

**ORDINANCE # O-30-2022**

**AN ORDINANCE TO AMEND THE VILLAGE OF BOLIVAR  
WATER RULES AND REGULATIONS**

**WHEREAS**, the Village Council for the Village of Bolivar wishes to amend the rules and regulations for the Village regarding monthly billing for services;

**WHEREAS**, the Village Council of the Village of Bolivar, Ohio, wishes to amend the water rules and regulations.

**BE IT ORDAINED** by the Village Council the Village of Bolivar, Ohio, as follows:

**SECTION 1.** The Village Council for the Village of Bolivar hereby amends the attached water rules and regulations.

**FIRST READING: April 4, 2022**  
**SECOND READING: May 2, 2022**  
**THIRD READING: June 6, 2022**  
**FOURTH READING: July 5, 2022**  
**FIFTH READING AND PASSED: August 1, 2022**

Approved:

\_\_\_\_\_  
Tim Lang, Mayor

Attest:

\_\_\_\_\_  
Barb Kline

VILLAGE OF BOLIVAR  
WATER RULES AND REGULATIONS

SECTION I  
Purpose and Application

These Rules and Regulations are adopted to provide for the efficient operation of the Bolivar Water System, pursuant to provisions of Ohio Revised Code Sections 735.28 et. Seq. The Village Administrator is authorized to make rules or regulations and amendments thereto, consistent with the Laws of the State of Ohio and the Ordinances of the Village of Bolivar.

These Rules and Regulations shall apply to residents of the Village of Bolivar, and all persons and property owners maintaining connections with the Water System of the Village of Bolivar.

Any matters not specifically covered by these Rules and Regulations shall be governed by the applicable rules, regulations, laws, ordinances and specifications of the State of Ohio, Village of Bolivar and the Tuscarawas County sewer and water system.

SECTION II  
General Provisions

- A. Provisions of these Rules and Regulations, not otherwise defined or construed herein, shall be interpreted pursuant to Ohio Revised Code Chapter 1.

Specific Provisions

- B. Unless the context specifically indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

1. "Administrator" means the Bolivar Village designated agent.
2. "Connection" means the union, coupling or the construction of plumbing facilities so as to allow water to flow from one point to another.
3. "Fiscal Officer" means the Bolivar Village designated agent.
4. "Occupying unit" means the separate part of a building or structure design intended for use by one or more persons whether for living purposes, commercial or other use.
5. "Owner" means and includes the person or persons who hold legal or equitable title to real estate, in whole or in part.
6. "Person" means a natural person, association, corporation, partnership, trust or any other legally recognized entity.
7. "Service premises" means the parcel of real estate which is supplied with water from the Village water system. If the real estate contains more than one occupancy unit, each unit shall constitute a "service premises" if the context of the Rules and Regulations indicates so.
8. "Village" means the Village of Bolivar, Ohio
9. "Water System" means the facilities and real estate utilized by the Village of Bolivar to obtain, supply, store and recover water for the use by the Village its residents, property owners and others authorized to use Village water.

SECTION III  
Application for Service

- A. Permit: No person shall make any connection to the Village water system without obtaining a permit allowing such connection and use of Village water.
- B. Water Service to Real Estate: Application for water service to real estate shall be made at the office of the Administrator on the forms prescribed by the Administrator. The application shall specify the following information:
- 1) The location of the premises to be serviced;
  - 2) The names and addresses of the title owners of the premises;
  - 3) The proposed location of water service lines to the structures on the premises;  
and
  - 4) The purposes for which the water service will be used.
  - 5) Information the Administrator shall request to demonstrate compliance with the Rules and Regulations.
- C. Tap Charge. The “tap charge” shall be paid at the time of the application, including the cost of excavation, installation of lines and connections, tapping and back-filling for the new service from the existing Village lines to the property lines of the service premises.
- D. **Exceptions.** No permit for water usage shall be required for water usage by any fire department in the fighting of fires or other related emergency activities in

