$100.00) for ordinary repairs to any remote register or connections thereto necessitated by damage or neglect by the customer or owner shall be made in addition to any charges provided by Section 911.514.

(f) When a request by an owner or his agent is made, the Division of Water will remove, test and re-install a remote reader register for a charge of one hundred dollars (\$100.00) in addition to any charge provided for by Section 911.525.

(g) The register, transmitter, fastenings, and connections thereto shall remain the property of the Division of Water and may be moved from one setting to another only with permission of the Division of Water and with Division of Water employee present, with pay at the present rate.

(h) When a replacement water service on a razed premise is requested, the meter charge shall be as stated above.

(Ord. 174-09. Passed 12-7-09.)

911.525 TESTING OF METERS.

(a) Meters may be tested at the instigation of the Division of Water or the customer. If requested by the customer, such request shall be in writing and shall be accompanied by the established charge for the size of meter tested. The customer should make arrangements to be present to witness the test, if desired.

(b) If the customer chooses not to witness the test, the findings of the Division of Water must be accepted as final. The test must be completed within three working days of removal.

(c) If upon testing, the meter is found to be accurate, in accordance with the Division of Water specifications, the testing charge shall be retained by the Division of Water. If the meter is found to be inaccurate, the testing charge shall be refunded to the customer. The rule if the meter test shows that the meter is three percent (3%) accurate, the meter shall be considered accurate.

(Ord. 167-96. Passed 9-16-96.)

(d) Charges for testing meters shall be as follows:

<u>Sizes</u>	<u>Regular</u>	<u>Box</u>
--------------	----------------	------------

5/8", 3/4", 1" \$100.00 \$120.00
 (Ord. 174-09. Passed 12-7-09.)

911.526 ACCURACY OF METERS.

(a) New meters installed by the Division of Water shall meet the following accuracy specifications:

Positive Displacement Meters

Size	Rate of Flow GPM	Accuracy Limits	Rate of Flow GPM	Accuracy Limits	Rate of Flow GPM	Accuracy Limits
5/8"	1 - 20	99 - 101	1/4	95% or better	1/8	90% or better
3/4"	2 - 34	99 - 101	1/4	95% or better		
1"	3 - 53	99 - 101	3/4	95% or better		

Compound Meters

Size	Rate of Flow GPM	Accuracy Limits	Rate of Flow GPM	Accuracy Limits
2"	2 - 160	98 - 102	1/2	95% or better
3"	4 - 315	98 - 102	1	95% or better
4"	6 - 500	98 - 102	1 1/2	95% or better
6"	10 - 1000	98 - 102	3	95% or better
8"	16 - 1600	98 - 102	4	95% or better
10"	32 - 2300	98 - 102	8	95% or better

At the cross-over point, accuracy of 96% to 104% is required.

(b) The accuracy of repaired meters shall be as follows:

Positive Displacement Meters

Size	Rate of Flow GPM	Accuracy Limits	Rate of Flow GPM	Accuracy Limits
5/8"	1 - 20	98 - 102	1/4	90% or better
3/4"	2 - 34	98 - 102	1/4	90% or better
1"	3 - 53	98 - 102	3/4	90% or better

Compound Meters

Size	Rate of Flow GPM	Accuracy Limits	Rate of Flow GPM	Accuracy Limits
2"	2 - 160	97 - 103	1/2	90% or better
3"	4 - 315	97 - 103	1	90% or better
4"	6 - 500	97 - 103	1 1/2	90% or better
6"	10 - 1000	97 - 103	3	90% or better
8"	16 - 1600	97 - 103	4	90% or better
10"	32 - 2300	97 - 103	8	90% or better

(Ord. 167-96. Passed 9-16-96.)

911.527 INSTALLATION REGULATIONS.

To have a meter installed for a new or renewed service, including a meter to replace an existing meter of a different size, the property owner or his duly authorized agent in the name of the property owner, must make a written application for the service whereby the property owner assumes responsibility for the meter and all water bills and charges accruing for the service. After all charges stated in these rules and regulations have been paid or complied with, the Utilities Department, Division of Water, will then install the water meter.

(Ord. 167-96. Passed 9-16-96.)

911.528 CUSTOMERS RESPONSIBLE FOR METERS.

(a) In all cases where the Division of Water has furnished a water meter at its own expense or has acquired title to any water meter as hereinbefore provided, the customer will be charged and held responsible for all repairs or cost of the replacement occasioned by frost, hot water or neglect on the part of said customer.

(b) Customers shall be held responsible for and shall reimburse the Division of Water for the loss or theft of any meter furnished and maintained as hereinbefore provided.

(Ord. 167-96. Passed 9-16-96.)

911.529 FURTHER PURCHASES OF USED METER PROHIBITED.

Except for the consideration stated in Section 911.518, purchases of used water meters from the Division of Water shall be and the same are hereby terminated.

(Ord. 167-96. Passed 9-16-96.)

911.530 ASSIGNMENT OF PRIVATELY OWNED METERS TO CITY.

The Director of Public Service is hereby authorized to enter into an agreement with individual meter owners and owners that are annexed into the City of Lorain, providing for the taking of title to meters referred to in Section 911.518 in consideration thereof, agreeing to keep and maintain said meters so transferred in repair at the expense of the Division of Water. Nothing in this chapter shall be construed as compulsory in relation to water consumers turning over their meters to the City.

(Ord. 167-96. Passed 9-16-96.)

911.531 REMOTE READER FOR ESTIMATED BILLS.

(a) Where more than three estimated readings are taken by the Division of Water, or at the discretion of the Division of Water, the Division of Water has the right to install a remote reader at the expense of the property owner as stated in Section 911.502 and added on to his monthly water bill.

(b) If the customer fails to allow installation of a remote meter by the Division of Water, service shall be terminated immediately at the curb box. A turn-on charge will be added to the bill at such time as the customer allows the work to be completed.

(Ord. 167-96. Passed 9-16-96.)

911.532 CHANGES IN PIPING TO BE AT COST OF CUSTOMER.

Changes in piping necessary to reset a meter to avoid freezing shall be at the cost of the customer.

(Ord. 167-96. Passed 9-16-96.)

911.533 FIRE HYDRANT METER CHARGES.

All users of fire hydrants in compliance with Section 911.751 shall have a meter supplied by the Division of Water. Charges shall be those registered on the meter. A deposit of five hundred dollars (\$500.00) shall be made at the time that the meter is used. The user shall be responsible for any damage to the meter. There shall be a penalty of three hundred dollars (\$300.00) for any damage to the meter which would cause it to malfunction due to the neglect of the user. The Division of Water

shall be the final word as to whom is at fault.

(Ord. 167-96. Passed 9-16-96.)

911.590 ADDENDUM: LISTING OF CHARGES.

The Director of Public Service hereby establishes the following rate schedule, as per Ohio Revised Code Sections 743.02, 743.03 and 743.04. This shall be subject to annual change.

(a) Section 911.524 Meter Service Charges.

Meter service charges are as follows:

<u>Size of Meter</u>	<u>New Meter Service Fee</u>
0.625"	\$120.00
0.750"	150.00
1.0"	300.00
1.500"	400.00
2.0"	600.00
3.0"	800.00
4.0"	2,100.00
6.0"	3,200.00
7.0"	Current market price (retail)
10.0"	Current market price (retail)

Manifold Charge is as follows:

All Manifolds - Time and material costs.

No credit will be given for replacement tap or existing meters.

(Ord. 174-09. Passed 12-7-09.)

WATER SERVICE MAIN EXTENSIONS AND CAPITAL IMPROVEMENT

911.600 CAPITAL IMPROVEMENT FEE.

(a) The Director of Public Service is directed to levy a capital improvement fee of six hundred dollars (\$600.00) on each and every domestic, industrial and commercial tap at the time the applicant for such connection applies therefor at the cashier's office of the Water Department.

(b) The provisions of subsection (a) hereof are to be applied as an incremental cost to fees for new water service connections now established by the Director of Public Service and in effect, or as an incremental cost to such fees when, as and if revised by the Director.

(c) For the determination of the application of subsection (a) hereof, one fee shall be charged for each 15,000 square feet or less of area to be served by the respective water service connection and for each increment of 1,500 square feet or less, the fee shall increase at the rate of sixty dollars (\$60.00) per increment.

(d) For water service connections to serve areas of 450,000 square feet and over and the

applicant usage is one million gallons per day or more, the applicant shall be given the option of paying the fee determined on the rate as heretofore stated or shall enter into contract with the City wherein the minimum charge shall be the regular water rate on the invoice plus ten percent (10%) toward this fee until this fee is paid.

(e) The capital improvement fee shall be figured as follows:

- (1) Six hundred dollars (\$600.00) for the first 15,000 square feet of area;
- (2) Sixty dollars (\$60.00) for each additional 1,500 square feet of area or increment;
- (3) A flat fee of six hundred dollars (\$600.00) shall be charged for any area which is less than 15,000 square feet.

(Ord. 174-09. Passed 12-7-09.)

911.610 WATER MAIN EXTENSION.

The Director of Public Service is authorized to provide water service to new consumers when he determines that the water MAIN extension is feasible both economically and from an engineering point of view and will not be detrimental to the best interest of the City having given consideration to the overall effect on the total water system and to the long-term plans and probable future growth of the water system of the City. (Ord. 167-96. Passed 9-16-96.)

911.611 LOCATION AND SIZE OF WATER MAINS.

(a) Both water service and trunk mains shall be located and sized as determined by the Division of Water, based on engineering considerations.

(b) Unless special conditions warrant the installation of smaller water service mains, or increased volume of water needs by customers require larger mains, all mains for direct service to customers shall be eight inches in size.

(c) Except on dead end streets or cul-de-sacs which cannot be extended, and the distance is not over 300 feet with a fire hydrant on the end, a six inch line may be used.

(d) In cases where mains must be larger than eight inches to also perform the function of trunk mains, combination service-trunk mains up to twelve inches in size only may be constructed.

