

TITLE THREE - Municipal Utilities

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(Entire Chapter 911 amended by Ordinance No. 06-242, passed June 27, 2006)

CHAPTER 911
Water Rates and Regulations

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CROSS REFERENCES

Power to provide and regulate water system--see Ohio R.C. 715.08, 717.01, 743.01
Water pollution--see Ohio R.C. 715.08, 743.25
Water works mortgage revenue bonds--see Ohio R.C. 715.09 et seq.
Compulsory water connections--see Ohio R.C. 729.06, 743.23
Weekly deposit of water works money collected--see Ohio R.C. 743.06
Tampering with water hydrants, pipes or meters; unauthorized connections--see Ohio R.C. 4933.22
Fluoridation--see Ohio R.C. 6109.20
Water pollution control--see Ohio R.C. Ch. 6111
Water supply--see OAC 4101:2-51-37
Backflow--see OAC 4102:2-51-38

911.01 DEFINITIONS.

For purposes of this chapter the term:

- (a) "Calendar year" means a twelve calendar month period beginning January 1 and ending December 31.
- (b) "Year" means a period of twelve consecutive calendar months.
- (c) "Month" or "monthly" means a period of approximately thirty days.
- (d) "City" means The City of Springfield, Ohio.
- (e) "Person" means an individual or group or association of individuals; a firm or any member thereof; a corporation or any executive officer, manager, person in charge or employee thereof; and the use of a pronoun specifying the masculine gender includes the feminine and neuter genders.
- (f) "Premises" means, whether private or public, land with the structures thereon, having any water service connection with the City's water service system.
- (g) "Owner" means the legal owner of a freehold estate in real property.
- (h) "JEDD" means the Springfield-Beckley Municipal Airport Joint Economic Development District.
- (i) "Outside the corporate limits" means all territory located beyond the corporate limits of The City of Springfield, Ohio, with the exception of territory located within the JEDD.
- (j) "Residential premises" means single- and two-family dwellings.

911.02 SERVICE CHARGE RATES.

To provide necessary funds for equipment, personnel, and other expenses in connection with the providing of water services by the City, the City Manager is hereby directed to charge, assess, and collect a water service charge from every owner of a premises at the following rates, as applicable, for water supplied to all premises by the City:

- (a) For any premises situated within the corporate limits or within the JEDD, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2005</u>	<u>Monthly</u> <u>Inside City Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 1.60 per 100 cu. ft.
Next 36,000 cu. ft.	1.44 per 100 cu. ft.
Next 160,000 cu. ft.	1.30 per 100 cu. ft.
All over 200,000 cu. ft.	1.17 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (c) hereof and includes the 200 cubic feet.

- (b) For any premises situated outside the corporate limits and not within the JEDD, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2005</u>	<u>Monthly</u> <u>Outside City Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 2.80 per 100 cu. ft.
Next 36,000 cu. ft.	2.52 per 100 cu. ft.
Next 160,000 cu. ft.	2.28 per 100 cu. ft.
All over 200,000 cu. ft.	1.70 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (c) hereof and includes the 200 cubic feet.

- (c) Minimum Charges: the following minimum charges per month based on the following meter sizes shall be charged for water service:

Effective January 1, 2005 (meter size in inches)	Inside City Rate Minimum Charge	Outside City Rate Minimum Charge
5/8	\$ 5.40	\$ 9.50
3/4	6.60	11.50
1	10.00	17.45
1-1/2	17.35	30.35
2	33.65	58.80
3	63.20	110.60
4	93.90	164.30
6	200.90	351.60
8	523.65	916.40
10	768.50	1,344.10
12	1,135.80	1,987.50

- (d) For any premises situated within the corporate limits or within the JEDD, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

Monthly Rates Effective July 1, 2006	Monthly Inside City Rate *Minimum Charge
First 200 cu. ft.	\$ 1.66 per 100 cu. ft.
Next 3,800 cu. ft.	1.48 per 100 cu. ft.
Next 36,000 cu. ft.	1.33 per 100 cu. ft.
Next 160,000 cu. ft.	1.22 per 100 cu. ft.
All over 200,000 cu. ft.	

*Minimum charge is based on the size of the water meter as set forth in subsection (g) hereof and includes the 200 cubic feet.

- (e) For any premises situated outside the corporate limits except (1) premises inside the JEDD, or (2) residential premises located in Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

Monthly Rates Effective July 1, 2006	Monthly Outside City Rate *Minimum Charge
First 200 cu. ft.	\$ 2.91 per 100 cu. ft.
Next 3,800 cu. ft.	2.59 per 100 cu. ft.
Next 36,000 cu. ft.	2.33 per 100 cu. ft.
Next 160,000 cu. ft.	1.76 per 100 cu. ft.
All over 200,000 cu. ft.	

- (f) For any residential premises situated outside the corporate limits and within the Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective August 1, 2006</u>	<u>Monthly Springfield</u> <u>Township Residential Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 2.49 per 100 cu. ft.
Next 36,000 cu. ft.	2.22 per 100 cu. ft.
Next 160,000 cu. ft.	2.00 per 100 cu. ft.
All over 200,000 cu. ft.	1.76 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (g) hereof and includes the 200 cubic feet.