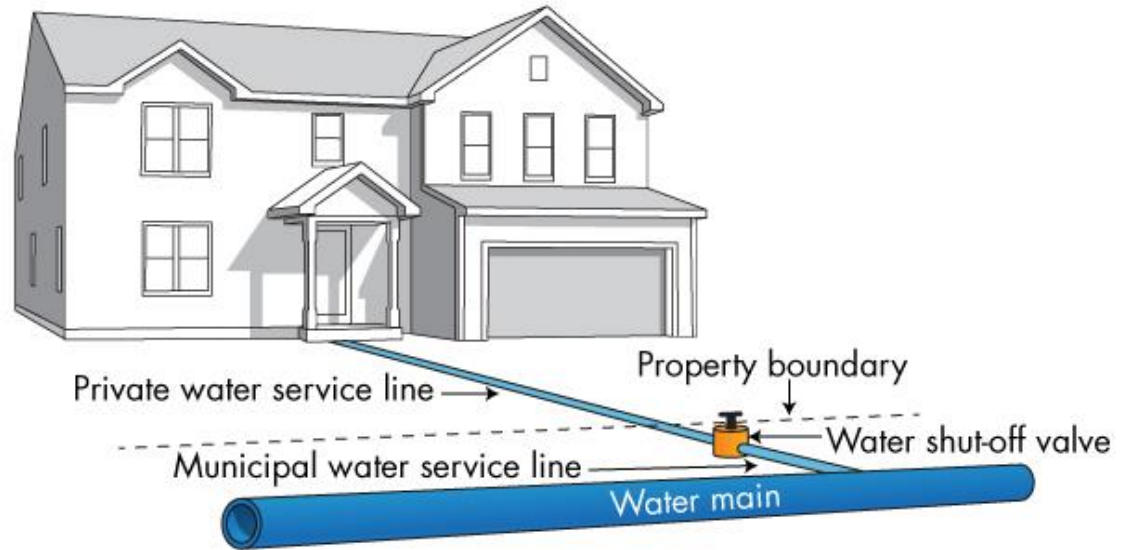
## SECTION IV

### Location, Construction and Maintenance of Water Lines

- A. Location of Service Lines: The Village shall determine the appropriate location of supply lines and taps onto the Village water lines intended for private service.
- B. Installation: As soon as practicable following issuance of the permit for water usage, the Administrator shall cause excavation, tapping, installation and back-filling for water service connections from the Village lines to the property lines of the permit premises. The Village shall not be obligated to extend its lines for a distance exceeding sixty feet from the existing Village lines.

The service premises owner shall be responsible for installation of all lines and connections from the point where the Village extension ends. All such work shall be inspected and approved by the Administrator before back-filling and connection to Village lines, and before commencement of water service to the premises.

- C. Location of Service Lines: All service lines to the service premises shall be installed at a level at least forty-eight inches below the finish grade of the premises along the entire length of the service line. Water service lines shall not be installed within six feet of any sanitary sewer line or septic system lines unless specifically approved by the Administrator or Street Superintendent.
- D. Maintenance: The Village shall be responsible for maintenance, repair and replacement of all water mains, along with the municipal water service line also referred to as the service extension. The service premise owner shall be responsible for the private water service line running from the water shut off valve to the service premises. See below diagram.



Both water mains and municipal water service lines are located within Village rights-of-way and near the service premise owner property boundary. The municipal water service line ends at the water shut off valve. Water service extension shall be limited to the sixty-foot provisions cited above.

The owner of the service premises shall maintain all water service lines and fixtures on the owner’s service premises, subject to provisions for maintenance of meters, set forth below. The owner of the service premises shall protect the municipal water service line, the water shut-off valve and the water meter from frost and freezing.

Prior to any repair or replacement of the private water service line, or water meter the owner of the service premises shall notify the Administrator of the proposed repairs or replacement.

- D. Interruption of Service: The Village shall be permitted to interrupt water service to any premises, without prior notice to the premises owner or occupant, in order to repair or replace Village lines or equipment. The Village shall be permitted to interrupt water service to any premises where the conditions of the owner’s lines or fixtures is such as to cause water leakage. In the event of an emergency involving broken mains, valves, service connections, pumping or treatment

facilities or in the event of disability of any other waterworks equipment, the Village shall not be responsible for any damages or injuries caused, in part or in whole, by disruption of water services.

- E. Water Supply: Due to natural and other conditions inherent in the operation of a water system, the Village of Bolivar does not guarantee the delivery of water nor the quality of water delivered.
- F. Shut-Off Facilities: Each service premises shall be equipped with a stop and waste cock located within each structure served. All plumbing inside structures shall be equipped to allow drainage of water lines to prevent damage from freezing.

Each service line from the Village supply lines shall be equipped with a stop cock installed between the Village mains or laterals and the service line. A curb box shall be installed and maintained, with facilities to allow for shut-off of water service at the point of connection.

- G. Additions, Alterations and Repairs: No person shall make any alterations or additions to any lines, connections or fixtures between the Village system and the point where water service lines enter a structure without a permit from the Administrator allowing such additions or alteration. Application for such permit shall specify in detail the nature of the addition or alteration intended and shall demonstrate compliance with provision of these Rules and Regulations. The Administrator shall issue a permit for alteration or addition only if the work is in compliance with these Rules and Regulations.

No person shall use any tool or instrument for repairs or connections to the Village water system which would cause damage to any facilities. Appropriate keys or wrenches shall be used to remove stop box covers.