(e) In cases where no more than eight domestic customers are to be served, and the length is less than 300 feet, and there is no possibility of the MAIN being extended or there is no possible need for fire hydrants or grid reinforcement, either a six inch ductile, four inch cast iron or two inch type "K" copper MAIN, as determined by the Director of Utilities, may be installed, in the right-of-way of a street or alleyway. The person or persons who first desire such service shall bear the full property owners' share of the cost of the MAIN, reimbursable to the percentage that the property owners' share is of the total cost from connection fees required from other persons desiring water service from the MAIN at the time that an application for a tap is made.

(f) Whenever the Director of Utilities deems it necessary, water mains shall be extended beyond the limits of the project so as to eliminate dead ends, the costs of which shall be included with the costs of the entire project.

(g) Water service mains shall be constructed along the full frontage of a premises when platted, or when in the opinion of the Director of Utilities, unplatted premises are in the same category as if platted. Water service mains along unplatted and undeveloped premises may be constructed to the point selected by the Director of Utilities.

(h) In special cases, the Director of Utilities may waive the above requirements, when there is no possibility of a water service MAIN being needed beyond the premises; however, the requirement that no premises shall be served with water until an equitable and equivalent payment for a water service MAIN has been made, shall not be abrogated.

(i) The above determinations by the Director of Utilities are subject to the approval of and

enactment into law by Council when legally required.

(Ord. 167-96. Passed 9-16-96.)

911.612 PROCEDURE FOR EXTENSION OF WATER MAINS WITHIN CITY.

- (a) All new water MAIN extensions shall be initiated by Council and/or the Director of Public Service as herein mentioned in Section 911.610.
- (b) All applications for new water MAIN extensions shall be submitted to the Director of Utilities and subject to approval by the Director of Public Service as mentioned in Section 911.610.
- (c) All water MAIN extensions shall be engineered by the Engineering Division of the Division of Water of the City and/or Consulting Engineer authorized by Council and/or the Director of Public Service, subject to approval of the Director of Utilities and Director of Public Service. Exception will be that as is explained in Section 911.613.
- (d) After all engineering plans have been completed and approved by the Director of Public Service, an ordinance will be submitted to Council by the Division of Water to authorize the installation of the water service MAIN and appropriate the monies required to pay the full cost of the water service MAIN. The full cost of the water service MAIN shall include all materials, including pipe, pipe fittings, valves, fire hydrants, etc., construction, engineering and inspection.
- (e) The MAIN is then constructed by the contractor awarded the bid or by the construction forces of the Division of Water, as determined by the Director of Public Service and Director of Utilities.
- (f) After sterilization and testing has been completed, applications for service will be accepted.

(Ord. 167-96. Passed 9-16-96.)

911.613 EXCEPTION TO WATER MAIN EXTENSION BY ENGINEERING DIVISION.

When the Division of Water, Division of Engineering, is overloaded with more work than they can handle, the Director of Public Service may contract with a developer to do water MAIN extension in his development providing that it envelops a complete area under conditions set herein.

- (a) A complete plot plan must be submitted and approved by the Division of Water, Division of Engineering and the Director of Utilities.
- (b) All engineering plans for water MAIN extension must be submitted in complete detail for approval by the Division of Water, Division of Engineering and the Director of Utilities. Plans must be stamped approved with seal from Division of Water and dated.
- (c) Water MAIN extension plans and construction shall include all pipe, pipe fittings, valves, fire hydrants, etc., as designated and approved by the Division of Water, Division of Engineering and the Director or Utilities.
- (d) The developer or contractor shall pay for the services of an inspector from the Division of Water, Division of Engineering at all times during the construction of the water MAIN extension.
- (e) The developer or contractor shall be responsible for sterilization and testing of water MAIN extension to the satisfaction of the Division of Water, Division of Engineering.
- (f) The developer or contractor shall pay and not be absolved from capital improvement charges as stated in Section 911.600.
- (g) The Division of Water shall make all taps and service connections from the MAIN. The developer or contractor shall pay all tap and service connection charges as stated in Section 911.405.
- (h) The Division of Water shall install all meters. The developer or contractor shall pay all meter charges as stated in Section 911.524.
- (i) The developer or contractor shall abide by all the rules and regulations of the City of Lorain, Ohio, Division of Water, as stated in this entire chapter.

(j) All water mains and appurtenances shall be owned, operated and maintained by the City with clear title to be vested in the City upon completion of the water MAIN. Furthermore, there shall be no cost whatsoever to the City.

(Ord. 167-96. Passed 9-16-96.)

911.614 WATER LINE EXTENSION CHARGES AND CONTRACT.

(a) The Director of Public Service is authorized to sign a contract for the payment of water system extensions with the benefitted abutting property owners in the amount hereinafter specified. The contract shall be binding upon the property owner, his heirs and successors, until such time as the property owner shall pay the amount hereinafter set forth.

(b) The abutting property owner shall pay a rate per front foot as established by the Director of Public Service as per Ohio R.C. 743.02, 743.03 and 743.04. (The Director of Public Service will use a rate based on the average of three previous water line project costs as determined by the Director of Utilities.) The frontage shall be the actual footage as shown on approval plat maps on file at the office of the City Auditor. The charge shall not include costs of fire hydrant installations nor the cost of installation of connections from the new water MAIN to the abutting property nor for meter settings on the property served by the new MAIN. The contract by and between the City and the abutting property owner shall be executed prior to application for a service connection to the new MAIN or prior to the installation of the new water MAIN, whichever is the most applicable.

(c) Payment by the abutting property owner to the City may be made in eight installments, which shall fall due quarterly from and after the date of the contract. Interest shall be at the rate of the current bond market as determined by the City Auditor.

(d) The abutting property owner's portion of new mains installed by initiative petition shall be collected by the Water Department within two calendar years of the date of the ordinance authorizing the installation thereof. Thereafter, any and all unpaid portions of the abutting property owner's costs of installation shall be certified to the County Auditor for collection.

(e) All new MAIN extensions initiated by Council and/or the Director of Public Service shall be paid for as heretofore stipulated or prior to the acceptance of an application by the Division of Water from the abutting property owner for a water service connection to the newly installed water MAIN.

(f) All petitions for extensions of the City water distribution system by the installation of new water mains, on file with the Director of Public Service as of June 2, 1958, are exempted from the provisions hereof.

(g) The provisions of this section shall apply to all new MAIN installations except in those instances where such new installation parallels an existing MAIN of not less than four inches in diameter.

(h) The Director of Public Service every two years shall reappraise the charges stated in Sections 911.600, 911.614 and 911.616 and, according to existing charges and costs, he will have the authority to make the necessary changes and revise same without the approval of Council and these shall be incorporated in these rules and regulations of this chapter.

(Ord. 167-96. Passed 9-16-96.)

911.615 APPLICANT TO BE FREE OF INDEBTEDNESS TO UTILITIES DEPARTMENT, DIVISION OF WATER.

No application for water service shall be allowed and no water will be supplied to an applicant or consumer, where it is apparent that the applicant or consumer is indebted to the Utilities Department, Division of Water, for water supplied, work done, material furnished, or penalties imposed. This section shall apply whether the indebtedness was incurred at the premises for which application is made or at any other premises supplied by the Utilities Department, Division of Water, within or

without the City limits. Except as may be expressly otherwise provided by the rules and regulations of the Utilities Department, Division of Water, no application for water service will be allowed and no water will be supplied to the premises where any water and service charges for same remain delinquent or unpaid.

(Ord. 167-96. Passed 9-16-96.)

911.616 SUBMITTAL OF PLANS AND CHARGES.

(a) For all requests for water MAIN extension where water service for more than three units is requested, there shall be submitted plot plans to the Division of Water for approval.

(b) A deposit of one hundred dollars (\$100.00) shall be made with the plot plans. This sum will be credited to the petitioner's account as herein stated in these rules and regulations of this chapter against all water charges. A sum of fifty percent (50%) shall be forfeited if plans are discontinued or changed for any reason.

(c) Record plat, pavement and sewer plans must be furnished.

(Ord. 167-96. Passed 9-16-96.)

911.617 PROCEDURE FOR OUTSIDE THE CITY EXTENSION OF WATER MAINS.

(a) All requests for water service from the Lorain, Ohio Division of Water shall be made to the County Sanitary Engineer or other County official in unincorporated areas and to the appropriate authority in incorporated municipalities.

(b) The application for water service MAIN shall be submitted to the Director of Public Service and/or Council of the City of Lorain, Ohio and subject to their approval.

(c) Upon approval of the Director of Public Service and Council, the application for water service MAIN made to the Division of Water shall be accompanied by a fee as set by the Director of Utilities to cover engineering cost required to determine the feasibility of water service.

(d) After completion of the plans and specifications by the governmental agency, or their Consulting Engineering, at least thirty days prior to the advertisement for bid of said lines, three sets of plans and specifications shall be submitted to the Director of Utilities for approval; one of which will be retained by the Division of Water Engineers .

(e) The governmental agency responsible for the construction of the water MAIN shall notify the Director of Utilities as to when the construction will start, and shall furnish a program and schedule of the approved work. The Division of Water reserves the right to inspect materials used on the job, and the construction of the water service MAIN. Any order of the Director of Public Service or Director of Utilities requiring compliance with plans, specifications, standard practices, or rules and regulations, shall be complied with.

(f) A place for written approval of the Director of Public Service and Director of Utilities shall be provided for on the General Location Plan or Detail Plans if no general plan is prepared.

(g) Upon completion of the water MAIN extension, the governmental agency responsible for the construction of the MAIN shall notify the Director of Utilities so that a representative of the Division of Water Engineers can witness the pressure or leakage test, and the sterilization of the water mains. Sampling and testing shall be by the Division of Water Engineers and Chemists as required for all water service mains to be connected to the Lorain Division of Water system.

(h) A master water meter must be installed between the City water MAIN and the extension. The master water meter must be approved by the City. The master water meter must be housed and two sets of keys be given to the City Division of Water. The meter shall be read monthly.