- (g) Minimum Charges: the following minimum charges per month based on the following meter sizes shall be charged for water service:

<u>Meter Size</u> <u>In Inches</u>	<u>Effective July 1, 2006</u> <u>Premises Inside City</u> <u>Or Inside JEDD</u>	<u>Effective July 1, 2006</u> <u>Premises Outside City</u> <u>Except JEDD or</u> <u>Residential Premises</u> <u>Located Within</u> <u>Springfield Township</u>	<u>Effective August 1, 2006</u> <u>Residential</u> <u>Premises Both Outside</u> <u>City And Inside</u> <u>Springfield Township</u>
5/8	\$ 5.50	\$ 9.65	\$ 8.25
3/4	6.60	11.50	9.90
1	10.00	17.45	15.00
1-1/2	17.35	30.35	26.00
2	33.65	58.80	50.50
3	63.20	110.60	95.00
4	93.90	164.30	141.00
6	200.90	351.60	301.00
8	523.65	916.40	785.00
10	768.50	1,344.10	1,153.00
12	1,135.80	1,987.50	1,704.00

- (h) For any premises situated within the corporate limits or within the JEDD, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2007</u>	<u>Monthly</u> <u>Inside City Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 1.71 per 100 cu. ft.
Next 36,000 cu. ft.	1.52 per 100 cu. ft.
Next 160,000 cu. ft.	1.37 per 100 cu. ft.
All over 200,000 cu. ft.	1.26 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (k) hereof and includes the 200 cubic feet.

- (i) For any premises situated outside the corporate limits except (1) premises inside the JEDD, or (2) residential premises located in Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2007</u>	<u>Monthly</u> <u>Outside City Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 3.00 per 100 cu. ft.
Next 36,000 cu. ft.	2.67 per 100 cu. ft.
Next 160,000 cu. ft.	2.40 per 100 cu. ft.
All over 200,000 cu. ft.	1.81 per 100 cu. ft.

- (j) For any residential premises situated outside the corporate limits and within the Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2007</u>	<u>Monthly Springfield</u> <u>Township Residential Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 2.56 per 100 cu. ft.
Next 36,000 cu. ft.	2.29 per 100 cu. ft.
Next 160,000 cu. ft.	2.06 per 100 cu. ft.
All over 200,000 cu. ft.	1.81 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (k) hereof and includes the 200 cubic feet.

- (k) Minimum Charges: the following minimum charges per month based on the following meter sizes shall be charged for water service. These rates are effective January 1, 2007:

<u>Meter Size</u> <u>In Inches</u>	<u>Premises Inside City</u> <u>Or Inside JEDD</u>	<u>Premises Outside City</u> <u>Except JEDD or</u> <u>Residential Premises</u> <u>Located Within</u> <u>Springfield Township</u>	<u>Residential</u> <u>Premises Both Outside</u> <u>City And Inside</u> <u>Springfield Township</u>
5/8	\$ 5.67	\$ 9.94	8.50
3/4	6.80	11.85	10.20
1	10.30	17.97	15.45
1-1/2	17.87	31.26	26.78
2	34.66	60.56	52.02
3	65.10	113.92	97.85
4	96.72	169.23	145.23
6	206.93	362.15	310.03
8	539.36	943.89	808.55

10	791.56	1,384.42	1,187.59
12	1,169.87	2,047.13	1,755.12

- (j) For any premises situated within the corporate limits or within the JEDD, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2008</u>	<u>Monthly</u> <u>Inside City Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 1.74 per 100 cu. ft.
Next 36,000 cu. ft.	1.55 per 100 cu. ft.
Next 160,000 cu. ft.	1.40 per 100 cu. ft.
All over 200,000 cu. ft.	1.29 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (o) hereof and includes the 200 cubic feet.

- (m) For any premises situated outside the corporate limits except (1) premises inside the JEDD, or (2) residential premises located in Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2008</u>	<u>Monthly</u> <u>Outside City Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 3.06 per 100 cu. ft.
Next 36,000 cu. ft.	2.72 per 100 cu. ft.
Next 160,000 cu. ft.	2.45 per 100 cu. ft.
All over 200,000 cu. ft.	1.85 per 100 cu. ft.

- (n) For any residential premises situated outside the corporate limits and within the Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2008</u>	<u>Monthly Springfield</u> <u>Township Residential Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 2.61 per 100 cu. ft.
Next 36,000 cu. ft.	2.34 per 100 cu. ft.
Next 160,000 cu. ft.	2.10 per 100 cu. ft.
All over 200,000 cu. ft.	1.85 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (o) hereof and includes the 200 cubic feet.