- H. Plumbing Requirements: Generally accepted plumbing practices shall be observed in the installation, repair, alteration or addition of lines, connections and fixtures made to or added to the water service lines from the point of connection to the village water system. No water service shall be started or resumed to any premises until the Administrator or their agent has inspected and approved the lines, connections, fixtures or other installations, to the point of the stop cock.



- I. Inspections: The Administrator or their agent shall be entitled to inspect all lines, connections and fixtures on service premises, at reasonable times, to determine compliance with these Rules and Regulations.

SECTION V  
Water Service Meters

- A. Installation of Meters. The Village will require the installation of water service meters and a remote meter reading system on every service premises.
1. A remote meter reading system / transmitter must be installed in conjunction with the water meter installation.
  2. All water meters and outside remote meter reading transmitters are to be in compliance with the Village meter reading system.
  3. All water meters and remote meter transmitters must be installed according to good plumbing practices and comply with all applicable plumbing codes.
  4. A bypass system around a residential water meter shall not be permitted.
  5. The Administrator must be notified when a new water meter is installed. The water meter installation needs to be inspected and a first meter reading taken.
- B. Cost of Installation. The cost of the meter and the cost of installation shall be paid by the Village.
- C. Repairs. All meters are, and shall remain, the property of the Village. Damage to the meters caused by deliberate misuse or negligence by the service premises owner, or persons on the premises with the consent of the owner, shall be repaired by the Village, with all costs to be paid by the owner of the service premises. Otherwise, the Village shall be responsible for maintenance and repair of the meter.
- D. Access to Meters. The Administrator or their agents shall have free access to water service meters for the purpose of reading, inspecting, repairing, and replacing meters during reasonable hours.
- E. **Tampering with Meters.** It shall be unlawful for any person other than a duly authorized officer or employee of the Water Department, to alter, change, or in any manner interfere with the water meter in use by any consumer, or with any other equipment used by the Village in operation of its water system. Any person convicted of doing so shall be deemed guilty of an offense.

SECTION VI  
Water Main Inspection

All extensions of water mains shall be installed using a minimum of eight-inch lines. Ductile iron pipe or comparable plastic, or as specified by the Administrator, and shall be in accordance with one of the following procedures:

- A. Extensions. Except as provided in paragraph B, one or more property owners may request the Administrator to determine the feasibility and estimated costs of construction of a water main extension to serve premises not currently provided with water service. If the Administrator approves the extension, the property owner or owners may deposit with the Administrator a sum equal to the estimated costs for installation and the Administrator shall thereupon proceed with construction. Any surplus in the deposit amount over the cost shall be refunded to the owner or owners. Should the construction costs exceed the deposit amount, the owner or owners shall pay the excess. No water tap shall be installed or water service rendered until the cost is paid in full.
  
- B. New Subdivisions. In undedicated streets and in new subdivisions the owner shall be solely responsible for the laying of water main extensions; however, the construction shall be done under the supervisions and control of the Administrator and in compliance with these Rules and Regulations. In the construction of any extensions, the contractor shall utilize practices and materials consistent with sound plumbing practices. The contractor shall strictly comply with all federal, state, and local requirements applicable to such work and material usage. The Administrator may require a deposit of a reasonable amount of money as a guarantee against defective workmanship or materials and for inspection and supervision charges. Each deposit, less any sums expended by the Water Department for inspection or repair or replacement of defective work or materials, shall be refunded within one year after the extension has been placed in service. No other refund or payment shall be made.

SECTION VII  
Discontinuance and Transfer of Water Service

- A. Discontinuance. The owner of any service premises may be permanently or temporarily discontinue water service to the premises by request in writing to the Administrator. After the Administrator has been notified and the water service has been shut off, water service charges to the premises shall cease until such time as service is reconnected. See fee schedule in Appendix A for the applicable Disconnection/Reconnection Application Fees
  
- B. Transfer of Ownership. The seller and buyer of service premises are each responsible for notifying the Administrator of the date of transfer of the real estate and the names and addresses of the new owner.
  
- C. Reconnection Charge. The owner of any service premises who needs to restore water service to the premises may do so by request in writing to the Administrator. See Fee Schedule Appendix 'A' for the applicable Disconnection/Reconnection Application Fees.

SECTION VIII  
Payment for Water Service

- A. Billings. Customers will be billed monthly in accordance with the fee schedule laid out in Appendix A. Water meters will be read on the 1st day of each month. Where the 1st falls on a weekend or holiday, the meters will be read on the following business day.

Billings is done on the 15th day of each month. Where the 15th falls on a weekend or holiday, the billing is done on the following business day. All bills are payable by the last day of the month in which the bill is rendered. A late fee shall be assessed and paid for each bill not paid as of the specified due date. See fee schedule in Appendix A for the applicable Late Fees

Billings for water service charges shall be mailed to the owner of each service premises only as a matter of convenience to the owner. Failure of delivery of billings shall not relieve the owner of responsibility for timely payment of water service charges.