(i) Before the water MAIN will be placed in service, the responsible governmental agency shall advise the Division of Water that they have accepted the project from the contractor and shall furnish

four sets of as built record drawings of the water MAIN installation to the Director of Utilities.

(j) Upon advice that the water service MAIN has been accepted and after receipt of the record drawings and when all tests are found to comply with the City standards, the Director of Utilities will accept application for water service.

(Ord. 167-96. Passed 9-16-96.)

911.618 OUTSIDE SALE OF CITY WATER.

Special notice is hereby given to all customers abutting the perimeter of the City, that no City water shall be piped beyond the corporate limits of the City of Lorain without the permission of the Director of Public Service and the complete adherence of all rules and regulations of the City. All customers now being served outside the corporate limits of the City shall not give, sell, pipe or otherwise extend service to others without the express approval of the Director of Public Service. Failure to comply with this section of the rules and regulations shall result in immediate discontinuance of service. (Ord. 167-96. Passed 9-16-96.)

911.619 FURNISHING WATER OUTSIDE CITY LIMITS.

No water shall be furnished by the Division of Water to any territory outside of the City limits upon the application of any person, firm, corporation, political subdivision of part thereof that shall hereafter be filed with the City, except on the conditions hereinafter set forth. Before any such application shall be granted, and before the water pipes and conduits of the City are connected with pipes outside of said City limits, the person, firm, corporation, political subdivision or part thereof, owning or controlling water pipes in public highways or thoroughfares, shall agree that if the territory in which said water pipes are located is ever annexed to the City of Lorain that by the act of such annexation such water pipes shall become the property of the City without any cost or expense on its part, and that thereafter all right, title, and interest of any other party thereto shall cease and determine.

(Ord. 167-96. Passed 9-16-96.)

911.620 CONSIDERATION.

The Director of Public Service is hereby authorized to furnish water outside of City limits upon the conditions set forth in Section 911.619 and said conditions shall be deemed the consideration upon which any application to furnish water is granted. The Director of Public Service is hereby authorized to use his direction in the granting of any application as aforesaid.

(Ord. 167-96. Passed 9-16-96.)

911.621 WATER LINES - NEWLY ANNEXED TERRITORY.

Upon the annexation of any territory to the City of Lorain all water lines in streets and thoroughfares therein shall become a part of the water system of the City without compensation to any person, firm or corporation who has installed said water lines or paid for the same, and any annexation is upon the condition herein set forth. (Ord. 167-96. Passed 9-16-96.)

911.622 WILL NOT FURNISH WATER ON CLAIM OF DAMAGES.

Upon annexation as aforesaid no person, firm or corporation who shall claim any compensation or damage for the installation of water pipes installed in any highway or thoroughfare in said territory, shall be entitled to receive water through said water lines or any other service from the Division of Water of the City if the Director of Public Service shall so determine. (Ord. 167-96. Passed 9-16-96.)

911.623 ADJUSTMENT OF CLAIMS.

Any claim for compensation for water lines so installed shall be filed with the Legal Department of the City, and no adjustment of the same shall be made unless authorized by a court of competent jurisdiction; but nothing in this chapter shall be construed to grant to any such person, firm or

corporation any right in addition to that which they now may have.

(Ord. 167-96. Passed 9-16-96.)

911.624 FEES FOR APPROVAL OF WATER LINE EXTENSION APPLICATION.

Each application for the extension of a water line outside the City limits shall be accompanied by a fee of eight hundred dollars (\$800.00), as a minimum charge to reimburse the Division of Water for costs incurred in making studies necessary to determine that plans, specifications and materials to be used in the construction of the water line extension, meet the requirements of the Division of Water, and for making the studies necessary to the effect of such extension upon the waterworks system in service, and the engineering feasibility for said extension and reporting on the same. The eight hundred dollar (\$800.00) fee shall be a minimum charge. Any additional costs plus current additives and overhead, shall be paid before the extension is approved. This shall be the fees referred to in Section 911.617(c).

(Ord. 174-09. Passed 12-7-09.)

911.625 RATE SCHEDULE ESTABLISHED BY THE DIRECTOR OF PUBLIC SERVICE.

As per Ohio R.C. 743.02, 743.03 and 743.04, the Director of Public Service shall establish the rate schedules as pertaining to Section 911.600 to 911.625. This shall be subject to an annual change.

(Ord. 167-96. Passed 9-16-96.)

MAIN AND SERVICE REPAIRS BY CONTRACTORS

911.670 DISCONNECTING SERVICES AND REPAIRING BREAKS.

No contractor is permitted to disconnect services and repair breaks on mains in connection with the installation of sewers, etc., without prior notice to the Division of Water. All work is to be continued with an Inspector from the Division of Water present. The cost of the Inspector shall be borne by the contractor.

(Ord. 167-96. Passed 9-16-96.)

911.671 PROCEDURE FOR DISCONNECTING SERVICES AND REPAIRING BREAKS.

The procedures to be followed where contractors are permitted to disconnect services and repair breaks on mains in connection with the installation of sewer, etc. shall be as follows:

(a) Services.

- (1) Contractor to disconnect services when using a construction box, roll services out of the way and reconnect the service when past.
- (2) All service lines are to be plugged and capped to prevent contamination.
- (3) Customer is to be notified by the contractor, prior to the disconnect and is to be served with water by hose if service is to be disrupted more than two hours, if this is agreeable with the customer.
- (4) The Division of Water is to be notified and all services, whether they were disconnected or not, are to be inspected and approved prior to backfilling. The full circumference of the service pipe is to be available for inspection.
- (5) Any services that are backfilled prior to inspection shall be uncovered either by the contractor or the Division of Water and inspected at the contractor's cost.
- (6) The contractor shall be charged for all expenses incurred by the Division of Water on this work, including inspection, correction of faulty installation, damage to piping and meters due to foreign material, and other necessary work.
- (7) The contractor shall have in full force and effect the necessary insurance, bond and shall

save the City harmless from any action arising from said repairs.

(b) Water Mains.

(1) When a water MAIN has to be removed, for the contractor's convenience, the Division of Water will remove and reinstall the MAIN at the contractor's expense, or the contractor may be permitted to perform the work under the direct supervision of qualified Division of Water personnel, as determined by the Director of Utilities or his authorized representative.

(2) When a MAIN has been broken by a contractor, the following procedures shall be followed by the contractor:

- A. The Division of Water shall be immediately notified.
- B. The water can then be shut off by the contractor.
- C. The affected customers shall be immediately notified by the contractor.
- D. A sump hole shall be dug below the break so that when the sump is pumped out the dirty water will drain out of the break.
- E. Valves shall be cracked on either side of the break and the line flushed out into the sump prior to repairs.
- F. The contractor may make the repair in a manner and with materials approved by the Division of Water. However at the time the repairs are being made, the Division of Water must have an inspector on the job to supervise the repair work.
- G. The contractor shall be billed for all Division of Water costs.
- H. The contractor shall have in full force and effect the necessary insurance, bond and shall save the City harmless from any action arising from said repairs.

(Ord. 167-96. Passed 9-16-96.)

911.672 DISCONTINUANCE OF SERVICE.

(a) When any person or persons and/or contractors shall require a discontinuance of service, it shall be the understanding of this Department that the request shall mean that the water will be turned off at the curb box and any further work required shall be the responsibility of the contractor as aforementioned in Sections 911.670 and 911.671.

(Ord. 167-96. Passed 9-16-96.)

(b) In the event that the customer requires a discontinuance of service after normal working hours of the Division of Water, a fee of one hundred dollars (\$100.00) for each service call will be billed to the customer.

(Ord. 42-05. Passed 3-7-05.)

FIRE PROTECTION SERVICE

911.700 APPLICATION FOR FIRE PROTECTION SYSTEM SERVICE.

- (a) Application for fire protection service must be secured from the Fire Chief for approval,
- (b) Upon written approval from the Fire Chief, application for a fire protection system service connection to the Division of Water distribution system must be made at the office of the Division of Water, in accordance with Section 911.404. All information called for on the form shall be furnished, including number of private hydrants on system, if any.

(Ord. 167-96. Passed 9-16-96.)

911.701 CHANGES IN FIRE PROTECTION SYSTEM.

(a) No changes, alterations or extensions of any fire protection system shall be made without first securing approval from the Chief of the Fire Department and the Division of Water. Application for same shall be made in writing to the Chief of the Fire Department and the Director of Utilities and submitted to the Division of Water prior to starting work.

(b) Plans and Specifications to Be Furnished. Detailed plans and specifications of the fire

protection system shall be furnished and approved by the Chief of the Fire Department and the Division of Water before service will be granted. When requested by the Chief of the Fire Department and the Division of Water, plans and specifications shall be furnished for fire protection systems that are now in use within thirty days after notice for him to do so.

(c) Materials shall be as elsewhere specified herein under "Services".
(Ord. 167-96. Passed 9-16-96.)

911.702 DEPOSIT FOR INSTALLATION BY DIVISION OF WATER.

Deposits for installation of fire protection services shall be made in accordance with Section 911.404. (Ord. 167-96. Passed 9-16-96.)

911.703 CONSUMPTION WATER FROM A FIRE SYSTEM.

(a) Pipe lines intended for fire protection within a building shall not be tapped or used for the general supply of any building, structure or premises, unless specifically authorized by the Division of Water and not until a meter has been installed in accordance with these rules and regulations and/or as directed by the Division of Water.

(b) The fire line may be tapped and used for water service only if the service has a separate curb shutoff and a separate meter and only with the approval of the Director of Utilities.
(Ord. 167-96. Passed 9-16-96.)

911.704 WATER SUPPLY AND PRESSURE.

The Division of Water will not be responsible for the furnishing of any set amount of water at a given pressure. (Ord. 167-96. Passed 9-16-96.)

911.705 VIOLATIONS.

If at any time a fire protection system is found to be in violation of any of the City ordinances or these rules and regulations, all changes necessary to make said systems comply therewith must be made within thirty days after written notice from the Chief of the Fire Department or Division of Water to do so. A copy of the written notice will be sent to the interested insurance company, if known. Failure to comply as directed will result in discontinuance of service after a five-day period.
(Ord. 167-96. Passed 9-16-96.)

