

**ORDINANCE NO 2019-13  
INTRODUCED BY COUNCIL**

**AN ORDINANCE VOIDING ALL PREVIOUS WATER SYSTEM ORDINANCES AND ESTABLISHING NEW WATER RULES, REGULATIONS AND RATES.**

**WHEREAS**, It is necessary to change and revise certain sections of previous Ordinances relative to water Rules, Regulations and Rates;

**WHEREAS**, It is necessary to update and combine all Ordinances, Rules and Regulations pertaining to the Water System;

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Village of Jacksonville, Ohio in Athens County.

**SECTION 1. RULES AND REGULATIONS**

A. The Rules and Regulations hereinafter set forth shall be considered a part of the contract with every person, firm, company, or corporation that is supplied with water through the Jacksonville Public Water System, and every such person, firm, company or corporation, taking water shall be considered to have expressed his or their consent to be governed thereby. The Council reserves the right to alter, amend or add to the Rules and Regulations at any time.

B. The supply of water to all parties for any purpose whatever is subject to the following conditions: The Village does not guarantee to the consumer a fixed or continuous pressure, nor does it guarantee the water delivered as to quality, purity, or temperature, these being subject to the variable conditions which may arise in the operation and maintenance of the Water System.

C. In case of breaks in mains, services, pumping machinery, reservoirs, or other Water System equipment, and for the purpose of tapping, extending, repairing replacing or cleaning mains, the water may be shut off without giving notice and no claims will be considered for damage of any nature whatsoever arising from such action. Under ordinary conditions, consumers will be notified.

D. A copy of the form to be used for tap application for water service in the Village of Jacksonville is attached hereto as Exhibit "A".

E. A copy of the Water Agreement between the customer and the Village is attached as Exhibit "B"

**SECTION 2 WATER METERS**

A. All water services must be metered.

B. All applications for the use of water from the Village must be made in writing by the Owner of the premises on the form provided by the Village. See Exhibit A. An application must be obtained at the Water System Office or on-line. The application form and fee for the tap must be mailed to the Village at PO Box 99, Jacksonville, Ohio 45740 or be taken to First National Bank, 26 Toledo Street, Glouster, Ohio 45732

C. There will be only one meter on a service branch. The customer for that meter will be responsible for the bill for that service line.

D. Water for construction, maintenance and commercial cleaning, private or public, will be furnished at rates determined by the Village Council Water Committee.

E. All meters are to be registered by service numbers, and apply to street number and lot numbers, and not to owner's name. Inquiries regarding meters should give street number, and if possible, service number.

F. On and after the effective date of this ordinance, all water meters of sizes up to and including 5/8 inch x 3/4 inch shall be furnished by the Village at its expense. For all meters of a size larger than 5/8 inch x 3/4 inch, re-registering or auxiliary connections shall be furnished at the expense of the person or persons applying for such non-standard meters and shall comply with the requirements or specifications prescribed by the Village and shall be of the make, type, model and design approved and adopted by the Village.

G. **RESPONSIBILITY FOR LOSS OR THEFT OF METERS.** Property owners shall be held responsible for and shall reimburse the Village for the loss or theft of any meter furnished and maintained as hereinbefore provided.

H. A meter shall be removed only by authorized employee of the Village Water System. Unauthorized persons removing or tampering with meters will be prosecuted to the full extent of the law.

I. The Village reserves the right to remove a meter from any premises and substitute another meter in its place for the purpose of making repairs or testing.

J. The Village will, on its initiative, undertake to test any meter, which in its judgment is registering incorrectly, without charge to the owner.

K. In cases where the property owner or consumer request the Village to test the meter owned by such property owner, the Village reserves the right to charge Fifty Dollars (\$50.00) for the cost of removing and testing the meter if the meter is found to be in proper working order. This charge can be waived by the Mayor.

L. Meters must be kept freely accessible to meter readers and other authorized employees of the Water System and must not be permitted to be covered with or obstructed by rubbish or other material, or by vehicles. The Village reserves the right to shut off water when violations of this regulation are not corrected following due notice of such violation to the owner by the Village.

M. All new meter installation shall be located as directed by the Water System.

### **SECTION 3 WATER AND STORM SEWER RATES**

A. There will be an annual across-the-board increase of 1% in Village water rates reflecting increase costs to the village for supply and maintenance taking effect during the July billing cycle commencing July of 2020.

B. There will be a flat \$2.00 fee added to each monthly bill for customers living within the Village limits for storm sewer maintenance commencing on January 1, 2020.

### **SECTION 4 BILLING AND PAYMENT OF WATER BILLS**

A. Charges for water used will be based on the meter consumption at the rates legally adopted by the Village.

B. Bills will be sent out by the 26<sup>th</sup> day of the month.

C. WHEN METERED WATER BILLS BECOME DELINQUENT. Bills are due by the 15<sup>th</sup> day of the month. If the 15<sup>th</sup> day of the month falls on a weekend or a Holiday, it will be due on the next business day. A 10% penalty will post to the account on the next business day following the 15<sup>th</sup> of the month for any unpaid balances. A hang tag will also be placed on the residence the next business day following the 15<sup>th</sup> explaining that the water will be shut off for non-payment and will include the customer's name, address, account number, amount due, and date and time water will be shut off. Following placement of the hang tag, the customer will have Five (5) business days to pay the account in full before it is shut off. If the water is shut off, the customer must pay the account in full along with an \$80 disconnect fee.