- B. Flat Rate Billings. Flat rate billing is no longer offered by the Village. All water service premises are required to be metered and will be billed based on the fee schedule established in Appendix A.
- C. Payment of Water Service Bills. Water service bills may be paid at the Bolivar Village office, left in the utility box outside the office or mailing to Village of Bolivar; PO Box 117, Bolivar, OH 44612. In addition, residents can utilize the EZ-Pay portal, credit card, online banking or ACH. Payments must be received by the Village by the due date to be considered timely.
- D. Disconnection. Failure to pay water service charges within fifteen days after the due date may result in disconnection of water service.

**Disconnection Notices.** Pass due accounts will receive written notification by certified mail that water service will be shut off. Shutoff notices will be mailed no later than 15 days prior to termination of service. Customers subject to termination of water service will be charged a disconnect fee in accordance with the current fee schedule established in Appendix A. These charges represent time involved in terminating the service and administrative costs associated with the termination. Customers may avoid termination of service by either paying the amount in arrears

before the scheduled shutoff date or by receiving a hardship deferment and signing a deferred payment plan specifying payment terms before the scheduled shutoff date. Customers may appeal a notice of termination of water service.

- E. Collection of Past Due Charges. The Administrator may collect unpaid and delinquent water service charges in excess of sixty (60) days by ~~special~~ assessment on the tax duplicate, as provided by Ohio Revised Code Section 735.29, as amended.
- F. Establishment of Service Rates. The Village Council shall establish, from time to time, reasonable rates for water usage and other costs for services provided by the Village under these Rules and Regulations.
- G. Water Service Charges to Tenants. In cases where water service charges are billed to a tenant, the owner shall not be relieved of his obligation to pay the costs of water service or connections.

SECTION IX  
Special Water Uses

- A. Other Special Uses. Temporary water connections to the Village water system and temporary water usage shall be permitted only upon approval of the Administrator. The Village Council shall determine the charge for water service based upon estimated or metered usage, as the Village Council deems appropriate. Application for such usage must be made in writing, specifying the purpose of the water usage, the proposed means of connection to the Village water system, and the length of time such connection is required. The applicant shall be responsible for the cost of making necessary connections. No water usage shall be permitted until the connection is inspected and approved by the Administrator.
  
- A. Swimming Pools. Service premise/ owner will be billed at the metered rate to fill their swimming pool.

SECTION X  
Termination of Water Services

- A. Non-Payment of Water Service Charge. Failure to pay the monthly water service charges, or other charges established by the Village Council, within 15 days following the date such payments are due shall result in the issuance of a notice of termination of water service. Such notice shall be delivered to the owner of the service premises or posted in a conspicuous place on the service premises. Notice of termination shall specify the reason for termination and that water service shall be terminated 15 days after the notice of termination of service has been issued. –The notice shall also include a summary of the procedures for objection to termination.
- B. Hearing. Within three calendar days of the delivery of the termination notice, the owner of the service premises may request in writing a hearing before the Village Council for the purpose of showing why water service should not be terminated. Such request shall be personally delivered to the Administrator.

Within five calendar days following the delivery of the request for hearing, the Administrator shall hear the objection to termination. The person requesting the hearing shall be given no less than 24 hours notice of the date, time, and place of such hearing. The notice shall be delivered to the person requesting the hearing or posted in a conspicuous place on the premises subject to the termination notice.

- C. Procedure. The Administrator and/or Mayor shall be present to conduct the hearing. The person requesting the hearing shall be present and shall be entitled to present evidence on his or her behalf at the next regularly scheduled water committee meeting which is on the 3<sup>rd</sup> Monday of each month. All evidence presented shall be under oath and recorded by means of audio tape. Any other person with information regarding the termination of service shall be permitted to testify.

If the Village Council finds that the proposed termination is not justified based upon the credible evidence presented, no termination of water service shall occur. If the credible evidence establishes the non-payment for services, without justifiable cause, termination of water service shall be required.

- D. Defense. It shall not be a defense to the termination of water services that payment of the water service charge was made by the responsible party but not received by the Village, unless supporting bank documents are provided



showing proof of payment or unless the water service bill was paid to the Fiscal Officer by the responsible party prior to the hearing.

The failure of the service premises owner to pay for water service charges in excess of sixty (60) days shall be turned over to a collection agency.

**SECTION XI**  
**Backflow Prevention and Cross Connection Control**

A. **Purpose.** The purpose of the Rules and Regulations regarding Backflow Prevention and Cross Connection Control is:

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

B. **Application.** These Rules and Regulations shall apply to all premises served by the Village's public water systems.