911.706 TANKS, ETC., TO HAVE METERED SUPPLY PIPE.

All tanks, cisterns or reservoirs maintained for fire purposes shall be metered at the expense of the premises or parties supplied.
(Ord. 167-96. Passed 9-16-96.)

911.707 CHARGES FOR FIRES.

No charge shall be made for water used for putting out fires, provided the rules governing the same are fully complied with.
(Ord. 167-96. Passed 9-16-96.)

911.708 PIPES, ETC., TO BE ACCESSIBLE FOR INSPECTION.

Before water service will be furnished to a private fire protection system, a pressure test satisfactory to the Chief of the Fire Department or Division of Water shall be made and witnessed by an agent of the Division of Water or of the Chief of the Fire Department. For the first and every annual inspection thereafter, there will be an inspection fee of thirty dollars (\$30.00).
(Ord. 42-05. Passed 3-7-05.)

911.709 TEST OF PRIVATE FIRE PROTECTION SYSTEM; INSPECTION FEE.

Before water service will be furnished to a private fire protection system, a pressure test satisfactory to the Chief of the Fire Department or Division of Water shall be made and witnessed by an agent of the Division of Water or of the Chief of the Fire Department. For the first and every

annual inspection thereafter, there will be an inspection fee of thirty dollars (\$30.00).
(Ord. 42-05. Passed 3-7-05.)

911.710 TESTS BY INSURANCE COMPANY REPRESENTATIVES.

Private fire systems and the apparatus connected therewith may be tested by the parties owning the same or by the Insurance Inspectors under the following conditions:

(a) Notice shall be given to the Division of Water and Chief of the Fire Department that such a test is desired, in writing, one week prior to the date of the test. The Director of Utilities shall have a representative present at a fee of twenty-five dollars (\$25.00) per hour. (Ord. 167-96. Passed 9-16-96.)

911.711 FIRE FLOW TESTS BY INSURANCE COMPANY REPRESENTATIVES.

Fire flow tests on public hydrants may be conducted by insurance companies under the following conditions:

(a) Notice shall be given to the Division of Water and Chief of the Fire Department that such a test is desired, in writing, one week prior to the date of the test.

(b) All tests shall be made in the presence of the inspector assigned by the Division of Water, Distribution Division. A Charge of twenty-five dollars (\$25.00) per hour for the inspector's time shall be made payable to the City of Lorain Division of Water.

(c) The insurance companies requesting such tests shall provide sufficient personnel to conduct these tests. (Ord. 167-96. Passed 9-16-96.)

911.712 FIRE PIPES, ETC., TO BE ACCESSIBLE FOR INSPECTION.

Fire pipes and valves shall be so installed as to be accessible for the purpose of inspection at all times, except those that are approved by the Chief of the Fire Department.
(Ord. 167-96. Passed 9-16-96.)

911.713 NOT TO BE USED EXCEPT IN CASE OF FIRE.

Water shall not be used from any fire pipe nor seals broken or removed, except in case of fire. In all cases where seals are broken or removed, written notice of same must be given the Division of Water within twenty-four hours after its occurrence.
(Ord. 167-96. Passed 9-16-96.)

911.714 FIRE DEPARTMENT MAY USE ANY FIXTURES.

In case of fire, the Fire Department shall have the right to use any hydrants, cistern hose, pipe or other fixtures wholly or in part from any pipe used for fire protection.
(Ord. 167-96. Passed 9-16-96.)

911.715 WHERE NOT ALLOWED.

No fire service connection will be allowed on premises that do not have also a separate pipe for the general supply of the same, unless a meter be set on the fire pipe at the expense of the owner or applicant. (Ord. 167-96. Passed 9-16-96.)

911.716 RESERVED FOR FUTURE LEGISLATION.

911.717 OVERFLOW PIPES.

Overflow pipes from fire service tanks shall not be connected with drains and shall be open to inspection at all times. (Ord. 167-96. Passed 9-16-96.)

911.718 PUMPS FOR FIRE PROTECTION.

Pumps intended for fire protection and taking water from a tank or cistern, supplied wholly or in part from a fire service pipe connected with the City's mains shall not under any circumstances, be used for any boiler or general supply of the premises and shall not be connected with the general supply pipe. In all instances, fire pumps shall take their immediate supply from a tank or cistern

supplied by a metered connection or a general supply pipe.
(Ord. 167-96. Passed 9-16-96.)

911.719 VALVES TO BE SEALED.

In all pipe used for fire protection and not metered, all outlet valves on hydrants, hose connections, and drips and blow-offs, etc., exclusive of MAIN controlling valves, shall be closed and sealed by the Superintendent of Distribution and/or an inspector authorized by the Chief of the Fire Department, working under his direction. The use of drip or blow-off valves for draining fire services shall be allowed only in cases of absolute necessity, and in no case shall their installation be permitted unless furnished with a valve, which shall be approved and sealed by the Division of Water and the Chief of the Fire Department, and the end of every such pipe shall be exposed to view at all times. All such valves, hydrants, etc., must be so constructed or altered at the expense of the owner, that they can be easily and securely sealed in a manner satisfactory to the Superintendent of Distribution and the Chief of the Fire Department. When using drip or blow-off pipes, the size shall be approved by the Division of Water.

(Ord. 167-96. Passed 9-16-96.)

911.720 PAYMENT FOR FIRE SERVICE PIPE.

(a) The owner or applicant shall pay for the cost of each fire service tap as stated in Section 911.405.

(b) There shall be a fee charged per year for each fire hydrant or private fire hydrant connected to the City mains, the rate to be established by the Director of Public Service each year; the supply to the hydrant must be metered.

(Ord. 167-96. Passed 9-16-96.)

911.721 FIRE LINE SERVICE.

The following charges shall be made:

Size of Service:	2"	3"	4"	6"	8"	10"
Rate per Month:	\$10.00	\$15.00	\$20.00	\$40.00	\$70.00	\$100.00

In all cases, the City shall install fire line detector meters (Section 911.726) at the same cost as stated in Section 911.524. Then the only charge will be thirty-five dollars (\$35.00) per year inspection. Any repairs to meters shall be made by the Division of Water and charged to the property owner. Thirty percent (30%) will be added on all services outside the City. All tap and service connection charges as stated in Section 911.405 shall apply. All rules and regulations for taps and service connections of Section 911.400 to Section 911.419 shall apply. All meter service charges as stated in Section 911.524 shall apply. All rules and regulations for meter service of Section 911.500 to Section 911.533 shall apply.

(Ord. 42-05. Passed 3-7-05.)

911.722 PLANS FOR INFORMATION TO BE FURNISHED.

Plans of, and information pertaining to fire pipes already in use so far as required by the Department of Water shall be the same as required with an application for a new fire service supply, within sixty days after receipt of written notice from the Director of Utilities.

(Ord. 167-96. Passed 9-16-96.)

911.723 FIRE PROTECTION SERVICE.

Where the Chief of the Fire Department and Director of Utilities desire a change, plans made must be changed within ninety days or else it will be under penalty.

(Ord. 167-96. Passed 9-16-96.)

911.724 CONNECTIONS FOR FIRE PROTECTION TO BE BY THE

DIVISION OF WATER.

The Division of Water will furnish all material and do all the work necessary for the installation of such fire protection services from the MAIN to the curb and the cost of said work to be paid by the owner upon rendering of the bill.

(Ord. 167-96. Passed 9-16-96.)

911.725 RATE SCHEDULE ESTABLISHED BY DIRECTOR OF PUBLIC SERVICE FOR DIVISION OF WATER.

As per Ohio R.C. 743.02, 743.03 and 743.04, the Director of Public Service shall establish the rate schedules as pertaining to Section 911.700 to Section 911.760. This shall be subject to an annual change.

(Ord. 167-96. Passed 9-16-96.)

911.726 DETECTOR METER.

All fire protection lines at the point where they enter the building shall contain an approved EPA backflow preventer with pretapped bases as per specifications of the Division of Water Engineering. All the valves, meters, and fittings shall be supplied and installed by the owner.

(Ord. 167-96. Passed 9-16-96.)

911.727 DETECTOR METER FLOW.

Any flow through a detector meter shall be billed to the customer plus a twenty-five dollar (\$25.00) penalty. Any second violation of fire line usage shall be just cause to terminate service until the illegal connection is removed and an additional one hundred dollar (\$100.00) penalty is paid.

(Ord. 167-96. Passed 9-16-96.)

PUBLIC FIRE HYDRANTS

911.750 USE OF FIRE HYDRANTS.

It is forbidden, except in time of fire, to take water from any public fire hydrant, except with the express permission of the City Division of Water Utilities Director or the Chief of the Fire Department. (Ord. 167-96. Passed 9-16-96.)

911.751 USE OF PUBLIC HYDRANTS TO OTHER THAN AUTHORIZED CITY AGENCIES.

(a) An application for a permit to obtain temporary water from a public hydrant shall be made at the office of the Division of Water on the necessary forms provided for that purpose.

(b) The Division of Water reserves the right to determine when and for what purpose water taken from hydrants is to be used and to approve or reject such use. Whenever the Director of Utilities determines that the use of water under a hydrant permit is not in the best interests of the City Water System, he shall cancel the permit and return any excess of deposit over charges.

(c) A deposit of five hundred dollars (\$500.00) will be required before permits will be issued, which is refundable upon the return of Division of Water hose connections and wrench, providing all charges accruing from use of said hose connections and wrench are paid. A charge of fifty dollars (\$50.00) will be made for lost wrenches and twenty-five dollars (\$25.00) for lost hose connections. Any lost wrench or hose connection must be reported immediately by phoning 245-1000.

(d) Any person drawing water from a hydrant must have in his possession a numbered, authorized wrench together with the necessary permit or photocopy of same issued by the Division of Water.

(e) Only connections supplied by the Division of Water are to be connected directly to the hydrant. No other type of hoses or connections will be allowed. Special consideration will be granted by the Director of Utilities to those requesting the use of a connection other than that specified, provided the request is made in writing to the Director of Utilities, and a real need for this

connection can be justified for specific instances.