D. If the home is occupied by a tenant, if possible, a notice of a water shut off will also be mailed to the property owner.

E. All charges for water are assessed against the property to which the service is rendered, and are a lien against such property, collectible in the same manner as other taxes and assessments; it shall be the duty of persons purchasing property to ascertain if there are any unpaid water bills outstanding against the property.

F. If the owner of any premises elects to have his tenant or lessees pay the water charges as they accrue, such tenant or lessee does so at the agent of the owner and such owner shall not thereby be relieved from the payment of any delinquencies that might occur.

G. Delinquent water accounts over \$100.00 will be assessed to property taxes each September. A notice will be on the August water bill. The owner of the property will be liable for the delinquent accounts of a tenant or lessee.

H. The Water Department will undertake to deliver bills for water by depositing the same in the Post Office as a matter of convenience to the owner or consumer; failure to receive bills shall not relieve any persons from their obligations in the payment of such bills.

I. When water is turned off on account of any delinquency, it will not be turned on until all delinquencies have been paid, together with a disconnect charge of Eighty Dollars (\$80.00).

J. When a consumer has been notified of a leak on the customer side of the tap, and repair is not made within fifteen (15) calendar days of notice, service may be shut off without notice.

K. When a payment is made by check to the Water Department and the check is returned for insufficient funds, a Twenty-five Dollar (\$25.00) fee is assessed to the consumers account.

L. If a Village employee is summoned to a customer's residence or business, there will be no charge for the first visit in a 12 month period. There will be a \$5.00 fee for each subsequent visit. If it is found that the meter is not working, the \$5.00 fee will be waived.

M. There will be no pool credits provided.

N. Payment plans will only be considered in cases involving a significant water leak, and must be approved by the Mayor.

O. The Mayor has the authority to make adjustments to a customer's water bill up to \$100.00.

P. Customers will be charged \$1,500.00 for a new tap fee for a standard size tap. Anything larger than a normal size tap will cost \$1,500.00 plus any additional costs incurred by the Village to accommodate the non-standard tap.

Q. Following a Six (6) month period of inactivity and non-payment by a customer, the Village may pull the customer's water tap. The customer will incur a \$1,500.00 tap fee and must pay any delinquent bill in full prior to re-installation of the water tap.

R. Water rates for services inside the Village Corporation limits will be as follows:

Water Base Charge: \$31.00 per month for the first 2,000 gallons

Water Volume Charge: \$1.07 per hundred gallons after base rate

Water rates for services outside the Village Corporation limits will be as follows:

Water Base Charge: \$36.00 per month for the first 2,000 gallons

Water Volume Charge: \$1.13 per hundred gallons after base rate

## **SECTION 6 WATER LINE EXTENSIONS**

A. Property owners desiring the installation of new water lines or line extensions in the Village must present a petition requesting such lines or extensions to the Village Council. The cost of such lines shall be borne by the property owners so petitioning, at the rate per lineal foot as legally prescribed by the Water Department.

B. The size and kind of water line to put in will be decided by, and the work of insulating said line, shall be done under the supervision of the Water Department.

When a water line has been installed along a street in the manner herein-above set forth, any property owner or occupant on the street along the line, who has not joined in the petition nor paid on the line and who desires to secure water from the line, shall pay to the Village the same rate based upon the front footage of his or her property along said line.

C. Petitions for water line extensions outside the Village limits will be accepted at the option of the Village and the entire construction costs of the same shall be borne by the petitioners. All construction plans specifications and installations shall be subject to approval and supervision of the Water System. The Mayor shall approve all extensions and taps in and out of the Village only upon approval of Village Council.

## **SECTION 7 SERVICE CONNECTIONS**

A. No person except the Mayor, the Village Administrator or an authorized designee of the Mayor will be permitted to tap or make any connection with the mains or distribution line of the Jacksonville Water System.

B. No arrangements shall be allowed whereby there may be any possibility of rain, river or other water flowing into the Jacksonville water supply. No service pipe connected with the Jacksonville water supply shall be connected with pipes supplied with water from any other source.

C. When any premises are supplied with water from two or more standard services, such service must be provided with check valves so that water can flow into the premises but cannot flow out through either of the services.

D. Only the Mayor, Village Administrator or a designee of the Mayor are permitted in the water pits. An authorized plumber making repairs to the service is an exception to this section. Any person found violating this section will be subject to a \$50.00 fine that will be added to their water bill.

E. Only Authorized Village Employees are permitted to turn Off or On or Maintain fire hydrants. Any unauthorized person found tampering with fire hydrants will be prosecuted to the full extent of the law.

F. In order to have water service, all customers must have signed a mandatory water agreement with the Village.


**SECTION 10 PREVIOUS WATER ORDINANCES**

All previous Ordinances before said date become null and void.


**SECTION 11 EFFECTIVE DATE**

This ordinance shall take effect from the earliest period allowed by law.

Passed on Third Reading: October 24, 2019

  
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Council President

APPROVED:

  
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Mayor

**CERTIFICATION**

I, Heather Rockwell, Fiscal Officer for the Village of Jacksonville, Athens County, Ohio, certify that the foregoing is a true and correct copy of the Ordinance adopted by the Village Council of the Village of Jacksonville, and appears in the Village records as Ordinance No. 2019-13.

ATTEST:

  
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Clerk of Council