C. **Policy.** The Administrator shall be responsible for the protection of the public water system from contamination due to backflow of contaminants through the water service connection. If, in the judgment of the Administrator, an approved backflow prevention assembly is necessary at the water Engineer or his authorized representative shall give notice to the consumer to install such approved backflow prevention assembly at each service connection to his premises. The consumer shall immediately install such approved assembly or assemblies at their own expense, and failure, refusal or inability on the part of the consumer to install such assembly or assemblies immediately shall constitute

grounds for discontinuing water service to the premises until such assemblies have been installed.

D. **Water System.** The water system shall be considered as made up of two parts: the public water system and the consumer's water system.

1. The public water system shall consist of the source facilities and the distribution system and shall include all those facilities of the water system under the control of the Administrator up to the point where the consumer's water system begins.
2. The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the public distribution system.
3. The public distribution system shall include the network of conduits used for delivery of water service connection to any consumer's premises for the safety of the water system, the Sanitary from the source to the consumer's water system.
4. The consumer's water system shall include those parts of the facilities beyond the service connection which are utilized in conveying water from the public distribution system to points of use.

E. **Cross-Connections Prohibited.** No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the Village's public water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the Administrator.

No connection shall be installed or maintained whereby water from an auxiliary water system may enter the Village's public water system and the method of connection and use of such system shall have been approved by the Administrator and by the Director of the Ohio Environmental Protection Agency as required by Section 6109.13 of the Ohio Revised Code.

F. **Survey and Investigations.** The consumer's premises shall be open at all reasonable times to the Administrator, or his authorized representative, for the conduction of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential

cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.

On request by the Administrator, or his authorized representative, the consumer shall furnish information on water use practices within his premises.

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

**G. Where Protection Is Required.** An approved backflow prevention assembly shall be installed on each service line to a consumer's water system serving premises, where in judgment of the Administrator or the Director of Ohio EPA, actual or potential hazards to the public potable water system exist.

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

1. Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Administrator and the source is approved by the Director of the Ohio Environmental Protection Agency.
2. Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to the public potable water system. This shall include premises having sources or systems containing process fluids or waters originating from the public potable water system which are no longer under the sanitary control of the Village.
3. Premises having internal cross-connections that, in the judgment of the Administrator, are not correctable, or intricate plumbing arrangements which make it impractical to determine whether cross-connections exist.
4. Premises, where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
5. Premises having a repeated history of cross-connections being established or re-established;

6. Others specified by the Administrator or the Director of Ohio EPA.

An approved backflow prevention assembly 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 Superintendent of Water or the Director determines that no actual or potential hazard to the public water system exists:

1. Hospitals, mortuaries, clinics, nursing homes;
2. Laboratories;
3. Piers, docks, waterfront facilities;
4. Sewage treatment plants, sewage pumping stations or storm water pumping stations;
5. Food or beverage processing plants;
6. Chemical plants;
7. Metal plating industries;
8. Petroleum processing or storage plants;
9. Radioactive material processing plants or nuclear reactors;
10. Car washes;
11. Others specified by the Administrator or the Director of Ohio EPA.

An approved backflow prevention assembly shall be installed at any point of connection between the public or consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Administrator and the source is approved by the Director of the Ohio Environmental Protection Agency.

**H. Type of Protection Required.** The type of protection required under these regulations shall depend on the degree of hazard which exists as follows:

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

2. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly shall be installed where the public water system may be contaminated with any substance that could cause a system or health hazard.
3. An approved air gap separation or an approved reduced pressure principle backflow prevention assembly or an approved double check valve assembly shall be installed where the public water system may be polluted with substances that could cause a pollution hazard not dangerous to health.

The type of protection required for a point of connection between an auxiliary water system and the public water system shall be an approved air gap separation or any approved interchangeable connection.

Where an auxiliary water system is used as a secondary source of water for a fire protection system, the provisions for an approved air gap separation or an approved interchangeable connection may not be required, provided:

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

6. The water in the fire protection system shall contain no additives.
- I. **Backflow Preventers.** Any backflow preventer required by these rules and regulations shall be of a model or construction approved by the Administrator and the Director of Ohio EPA and shall comply with the following:
    1. An air gap separation, to be approved, shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch. It shall meet the requirements of OAC Rule 3745-95-04 of the Ohio Environmental Protection Agency
    2. A double check valve assembly or a reduce pressure principle backflow prevention assembly shall be approved by the Administrator, and shall meet the requirements of OAC Rule 3745- 95-04 of the Ohio Environmental Protection Agency.
    3. An interchangeable connection, to be approved, shall be either a swing type connector or a four-way valve mechanism which unseats the plug, turns it ninety degrees and reseats the plug. Four-way valves shall stop valves on each pipe connected to the valve. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.