(f) All illegal connections, hoses, and/or devices attached to any hydrant will be confiscated, as well as all unauthorized wrenches used to operate hydrant.

(g) Only registered hydrant wrenches supplied by the Division of Water shall be used to operate the hydrant. All wrenches and hose connections shall be returned to the Division of Water before November 1st of each year unless special permission is granted in writing.

(h) Water is to be taken only from hydrants designated by the Division of Water. Hydrants shall be opened a minimum of seven complete turns of the operating nut. The hydrant must be opened and closed slowly to prevent water hammer from developing within the mains. If less water is required than supplied by the hydrant in its open position, an external valve must be inserted in the line beyond the hose adaptor furnished by the Division of Water to regulate the flow. Hydrants shall be left in a condition equal to or better than found, i.e., all caps replaced on nozzles and tightened snugly with the wrench.

(i) Water drawn from designated hydrants by authorized agencies and individuals is to be conserved.

(j) Water drawn from designated hydrants is not to be transported outside the area served by the City of Lorain, Division of Water.

(j) Water taken from hydrants must not be re-sold.

(h) An additional charge of twenty-five dollars (\$25.00) per trip will be made between November 1st and April 1st for hydrant pumping services when the user reports a hydrant is no longer being used by him but has not been pumped and will require pumping service by the Division of Water.

(i) The operator of the hydrant from which water is being drawn must be in the immediate vicinity of the subject hydrant while said hydrant is in use. The hydrant wrench used to operate the hydrant must be in the possession of the operator while the hydrant is in use.

(j) The following rates will be in effect: two dollars (\$2.00) per day while the wrench and hose connection are in the possession of the contractor. Minimum charge of twenty-five dollars (\$25.00) first time wrench and hose connection taken out. No minimum thereafter in same calendar year. When, in the opinion of the Division of Water, it is deemed advisable to install a meter, the installation cost of ten dollars (\$10.00) is to be paid for by the applicant and the water used will be charged for at the scheduled metered rate.

(k) Permits to use hydrants outside the corporate limits of the City shall be obtained from the political subdivision having jurisdiction and presented to the Division of Water at the time application for hydrant wrench is made.

(l) Violations of these rules and regulations will be considered by the Division of Water to be a violation of Section 911.754 which carries a criminal penalty as provided in Section 911.755. (Ord. 167-96. Passed 9-16-96.)

911.751A APPLICATION FOR PERMIT TO OBTAIN TEMPORARY WATER FROM A PUBLIC HYDRANT.

**CITY OF LORAIN, OHIO - UTILITIES DEPARTMENT
STANDARD RATES MAY 1990:**

1. Deposit of \$500.00
2. \$2.00 per day charge (minimum \$25.00)
3. \$50.00 lost wrench charge
4. Replacement cost of lost or damaged hose or connections.

5. \$1.03 per 100 cubic feet of water, or current rate.

PLEASE READ: ALL ITEMS MUST BE RETURNED WITHIN NINETY (90) DAYS. IF NOT, YOUR CHECK WILL BE CASHED AND LEGAL PROCEEDINGS, AT YOUR EXPENSE, WILL BE INITIATED TO RECOVER CITY PROPERTY.

I have read and understand the ninety (90) day limit.

Date: _ _

Signature

Telephone _ _

Return Date: _ Numbers _ _

OUT	IN	CHARGES
METER # _ _	\$ _	
READ _ _	Used x 103 = \$ _	
PLUS: \$2.00 PER DAY (MINIMUM \$25.00)		\$ _
WRENCH # _ _	\$ _	
HOSE AND CONNECTIONS _	\$ _	
- TOTAL \$ _		

ALL ITEMS RETURNED IN GOOD WORKING ORDER. EXCEPTIONS LISTED BELOW:

RECEIVED BY _ ON _

(Ord. 167-96. Passed 9-16-96.)

911.752 RULES FOR USE OF HYDRANTS BY AUTHORIZED CITY AGENCIES.

(a) Only connections approved by the City Division of Water and Chief of the Fire Department are to be connected directly to the hydrant. No other pipes, hoses, or connections will be allowed. Under no circumstances will connections larger than one inch be allowed. The only authorized exceptions to this rule are the Fire Department for fire fighting and practice operations, Sewer Division for flushing obstructed sanitary sewers, Street Division to fill street flusher tank wagon, and the Water Division.

(b) Only hydrant wrenches are to be used to operate the hydrant. Under no circumstances will pipe wrenches be authorized or used.

(c) Water is to be taken only from hydrants designated and specifically authorized by the Division of Water, except for the Fire Department fire fighting and practice operations, Sewer Division for

flushing obstructed sanitary sewers, and the Water Division.

(d) Between October 15th and April 15th, hydrants used for water must be pumped dry by agencies using same, after water is taken from hydrant, to prevent freezing, with the exception of the Fire Department which will notify the Water Division to perform this service.

(e) An operator must be in attendance or in the immediate vicinity of the subject hydrant while the approved connections are attached.

(f) The hydrant wrench used to operate the hydrant must be in possession of the operator while the hydrant is in use.

(g) Hydrants shall be opened a minimum of seven complete turns of the operating nut. These hydrants must be opened and closed slowly to prevent water hammer from developing within the mains. Under no circumstances are hydrants to be used in a throttling position. If less water is required than supplied by this hydrant in its open position, an external valve must be adapted to fit the hydrant nozzle.

(h) Hydrants shall be left in a condition equal to or better than found; i.e., all caps replaced on nozzles and tightened snugly with the wrench.

(i) Special consideration will be granted by the Director of Utilities to those divisions requesting the use of a connection other than that specified, provided the request is made in writing to the Director of Utilities, and a real need for this connection can be justified for specific instances.

(j) In all cases, water drawn from designated hydrants by authorized City Agencies is to be conserved. (Ord. 167-96. Passed 9-16-96.)

911.753 LOCATION OF HYDRANT.

(a) Normally, hydrants in locations where the premises are unimproved shall be installed within the center ten feet of interior lots, as measured from the lot lines extended, and within ten feet of the exterior corner of corner lots.

(b) Whenever the premises in front of which a hydrant is to be placed is occupied by a residence, the Division of Water will locate the hydrant in keeping with the desires of the property owner, so long as fire protection requirements are complied with. The hydrant will not be moved away from the front of the premises. Requirements of the National Board of Fire Underwriters as interpreted by the Fire Chief of the City Fire Department must in any case be complied with.

(c) Relocation of fire hydrant will be at the discretion of the Director of Utilities and the Distribution Division, with all expenses of relocating calculated at time/materials, with cost borne by property owner. (Ord. 167-96. Passed 9-16-96.)

911.754 UNAUTHORIZED USE OF WATER FROM FIRE HYDRANT, ETC.

No person shall take or use any water from a fire hydrant or other outlet connected with mains supplied with water by the Waterworks of the City for any purpose other than the extinguishing of a fire, unless such use shall have been first authorized by the Director of Utilities and Chief of the Fire Department, and in the event such use is not for a public purpose in the City, until and unless the charge for any such water to be so taken or used shall be paid in advance or agreed to be paid. (Ord. 167-96. Passed 9-16-96.)

911.755 PENALTIES FOR VIOLATIONS OF SECTIONS 911.754, 911.756, 911.757 AND 911.758.

(a) Any person violating the provisions of Sections 911.754, 911.756, 911.757 or 911.758 hereof shall be turned over to the Prosecutor for prosecution.

(b) In addition to the penalty hereinabove provided, any person taking or using water contrary to the provisions of Sections 911.754, 911.756, 911.757 or 911.758 hereof shall also be liable to the City for the reasonable cost of any and all water so taken or used.

(c) Any prosecution for violation of Section 911.754, 911.756, 911.757 or 911.758 shall, in accordance with the provisions of Section 3968 of the Ohio General Code, be brought in the Municipal Court of the City whether such offense shall have been committed either within or outside the corporate limits of the City.

(Ord. 167-96. Passed 9-16-96.)

911.756 DEPOSITING DIRT.

No person shall place or deposit any dirt or material in any fire hydrant or in any valve box or stop cock box or commit any act tending to obstruct the use thereof or injure in any manner, any fixture connected with the system of the Division of Water.

(Ord. 167-96. Passed 9-16-96.)

911.757 TAMPERING WITH APPARATUS.

No person, unless authorized by the Director of Public Service thorough the Director of Utilities, shall except in time of fire, displace or remove the cover from any public cistern, open any public fire hydrant or turn any public or private valve or stop cock or remove the cover from any valve or stop cock.

(Ord. 167-96. Passed 9-16-96.)

911.758 BREAKING OF SEALS; FIRE HYDRANT, ETC.

Water shall not be used from any fire pipe, private fire hydrant, or extinguisher system, nor seals broken or removed, except in case of fire. In all cases where seals are broken or removed, written notice of the same must be given the Director of Utilities within twenty-four hours after its occurrence.

(Ord. 167-96. Passed 9-16-96.)

911.759 REPLACEMENT OF HYDRANTS.

(a) Any person, persons from corporations, contractors or outside utility companies involved in the destruction of a fire hydrant, where a complete hydrant has to be installed, shall reimburse the City Water Department the sum of one thousand four hundred dollars (\$1,400.00) to cover the cost for a new hydrant, labor, and materials to install same; plus the sum of three hundred dollars (\$300.00) for call out charge; plus time and materials charges for any additional valves, pipes and labor required once the digging has begun.

(b) Where a hydrant does not have to be replaced, but a Breakaway Repair Kit is used, the cost shall be nine hundred dollars (\$900.00) to cover the cost for a Breakaway Repair Kit, labor, and materials to repair same; plus the sum of one hundred dollars (\$100.00) for call out charge. (Ord. 42-05. Passed 3-7-05.)