Existing backflow preventers approved by the Administrator or the Director of the Ohio Environmental Protection Agency at the time of the installation and properly maintained shall, except for inspection, testing and maintenance requirements, be excluded from the preceding requirements of this regulation providing the Administrator is assured that they will satisfactorily protect the Village's public water system. Whenever the existing backflow preventer is moved from the present location or requires more than minimum maintenance or when the Administrator finds that the maintenance of the backflow preventer constitutes a hazard to health, the backflow preventer shall be replaced by a backflow prevention assembly meeting the requirements of these regulations.

- J. **Installation.** Backflow prevention assemblies required by these rules and regulations shall be installed at a location and in a manner approved by the Administrator and at the expense of the water consumer. In addition, any backflow prevention assembly required by these regulations shall be installed at

a location and in a manner approved by the Director of the Ohio Environmental Protection Agency as required by Section 6109.13 of the Ohio Revised Code.

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

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 nor permit flooding of the pit or vault by reverse flow from its point of discharge. An access ladder and adequate natural or artificial lighting shall be provided to permit maintenance, inspection and testing of the backflow prevention device.

Reduced pressure principle backflow prevention assemblies are prohibited from being installed in a pit or vault. Reduced pressure principle backflow prevention assemblies must be installed above ground level or floor level, whichever is higher, and shall be adequately protected from freezing.

**K. Inspection and Maintenance.** It shall be the duty of the consumer at any premises on which backflow preventers required by these regulations are installed to have inspections, tests, and overhauls made in accordance with the following schedule, or more often where inspections indicate a need:

1. Air gap separations shall be inspected at the time of installation and at least every twelve months thereafter.
2. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter. They shall be dismantled, inspected internally, cleaned, and repaired whenever needed.
3. Reduced pressure principal backflow prevention assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter.
4. Interchangeable connections shall be inspected at the time of installation and at least every twelve months thereafter.



Inspections, tests, and overhauls of backflow prevention assemblies shall be made at the expense of the water consumer and shall be performed by a State of Ohio certified technician who is qualified to inspect, test and overhaul backflow prevention assemblies.

Whenever backflow prevention assemblies required by these regulations are found to be defective, they shall be repaired, overhauled, or replaced at the expense of the consumer without delay.

The water consumer must maintain a complete record of each backflow preventer 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 overhaul shall be submitted to the Administrator or his designated Backflow Prevention Program Manager.

Backflow preventers shall not be bypassed, made inoperative, removed, or otherwise made ineffective without specific authorization by the Administrator.

- L. **Thermal Expansion Tanks.** When a backflow prevention device, check valve, or pressure reducing device is installed in the cold-water supply to a water heater, an expansion tank or other device designed in accordance with accepted engineering practices for thermal expansion control shall be installed.

Cost of the tank(s), installation, and any necessary repair or replacement is at the sole expense of the owner.

- M. **Booster Pumps.** No person shall install or maintain a booster pump tributary to Village water mains without a permit for such installation.

For booster pumps not intended to be used for fire suppression, such booster pump shall be 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.

For booster pumps, or fire pumps, used for fire suppression installed after August 8, 2008, such booster pump, or fire pump, shall be equipped with one of the following:

1. A low suction throttling valve on the booster pump discharge, which throttles the discharge of the pump when necessary, so that suction

pressure will not be reduced below ten pounds per square inch gauge while the pump is operating; or,

2. The fire pump is equipped with a variable speed suction limiting control on the booster, or fire, pump. The speed control system must be used to maintain a minimum suction pressure of ten pounds per square inch gauge at the pump inlet by reducing the pump driver speed while monitoring pressure in the suction piping through a sensing line.

It shall be the duty of the water consumer to maintain the low-pressure cut-off device, low suction throttling valve, or variable speed suction limiting control, in proper working order and to certify to the Administrator, at least once every twelve months that the minimum pressure sustaining method in place is operating properly.

N. **Violations.** The Administrator shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested and maintained in a manner acceptable to the Administrator, or if it is found that the backflow preventer has been removed or by-passed, or if an unprotected cross-connection exists on the premises, or if the minimum pressure sustaining method required by these regulations is not installed and maintained in working order.

Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Village Administrator.

**Section XII**  
**Protection from Contamination**

A. **Purpose.** There shall be no cross connection between the Villages' public water system and any other source of water whatsoever including private wells and cisterns. Protection of the Village's public water supply shall be in accordance with Section XI - Backflow Prevention and Cross Connection Control.

B. **Requirements for Wells.** Where the water service connection is to property previously supplied water by a private well, the private well must be abandoned and sealed.

If the well is maintained as a source for livestock or lawn and garden purposes, it must be physically separated from the potable water supply provided by the Village and an acceptable backflow prevention device installed and maintained by the customer on the customer's side of the water meter.

C. **Requirements for Water Service Lines.** Water service lines shall not be laid in the same trenches with sewer lines or connections or septic tanks and their appurtenances.

Water service lines shall have a minimum horizontal separation of 10 feet from sanitary sewer mains and service lines, such distance being measured from outside of pipe to outside of pipe.

Water service lines shall have a minimum vertical separation of 18 inches above sanitary sewer mains and service lines, such distance being measured from outside of pipe to outside of pipe.

In the event minimum horizontal and vertical separations cannot be reasonably achieved, additional provisions shall be made to protect the water service line as directed by the Sanitary Engineer.

D. **Violations.** Failure to comply with the above will result in revocation of the Water Connection Permit, forfeiture of fees paid and termination of service.

SECTION XI  
Prohibited Uses and Equipment

- A. No person shall obstruct in any manner the mains or lateral lines of the Village water system, or do any other act which causes damage to or interference with the operation of the Village water system.
- B. No person shall install any tap, connection, line, or other equipment to the Village water system unless authorized by permit or other written approval granted by the Administrator.
- C. No person shall make, or allow to occur, any connection which allows water from any other source to enter the Village water system, unless such connection has been approved by the Administrator.
- D. No resident or owner shall permit use of water service to his premises to be used to supply water service to another premise without the written consent of the Administrator.
- E. No person shall take water from any fire hydrant or public tap, except in cases of emergency without the prior consent of the Administrator.

SECTION XII  
Penalties and Village Remedies

- A. Penalties. Any person violating any prohibition or requirement of these Rules and Regulations upon conviction shall be fined a mandatory sum of \$100.00. Further, where the act or omission constitutes a continuous course of conduct, each day during which such offense continues shall constitute a separate offense. A subsequent conviction for the same offense shall be a misdemeanor of the fourth degree, punishable by incarceration of up to 30 days, a fine of up to \$250.00, or both.
- B. Costs of Damages. In addition to the penalties provided above, any person who causes loss, damage, or impairment of the Village water system shall be liable for all expense, loss, or damage caused to the Village water system.
- C. Falsifying Information. Any person who knowingly makes any false statements, representations, or certifications in any application for permits, or in any records or other documents submitted to the Village in support of application for permits or approval of any action to be taken by such person, shall be guilty of a misdemeanor of the first degree, punishable by incarceration for a period not exceeding six months, a fine not exceeding \$1,000.00, or both.
- A. **Adjustments for Customer Water Leaks.** The Village may adjust the bill for customers who have a repairable plumbing problem (leak) resulting in excess water usage in accordance with the following requirements. The customer will be given a one-time forgiveness of the amount due for usage over the average water usage based upon the prior three months. Adjustments are limited to one (1) per customer per location per calendar year unless extenuating circumstances exist and are against the monthly billing period. It is intended for this policy to apply to customers responding promptly to a “high” bill and that any plumbing problems identified are repaired immediately. The maximum amount the village will forgive is \$300/yr.
- B. **Adjustments Related to Billing Errors.** In the event it is determined that the Village has under billed a customer, the following procedures shall be in effect:

1. The Administrator shall determine the total uncollected charges, as well as the total amount of charges eligible for collection.
2. The Village may require payment of uncollected charges for a period of up to 12 months prior to the date of discovery of the error.
3. If the Village requires payment of the eligible, uncollected charges, the customer shall be entitled to pay the amount owed over a period of time equivalent to the amount of time that the billing error occurred. In other words, if the customer was underbilled for a period of six (6) months, the customer shall have up to six (6) months to repay the uncollected charges.
4. The Administrator shall have discretionary authority to waive a portion or all of the uncollected balance based upon the facts and circumstances of each particular situation. The administrator must file a report with Council each month on all waived balances.
5. The Village shall provide written notification to the customer of the error within 60 days of the date of discovery of the error. Notification shall be provided through standard mail to the customer's billing address of record. Such notification shall include the following:
  - a. Date of discovery of the billing error
  - b. Total amount of uncollected charges
  - c. Village's determination of charges to be collected and/or waived, and if necessary, the time frame in which uncollected charges are to be repaid.

In the event it is determined that the Village has over billed an account, the following procedures shall be in effect:

1. The Administrator shall determine the amount of over billed charges that have been collected, as well as the total amount of over billed charges eligible for reimbursement.
2. The Village may reimburse over billed, collected charges for a period of up to 12 months prior to the date of discovery of the error. If it is determined by the Administrator that certain charges are eligible for

reimbursement to the customer, the Administrator shall have the amount so determined credited to the customer's account. In the event the affected party is no longer a customer of the county, the Administrator shall order a reimbursement to the affected party by issuance of a check from the County Auditor.