911.760 HYDRANTS ON PRIVATE PROPERTY REQUIRED.

(a) The owners of any structures (except one and two-family dwellings, private residential garages) or any installation deemed hazardous by the Director Prevention Bureau, any part of which are 300 feet or more, as measured in Fire Department line of travel, from an existing fire hydrant, shall be required to provide fire hydrants and supply lines for fire protection.

(b) The requirements for each hydrant and supply line shall be determined by the Fire Department, and Municipal Water Department. Plans for installation shall be submitted to the Fire Department and the Municipal Water Department for their approval before installation.

(c) The following general provisions shall apply:

- (1) No hydrant supply line shall be less than six inches diameter.
- (2) In some cases, supply lines may have to be looped.
- (3) All cost for installation of mains, hydrants, and appurtenances shall be the responsibility of the owner.

- (4) All materials and installations shall be approved by, and conform to the City Fire Department, and Municipal Water Department standards and requirements.
 - (5) Normal hydrant maintenance and inspection shall be done by the owner.
 - (6) Owners of property on which there are existing fire hydrants shall be subject to all the requirements of this section.
- (Ord. 167-96. Passed 9-16-96.)

MISCELLANEOUS - CROSS CONNECTIONS

911.900 GENERAL PROVISIONS OF OHIO REVISED CODE.

Ohio Revised Code Section 6109.13, Prohibition against Connection with Private, Auxiliary, or Emergency Water Supply.

No official, officer, or employee in charge of or being employed in the maintenance and operation of a public water system and no other person, firm, or corporation shall establish or permit to be established any connection whereby water from a private, auxiliary, or emergency water system may enter the public water system, unless such private, auxiliary, or emergency water system, and the method of connection and use of such system, has been approved by the Environmental Protection Agency.

(Ord. 127-11. Passed 9-6-11.)

911.901 RESPONSIBILITY AND LIABILITY OF CUSTOMER.

The owner or occupant who contracts to purchase water service from the Division of Water is liable for any installation on his premises that may endanger the quality of the Public Water Supply.

(Ord. 127-11. Passed 9-6-11.)

911.902 TYPE CONNECTIONS PERMITTED

No person, firm or 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 Lorain unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have the approval of the Director of Utilities of the City of Lorain and the Ohio Environmental Protection Agency. (Ord. 127-11. Passed 9-6-11.)

911.903 CROSS CONNECTIONS.

(a) SECTION 3745-95-01 -Definitions As used in this chapter of the Administrative Code:

- (1) "Air gap separation" means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.
- (2) "Approved" means that a backflow prevention device or method has been accepted by the supplier of water and the director as suitable for the proposed use.
- (3) "Auxiliary water system" means any water system on or available to the premises other than the public water system. These auxiliary water systems shall include used water or water from a source other than the public water system, such as wells, cisterns or open reservoirs that are equipped with pumps or other prime movers, including gravity.
- (4) "Backflow" means the flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.
- (5) "Backflow prevention device" means any device, method, or type of construction intended to prevent backflow into a potable water system.
- (6) "Booster pump" means any device, which is intended to increase the in-line water pressure.
- (7) "Consumer" means the owner or person in control of any premises supplied by or in any

manner connected to a public water system.

(8) "Consumer's water system" means any water system, located on the consumer's premises, supplied by or in any manner connected to a public water system. A household plumbing system is considered to be a consumer's water system.

(9) "Cross-connection" means any arrangement whereby backflow can occur.

(10) "Degree of hazard" is a term derived from an evaluation of the potential risk to health and welfare.

(11) "Director" means the Director of Environmental Protection or his duly authorized representative.

(12) "Double check valve assembly" means an assembly composed of two single, independently acting, check valves including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.

(13) "Double check-detector check valve assembly" means a specifically designed assembly composed of a line-size approved double check valve assembly with a specific bypass water meter and a meter-sized approved double check valve assembly. The meter shall register accurately for only very low rates of flow and shall show a registration for all rates of flow.

(14) "Health hazard" means any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health of users.

(15) "Human consumption" means the ingestion or absorption of water or water vapor as the result of drinking, cooking, dish washing, hand washing, bathing, showering, or oral hygiene.

(16) "Interchangeable connection" means an arrangement or device that will allow alternate but not simultaneous use of two sources of water and includes an approved reduced pressure principle backflow prevention assembly or an approved reduced pressure principledetector assembly on the public water system side of the connection.

(17) "Person" means the State, any political subdivision, public or private corporation, individual, partnership or other legal entity.

(18) "Pollution hazard" means a condition through which an aesthetically objectionable or degrading material, which is not dangerous to the public water system or health of users, may enter the public water system or portion of a consumer's water.

(19) "Potable water" means water intended for human consumption.

(20) "Premises" means any building, structure, dwelling or area containing plumbing or piping supplied from a public water system.

(21) "Process fluids" means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a pollution, system, health or severe health hazard if introduced into the public water system or portion of a consumer's water system. This includes, but is not limited to:

- A. Polluted or contaminated waters;
- B. Process waters;
- C. Used waters originating from the public water system which may have deteriorated in sanitary quality;
- D. Cooling waters;
- E. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- F. Chemicals in solution or suspension;
- G. Oils, gases, acids, alkalis, and other liquid and gaseous fluids as used in industrial or other processes, or for fire fighting purposes.

(22) "Public water system" has the same meaning as in Rule 3745-81-01 of the Administrative

Code.

(23) "Reduced pressure principle backflow prevention assembly" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

(24) "Reduced pressure principle-detector assembly" means a specially designed assembly composed of a line-size approved reduced pressure principle backflow prevention assembly with a specific bypass water meter and a meter sized approved reduced pressure principle backflow prevention assembly. The meter shall register accurately for only very low rates of flow and shall show a registration for all rates of flows.

(25) "Service connection" means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

(26) "Severe health hazard" means a health hazard to users that could reasonably be expected to result in significant morbidity or death.

(27) "Supplier of water" means the owner or operator of a public water system.

(28) "System hazard" means a condition posing an actual or potential threat of damage to the physical properties of the public water system or a consumer's water system.

(29) "Used water" means any water supplied by a supplier of water from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the supplier.

(30) "Water system" means a system for the provision of piped water or process fluids, and includes any collection, treatment, storage or distribution facilities used primarily in connection with such system.

(b) 3745-95-02 Cross-Connections

(1) No person shall install or maintain a water service connection to any premises where actual or potential cross-connections to a public water system or a consumer's water system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the supplier of water.

(2) No person shall install or maintain a connection between a public water system or consumer's water system and an auxiliary water system unless the auxiliary water system, the method of connection and the use of such system have been approved by the supplier of water and by the Director as required by Section 6109.13 of the Ohio Revised Code.

(c) SECTION 3745-95-03 Surveys and Investigations

(1) The supplier of water shall conduct or cause to be conducted periodic surveys and investigations, of frequency acceptable to the Director, of water use practices within a consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public water system.

(2) The supplier of water or his authorized representative, shall have the right to enter premises served by the public water system at all reasonable times, for the purpose of making surveys and investigations of water use practices within the premises.

(3) On request by the supplier of water, or his authorized representative, the consumer shall

furnish the supplier, or his authorized representative, information on water use practices within the consumer's premises.

(4) Paragraph 1 of this rule does not relieve the consumer of the responsibility for conducting, or causing to be conducted, periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections in the consumer's water system through which contaminants or pollutants could backflow into a public water system, or a potable consumer's water system.

(d) SECTION 3745-95-04 Where Protection is Required

(1) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the supplier of water or the Director, a pollution, system, health or severe health hazard to the public water system exists.

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

A. Premises having an auxiliary water system on the premises, unless such auxiliary system is accepted as an additional source by the supplier of water and the Director approves the source;

B. Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to a public water system. This shall include premises having sources or systems containing process fluids;

C. Premises having internal cross-connections that, in the judgment of the supplier of water, are not correctable or intricate plumbing arrangements which make it impracticable 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; or

F. Others specified by the Director.

(3) The following requirements apply to premises that have an auxiliary water system on the real property that is owned or under control of the consumer and adjacent to the premises.

A. A physical separation shall be maintained between the public water system or a consumer's water system and the auxiliary water system as required by paragraph (B) of Rule 3745-95-02 of the Administrative Code; and

B. An approved backflow prevention device shall be installed on each service connection serving the consumer's water system, unless the supplier of water does all of the following:

1. Determines, on a case-by-case basis, that the installation of an approved backflow prevention device on a service connection is not required in consideration of factors including, but not limited to, the past history of cross connections being established or re-established on the premises, the ease or difficulty of connecting the auxiliary water system with the public water system on the premises, the presence or absence of contaminants on the property or other risk factors;

2. Requires the consumer to sign an agreement which specifies the penalties, including those set forth in Rule 3745-95-08 of the Administrative Code, for creating a connection between the public water system and the auxiliary water system;

3. Conducts or causes to be conducted an inspection at least every twelve months to certify that no connection or means of connection has been created between the public water system and the auxiliary water system;

4. Maintains an inventory of each consumer's premises where an auxiliary water system is

on or available to the premises, or on the real property adjacent to the premises; and

5. Develops and implements an education program to inform all consumers served by the public water system about the dangers of cross-connections and how to eliminate cross-connections.

(4) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Director determines that no severe health, health, system or pollution hazard to the public water system exists:

- A. Hospitals, mortuaries, clinics, nursing homes;
- B. Laboratories;
- C. Piers, docks, waterfront facilities;
- D. Sewage treatment plants, sewage pumping stations, or storm water pumping stations;
- E. Food or beverage processing plants;
- F. Chemical plants;
- G. Metal plating industries;
- H. Petroleum processing or storage plants;
- I. Radioactive material processing plants or nuclear reactors;
- J. Car washes; and
- K. Others specified by the Director.

(5) An approved backflow prevention device shall be installed at any point of connection that is approved in accordance with paragraph (B) of Rule 3745-95-02 of the Administrative Code between a public water system or a consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the supplier of water and the source is approved by the Director.