3. The Village shall provide written notification to the customer of the error within 60 days of the date of discovery of the error. Notification shall be provided through standard mail to the customer's billing address of record. Such notification shall include the following:
    - a. Date of discovery of the billing error
    - b. Total amount of over billed charges (collected and uncollected.
    - c. Village's determination of the eligible reimbursement to the customer and reimbursement method (i.e. credit to the account, or reimbursement by check from the Auditor)
- A. **Sewer Credit for Swimming Pool Filling.** Tuscarawas County Metropolitan Sewer District (TCMSD) customers who desire to fill their swimming pool and avoid sewer charges for the water used may apply to the TCMSD for an annual Pool Filling Sewer Credit. The water used to fill the pool will be billed by the Village at the applicable metered rate. See the Tuscarawas County Metropolitan Sewer District's Rules and Regulations for more details and restrictions.

APPENDIX A  
Water Service Rates

A. **Metered Rates.** Metered rates will be assessed on the following rate schedule, per the local Ordinance O-6-2022.

Minimum Metered Charge	\$43.00 for 1 <sup>st</sup> 2000 gallons
Minimum Homestead Exemption	\$38.00 for 1st 2000 gallons
Minimum Out-of-Village	\$53.75 for 1st 2000 gallons
Minimum Multi-Occupancy w/one meter	\$43.00 for first 2000 gallons Plus \$8.00 for each occupancy unit after the first unit
Water rate for each 1000 gallons of water over first 2000 gallons will be \$5.75.	

B. **Homestead Exemption.** Residents who have been approved to receive the Homestead Exemption by the Tuscarawas County Auditor’s office are eligible for the reduced homestead water rate.

C. **Out-of-Village Charges.** All charges and fees prescribed for services herein shall be increased 25% (of the base minimum metered charge) for all premises located outside the Village and which use Village water services, unless approved for the above listed homestead exemption.

D. **Swimming Pools.** The charge for swimming pools will be at the current metered rate established above in section A.

D. **New Service Charges.** Upon application for new service, the applicant shall pay the follow tap fees based on the service line requested.

Meter Size

Tap Fee

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5/8"	\$1900.00
3/4"	\$2200.00
1"	\$3100.00
Greater than 1"	Determined by the Village Administrator during the Site Plan Review <i>Fee will be a minimum of tap fee for a 5/8" meter plus \$250.00 for each additional EDU (as determined by AWWA meter factor), but in no case shall it be less than the Village's cost of installation plus 10%.</i>

The above fee will cover the cost of excavation, tapping, installation, and backfilling for the service lines. The balance of the costs of installation shall be paid before service has begun. A quote will be provided in advance of project for all lines in excess of 1". Additional fees may be assessed for rock excavation, boring, pavement replacement, or other unusual conditions that may impact the cost of constructing the new service connection. All new commercial/industrial connections require a utility site plan review prior to approval of the permit (refer to Ancillary Fees for site plan review fee). Tap fee will be determined as part of the site plan review process.

The Village Council reserves the right to assess to the applicant any actual costs of installation which exceed those set for above due to adverse weather conditions, emergency installations, or other circumstances resulting in unusual changes and costs. An administrative fee of \$75.00 will be charged on all requested refunds for permits issued under this section.

### Ancillary Charges

Late Fee	\$15.00
Permit Application Fee	\$25.00
Disconnection/Reconnection Application Fee	\$40.00
Disconnection/Reconnection Inspection Fee	\$50.00
Processing fee when certifying delinquent accounts <i>(charge is assessed when certified and included on any payments received after certification date)</i>	\$30.00
Turn off as a result of fraud or illegal diversion of water, including unauthorized turn-on of water, or other violation(s) of Village Regulations.	\$50.00
Service call for meter damaged by negligence, vandalism, freezing (inside of structure), or hot water.	\$30.00 <i>plus cost of repair or replacement.</i>
Meter re-read (no reading error)	\$15.00

Deduct meter reading	\$20.00
Meter test (up to and including 1" meter)	\$50.00 <i>if meter is determined to be accurate. No charge if meter is found to be</i>
Water Service Turn On/Turn Off	
During Regular Hours	\$25.00
Regular Surcharge after 3:30 PM and Saturday	\$37.50
2.0 x (Times) the Regular surcharge on Sunday and Holidays	\$50.00

## **LIST OF REVISIONS**

Amendment (Ordinance O-10-2019) May 6, 2019

Amend Section VIII (C) – Payment of Water Service (O-15-2021) June 7, 2021

Amend Section VIII (B) and (C) – Payment of Water Service (O-33-2021) December 8, 2021

Amended Sections (Ordinance O-30-2022) - August 1, 2022