(e) SECTION 3745-95-05 Type of protection required

(1) The type of protection required under paragraphs (A), (B), (C) and (D) of Rule 3745-95-04 of the Administrative Code shall depend on the degree of hazard that exists, as follows:

A. An approved air gap separation shall be installed where a public water system may be contaminated with substances that could cause a severe health hazard;

B. An approved air gap separation, an approved reduced pressure principle backflow prevention assembly or an approved reduced pressure detector check assembly shall be installed where a public water system may be contaminated with any substance that could cause a system or health hazard;

C. An approved air gap separation, an approved reduced pressure principle backflow prevention assembly, an approved reduced pressure principle detector check assembly, an approved double check valve assembly or an approved double check-detector check valve assembly shall be installed where a public water system may be contaminated with any substance that could cause a pollution hazard.

(2) The type of protection required under paragraph (E) of Rule 3745-95-04 of the Administrative Code shall be an approved air gap separation or an approved interchangeable connection.

(3) Where an auxiliary water system is used as a secondary source of water for a fire protection system, the provisions of paragraph (B) of this Rule for an approved air gap separation or an approved interchangeable connection may be waived by the Director, provided:

A. At premises where the auxiliary water system may be contaminated with substances that could cause a system, health or severe health hazard, a public water system or a consumer's water

system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention assembly or an approved reduced pressure principle detector check assembly;

B. At all other premises, a public water system or a consumer's water shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention assembly, an approved reduced pressure principle-detector check assembly, an approved double check valve assembly or an approved double check-detector check valve assembly;

C. A public water system or a consumer's water system shall be the primary source of water for the fire protection system;

D. The fire protection system shall be normally filled with water from a public water system or a consumer's water system; and

E. The water in the fire protection system shall be used for fire protection only, with no other use of water from the fire protection system downstream from the approved backflow prevention device.

(f) SECTION 3745-95-06 Backflow Prevention Devices

(1) Any backflow prevention device required by Rules 3745-95-04 and 37 45-95-05 of the Administrative Code shall be of a model or construction approved by the supplier of water, and conforms to at least one of the following standards:

A. For air gap separations: American National Standards Institute Standard A 112.1.2 - 1991;

B. For reduced pressure principle backflow prevention assemblies: American National Standards Institute/ American Water Works Association Standard C511-97 (1997), or American Society of Sanitary Engineering Standard 1013-99 (1999), or Canadian Standards Association Standard B64.4-01 (2001), or Foundation for Cross Connection Control and Hydraulic Research, University of Southern California Specifications of Backflow Assemblies for Reduced Pressure Principle- Ninth Edition (1993);

C. For double check valve assemblies: American National Standards Institute/American Water Works Association Standard C510-97 (1997), or American Society of Sanitary Engineering Standard 1015-99, or Canadian Standards Association Standard B64.5-01 (2001), or Foundation for Cross Connection Control and Hydraulic Research, University of Southern California Specifications of Backflow Assemblies for Double Check Valve Assemblies- Ninth Edition (1993);

D. For reduced pressure principle-detector assemblies: American National Standards Institute/ American Society of Sanitary Engineering Standard 1047-99 (1999), or Canadian Standards Association Standard B64.4.1-01 (2001), or Foundation for Cross Connection Control and Hydraulic Research University of Southern California Specifications of Backflow Assemblies for Reduced Pressure Principle-Detector Assemblies -Ninth Edition (1993); or

E. For double check-detector check valve assemblies: American National Standards Institute/ American Society of Sanitary Engineering Standard 1048-99 (1999), or Canadian Standards Association Standard B64.5 .1-01 (2001), or Foundation for Cross Connection Control and Hydraulic Research, University of Southern California Specifications of Backflow Assemblies for Double Check-Detector Assemblies Ninth Edition (1993).

(2) Any backflow prevention device required by Rules 3745-95-04 and 3745-95-05 of the Administrative Code shall be installed at a location and in a manner approved by the supplier of water and shall be installed at the expense of the water consumer. In addition, any backflow prevention device required by paragraphs (B) and (C) of Rule 3745-95-05 of the Administrative Code shall be installed at a location and in a manner approved by the Director as required by Section 6109.13 of the Ohio Revised Code.

(3) It shall be the duty of the water consumer to maintain any backflow prevention device

required by Rules 3745-95-04 and 3745-95-05 of the Administrative Code in proper working order and in continuous operation.

A. The supplier of water shall retain authority over any backflow prevention device required by Rules 3745-95-04 and 3745-95-05 of the Administrative Code.

B. It shall be the duty of the supplier of water to see that the tests and inspections required under this paragraph are made.

C. The consumer shall, on any premises on which backflow prevention devices required by Rules 3745-95-04 and 3745-95-05 of the Administrative Code are installed, have thorough inspections and operational tests made of the devices at the time of installation or repair, and as may be reasonably required by the supplier of water or the Director, but in all cases at least once every twelve (12) months. These inspections and tests shall be at the expense of the water consumer and shall be performed by the supplier of water or a person approved by the supplier as qualified to inspect and test backflow prevention devices.

D. These devices shall be repaired, overhauled or replaced at the expense of the consumer whenever they are found to be defective.

E. Records of such inspections, tests, repairs and overhaul shall be kept by the consumer and made available to the supplier of water.

(4) The supplier of water shall inspect or cause to be inspected all installations where an approved connection exists between an auxiliary water system and the public water system or a consumer's water system at least once every twelve (12) months and shall maintain an inventory of all such installations and inspection records. Such inventories and inspection records shall be made available during sanitary surveys and at other reasonable times.

(5) Backflow prevention devices approved by the supplier of water and conforming to prior or subsequent editions of the standards cited in paragraph 1 of this Rule, and which are properly maintained in accordance with paragraph 3 of this Rule shall be excluded from the requirements of paragraphs 1 and 2 of this Rule if the supplier of water and the Director are assured that the devices will satisfactorily protect the public water system.

[Comment: This Rule incorporates the following standard by reference: American National Standards Institute Standard A112.1.2 - 1991, Air Gaps in Plumbing Systems R(1991). At the effective date of this Rule, a copy may be obtained from Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112, phone: 303-397-7956 or 800-854-7179, world-wide web address: <http://global.ihs.com/>. This document is available for review at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH. 43215-3425.]

[Comment: This rule incorporates the following standards by reference: American National Standards Institute/American Water Works Association Standard C51 0-97 and American National Standards Institute/ American Water Works Association Standard C511-97. At the effective date of this rule, a copy of these documents may be obtained from A WWA, 6666 W. Quincy Ave., Denver, CO, 80235, phone: 800-926-7337, worldwide web address: <http://www.awwa.org/> or from Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112, phone 303-397-7956 or 800-854-7179, world-wide web address: <http://global.ihs.com/>. These documents are available for review at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH, 43215-3425]

[Comment: This rule incorporates the following standards by reference: American Society of Sanitary Engineering Standard 1013-99, American Society of Sanitary Engineering Standard 1015-99, and American National Standards Institute/ American Society of Sanitary Engineering Standard 1047-99, and American National Standards Institute/ American Society of Sanitary Engineering Standard 1048-99. At the effective date of this Rule, a copy these documents may be obtained from American Society of Sanitary Engineering, 901 Canterbury Road, Suite A, Westlake, OH 44145-1480, phone 440-835-3040, world-wide web address <http://www.asse-plumbing.org/> or from Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112, phone 303-397-7956 or 800-854-7179 worldwide web address <http://global.ihs.com/> These documents are available for review at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH 43215-3425]

[Comment: This rule incorporates the following standards by reference: Canadian Standards Association Standard B64.4-0 1, Canadian Standards Association Standard B64.5-01, Canadian Standards Association Standard B64.4.1-01 and Canadian Standards Association Standard B64.5.1-01. At the effective date of this rule, a copy of these documents may be obtained as "B64 Series-01: Backflow Preventers and Vacuum Breakers" from Canadian Standards Association, 5060 Spectrum Way, Suite 100, Mississauga, Ontario L4W 5N6 Canada, world-wide web address: <http://www.csa.ca/default.asp?language=english>. These documents are available for review at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH 43215-3425]

[Comment: This rule incorporates portions of the following manual by reference: The Manual of Cross-Connection Control, Ninth Edition, published by The Foundation for Cross Connections Control and Hydraulic Research, University of Southern California. At the effective date of this rule, a copy of this document may be obtained from The Foundation for Cross Connection Control and Hydraulic Research, University of Southern California, Kaprielian Hall 200, Los Angeles, CA 90089-2531, phone 213-740-2032, world-wide web address: <http://www.usc.edu/dept/fccchr/>. This document is available for review at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH 43215-3425]

(g) SECTION 3745-95-07 Booster Pumps

- (1) No person shall install or maintain a water service connection to any one, two or three family dwelling where a booster pump has been installed, unless an air gap separation is provided.
- (2) No person shall install or maintain a water service connection to any premises not included in paragraph (A) of this Rule where a booster pump has been installed on the service line to or within such premises, unless such booster pump is equipped with a low pressure cut-off designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to ten pounds per square inch gauge or less.
- (3) It shall be the duty of the water consumer to maintain the low-pressure cut-off device in proper working order and to certify to the supplier of water, at least once every twelve (12) months that the device is operable and maintained in continuous operation.

(h) SECTION 3745-95-08 Violations.

(1) The supplier of water shall deny or discontinue, after reasonable notice to the occupant thereof, the water service to any premises wherein any backflow prevention device required by this chapter is not installed, tested and maintained in a manner acceptable to the supplier of water, or if it is found that the backflow prevention device 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 Rule 3745-95-07 of the Administrative Code is not installed and maintained in working order, or if the supplier of water or the Director or the authorized representative of either, is denied entry to determine compliance with this chapter of the Administrative Code.

(2) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this chapter of the Administrative Code and to the satisfaction of the supplier of water.

(i) SECTION 3745-99-01 Yard hydrants. The installation of yard hydrants where water is available or accessible for drinking or culinary purposes and having drip openings below ground surface is prohibited unless such hydrants are equipped with approved devices to prevent entrance of ground water into chambers connected with the water supply.

(Ord. 127-11. Passed 9-6-11.)

911.904 ADOPTION OF CHAPTER 3745-95 OF THE ADMINISTRATIVE CODE.

(a) Installation.

(1) Backflow prevention devices required by these rules and regulations shall be installed at a location and in a manner approved by the Ohio E.P.A. and at the expense of the water consumer.

(2) Backflow prevention devices 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 connections.

(3) 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 and pump or a suitable drain. Such sump pump or drain shall not connect to a sanitary sewer and shall not 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 device.

(4) Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without the specific authorization of the water authority.

(5) When a backflow prevention device, check valve, or pressure reducing device is installed on the cold water system to a water heater, an expansion tank or other device designed in accordance with accepted engineering practices for thermal expansion control shall be installed. The temperature and pressure relief valve installed on the water heater shall not be used as the primary thermal expansion control device. The expansion tank must be installed on the cold-water service piping on the supply side of the hot water heater. Water consumers should notify the Building Department if your backflow prevention requirement will create a closed system, since the installation of a thermal expansion tank falls under its authority.

(b) Inspection and Maintenance.

(1) It shall be the duty of the consumer at any premises on which backflow prevention devices required by these rules and regulations are installed to have inspections, tests, and overhauls made in accordance with the following schedule, or more often where inspections indicate a need:

A. Air gap separation shall be inspected at the time of installation and at least every twelve

months thereafter.

B. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.

C. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter.

D. Interchangeable connections shall be inspected at the time of installation and at least every twelve (12) months thereafter.

(2) Inspections, tests, and overhauls of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by a person approved by the Water Department/Backflow Division as qualified to inspect, test, and overhaul backflow prevention devices.

(3) Whenever backflow prevention devices required by these rules and regulations are found to be defective, they shall be repaired, overhauled or replaced at the expense of the consumer without delay.

(4) The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, repairs and overhauls. Records of inspections, tests, repairs and overhauls shall be submitted to the Water Department/Backflow Division.

(5) If a double check valve device fails, it must be replaced with a Reduced Pressure Backflow Prevention Device.

(Ord. 127-11. Passed 9-6-11.)

911.905 CHAPTER 4101:2-51 (THE OHIO PLUMBING CODE) OF THE OHIO ADMINISTRATIVE CODE.

Chapter 4101:2-51 (the Ohio Plumbing Code) of the Ohio Administrative Code, entitled Plumbing, is part of the Ohio Basic Building Code and contains the following rules that are directly concerned with backflow prevention and cross-connection control:

4101:2-51-33 Water Supply

4101:2-51-36 Water Storage Tanks 4101:2-51-38 Backflow 4101:2-51-76 Test of Water Supply System

(a) 4101:2-51-33 Water Supply. The water distributing system of a building, which is intended to deliver a public water supply or other potable water supply to outlets, fixtures, or devices where such water is made available or convenient for human consumption or culinary purposes, shall be entirely independent of any piping system conveying a nonpotable water supply.

Nonpotable water may be used for flushing water closets and urinals and other fixtures not requiring potable water, provided such water shall not be accessible for drinking or culinary purposes.

Overflow pipes from a water-supply tank shall not be directly connected with any drain, soil, or waste pipe.

(b) 4101:2-51-36 Water Storage Tanks. Water storage tanks used for storage of public water supply or other potable water supply, shall have watertight covers and shall be protected at all times against contamination of such water supply.

(c) 4101:2-51-38 Backflow.

(1) The potable water supply shall be protected against backflow and syphonage both natural and induced. All equipment connected to the potable water system being capable of polluting or contaminating the potable water distribution system or any part thereof by means of a reversal of flow, pressure drop, primary or auxiliary pumping system connected thereto must be isolated and

contained by means of approved backflow devices or acceptable engineering practices.

(2) The potable water supply, as mentioned in subsection (c)(1) hereof, does not include the lines supplying fire suppression systems.

(3) Backflow devices meeting ASSE Standards 1013, 1015, and 1020 must be tested at the time of installation and at least once every twelve months thereafter by a person certified by the Ohio Department of Health or other recognized agency in the use of the proper testing equipment designed for this purpose. In accordance with accepted engineering practices, backflow preventers meeting ASSE Standard 1013 must be completely rebuilt every five years and backflow preventers meeting ASSE Standards 1015 and 1020 must be completely rebuilt every thirty months.

(d) 4101:2-51-76 Test of Water Supply System. Upon completion of a section or of the entire water supply system, it shall be tested and proved tight under a water pressure of 125 pounds but not less than 10 percent in excess of the working pressure under which it is to be used. The water used for tests shall be obtained from a potable source of supply.

(Ord. 167-96. Passed 9-16-96.)

911.906 POLICY ON USE OF ANTIFREEZE IN FIRE PROTECTION SYSTEMS.

The following information is provided as general information and to assist in the protection of a public water supply when an antifreeze solution is required to prevent freezing of fire protection systems:

(a) Antifreeze solutions can consist of either a pure glycerine solution, provided the glycerine is of 96.5% United States pharmacopoeia grade, or of food grade propylene glycol base.

(b) Propylene glycol plus dipotassium phosphate is acceptable for use as an antifreeze solution. The propylene glycol is the antifreeze component; the dipotassium phosphate functions as a bacterial inhibitor.

(c) The antifreeze manufacturers must furnish proof to the supplier of water that the product is of pharmaceutical grade or of food grade quality and that the product contains no harmful or toxic substances.

(d) All antifreeze products used in potable water systems shall be approved by the Ohio Environmental Protection Agency, Division of Public Drinking Water, Water Quality Section, prior to use.

(e) All fire protection sprinkler systems that contain approved antifreeze solutions shall have an approved reduced pressure principle backflow prevention device on that leg of the system or on the complete sprinkler system.

(Ord. 167-96. Passed 9-16-96.)

MISCELLANEOUS - AIR CONDITIONING

911.950 LIMITATIONS AND REGULATIONS ON USE OF WATER BY AIR CONDITIONING SYSTEMS AND OTHER EQUIPMENT.

(a) Short Title. This section shall be known and may be cited as the "Air Conditioning Water Conservation Ordinance of the City of Lorain, Ohio."

(b) Definitions. For the purposes of Section 911.950 of these Rules and Regulations the following terms, phrases, words and their derivations shall have the meaning given herein:

(1) "Air conditioning" means provision for the simultaneous automatic control of temperature, motion and humidity and a reduction in the dust content and odors for air employed in the ventilation of rooms. Three classifications of air conditioning shall be recognized under Section 911.950 as follows:

A. Winter air conditioning, which shall include the proper automatic control and distribution

of air cleaned, humidified and heated by steam or hot water to and within the spaces to be conditioned.

B. Summer air conditioning, which shall include the proper automatic control and distribution of the cleaned, humidified and cooled air to and within the spaces to be conditioned.

C. All year air conditioning, which shall provide for all the services enumerated in (a) and (b) above.

(2) "Person" as used herein means any individual, firm, partnership, corporation, association, or organization of any kind or nature.

(c) Compliance Required. No person shall have installed or shall operate any air conditioning plant or equipment using water supplied by the Division of Water of the City of Lorain as its medium without first conforming to the provisions of Section 911.950 of these Rules and Regulations and the Building Code, Chapter 1505 of the Codified Ordinances, herein referred to as "The Building Code."

(d) Permit Required for Installation. All persons who desire to install an air conditioning plant or equipment using water supplied by the Division of Water of the City of Lorain shall, upon written application, prior to installation secure approval of plans of the air conditioning plant and equipment and a permit therefor from the Division of Inspection of the City of Lorain, and notice of completion of installation shall be given to said Division.

(e) Standards of Operation. Before issuing a permit as required herein, the Division of Inspection shall find that the system complies with the following standards of operation:

(1) Air conditioning systems using City water. Systems having an aggregate total capacity of five tons of 12,000 BTU for each ton or more, shall be equipped with an approved cooling tower, evaporative condenser, or cooling pond so that water from the City of Lorain mains shall be used for make-up purposes only.

(2) Efficiency of water conservation device. The water conservation device required herein shall be of such efficiency that it will operate with not over twelve gallons of water per hour being withdrawn from the Lorain Water System for each ton of refrigeration. The water level control on the tank or reservoir shall be so adjusted as to prevent waste of water through the overflow. (Ord. 167-96. Passed 9-16-96.)

MISCELLANEOUS - SWIMMING POOLS

911.960 SWIMMING POOL CONNECTION.

(a) Where swimming pools are fed from the City water supply - either continuously or as make up water - there shall be an air gap of at least six inches from the discharge orifice and the high water level of the pool or other receiving vessel. Where swimming pool water is recirculated through pressure filters and/or chlorinators or other sterilizing utensils, such filters or utensils shall not be connected to the City water supply.

(b) All connections to pressure vessels containing other than portable City water are expressly forbidden unless constructed in strict accordance with the Ohio Department of Health regulations relating to "Cross Connections." Drawings of such anticipated connections must be approved by the Director of Utilities prior to installation.

(Ord. 167-96. Passed 9-16-96.)

MISCELLANEOUS

911.9800 IDENTIFICATION AND UNIFORM.

Every person representing any gas company, electrical company or water company, for the purpose of reading meters, in any private dwelling, store room or other building, shall be provided with

proper identification and uniform, which shall be at all times worn when said person is reading meters.

(Ord. 167-96. Passed 9-16-96.)

911.9801 RESERVED FOR FUTURE LEGISLATION.

911.9802 RESERVED FOR FUTURE LEGISLATION.

PENALTIES

911.995 ENFORCEMENT AND PENALTY.

(a) The enforcement of this chapter shall be subject to such rules and regulations as the Director of Public Service, together with the Director of Utilities, may from time to time adopt.

(b) Whosoever violates any provision of this chapter shall be deemed guilty of a misdemeanor and fined not more than two hundred fifty dollars (\$250.00) on the first offense and for any violation thereafter shall be fined a minimum of two hundred fifty dollars (\$250.00), unless otherwise stated in this chapter. Any such violation shall constitute a separate offense and on each successive day continued.

(Ord. 167-96. Passed 9-16-96.)