- (o) Minimum Charges: the following minimum charges per month based on the following meter sizes shall be charged for water service. These rates are effective January 1, 2008

Meter Size In Inches	Premises Inside City Or Inside JEDD	Premises Outside City Except JEDD or Residential Premises Located Within Springfield Township	Residential Premises Both Outside City And Inside Springfield Township
5/8	\$ 5.78	\$ 10.14	\$ 8.67
3/4	6.93	12.08	10.40
1	10.51	18.33	15.76
1-1/2	18.23	31.89	27.32
2	35.35	61.78	53.06
3	66.40	116.20	99.81
4	98.65	172.61	148.13
6	211.07	369.39	316.23
8	550.15	962.77	824.72
10	807.39	1,412.11	1,211.34
12	1,193.27	2,088.07	1,790.22

- (p) For any premises situated within the corporate limits or within the JEDD, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

Monthly Rates Effective January 1, 2009	Monthly Inside City Rate
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 1.77 per 100 cu. ft.
Next 36,000 cu. ft.	1.58 per 100 cu. ft.
Next 160,000 cu. ft.	1.43 per 100 cu. ft.
All over 200,000 cu. ft.	1.32 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (s) hereof and includes the 200 cubic feet.

- (q) For any premises situated outside the corporate limits except (1) premises inside the JEDD, or (2) residential premises located in Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

Monthly Rates Effective January 1, 2009	Monthly Outside City Rate
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 3.12 per 100 cu. ft.
Next 36,000 cu. ft.	2.77 per 100 cu. ft.
Next 160,000 cu. ft.	2.50 per 100 cu. ft.
All over 200,000 cu. ft.	1.89 per 100 cu. ft.

- (r) For any residential premises situated outside the corporate limits and within the Springfield Township, and being supplied with water by the City's water system, the service charge shall be for the quantity of water used thereon or therein as the same is measured by the City water meter there in use.

<u>Monthly Rates</u> <u>Effective January 1, 2009</u>	<u>Monthly Springfield</u> <u>Township Residential Rate</u>
First 200 cu. ft.	*Minimum Charge
Next 3,800 cu. ft.	\$ 2.66 per 100 cu. ft.
Next 36,000 cu. ft.	2.39 per 100 cu. ft.
Next 160,000 cu. ft.	2.14 per 100 cu. ft.
All over 200,000 cu. ft.	1.89 per 100 cu. ft.

*Minimum charge is based on the size of the water meter as set forth in subsection (s) hereof and includes the 200 cubic feet.

- (s) Minimum Charges: the following minimum charges per month based on the following meter sizes shall be charged for water service. These rates are effective January 1, 2009.

<u>Meter Size</u> <u>In Inches</u>	<u>Premises Inside City</u> <u>Or Inside JEDD</u>	<u>Premises Outside City</u> <u>Except JEDD or</u> <u>Residential Premises</u> <u>Located Within</u> <u>Springfield Township</u>	<u>Residential</u> <u>Premises Both Outside</u> <u>City And Inside</u> <u>Springfield Township</u>
5/8	\$ 5.89	\$ 10.34	\$ 8.84
3/4	7.07	12.32	10.61
1	10.72	18.70	16.07
1-1/2	18.59	32.52	27.86
2	36.06	63.01	54.12
3	67.73	118.52	101.80
4	100.62	176.07	151.10
6	215.29	376.78	322.56
8	561.15	982.03	841.22
10	823.53	1,440.35	1,235.57
12	1,217.14	2,129.83	1,826.03

- (t) Voluntarily accepted additional service charges: The charges pertaining to a property owner's allocated share of total costs to design, construct, and collect costs related to City constructed water utility improvements benefiting the property and which a property owner has voluntarily accepted, in writing, as additional service charges. The voluntarily accepted additional service charges shall be billed to the customer receiving services at the property to which the voluntarily accepted additional service charges apply, regardless of changes in ownership, until paid in full.

911.03 UNMETERED PRIVATE FIRE PROTECTION (REPEALED HEREWITH)

911.04 BULK WATER PURCHASES.

Subject to regulations duly adopted by the City Manager, persons may purchase water directly from the water treatment plant upon the payment of a registration fee of sixty dollars (\$60.00) per calendar year, or any portion thereof, plus an additional fee of fifty cents (\$0.50) for each 100 gallons of water or fraction thereof, each time water is purchased. Effective January 1, 2007, the rate for the additional fee will be fifty-two cents (\$ 0.52) for each 100 gallons of water or fraction thereof, each time water is purchased. Effective January 1, 2008, the rate for the additional fee will be fifty-three cents (\$ 0.53) for each 100 gallons of water or fraction thereof, each time water is purchased. Effective January 1, 2009, the rate for the additional fee will be fifty-four cents (\$ 0.54) for each 100 gallons of water or fraction thereof, each time water is purchased. Bulk water purchases shall be in a minimum of 1,000 gallons.

911.05 RATE ASSESSMENTS.

The City Manager shall apply and assess the rates provided herein as they are in effect on the date the City's water meter in use on the premises was read.

911.06 SPECIAL RATE ARRANGEMENT.

The City Manager shall be authorized, but in each case, only after approval by ordinance of the City Commission, to enter into special agreements for water supply and charges therefor and for services pertinent thereto with large consumers outside the corporate limits.

911.07 ESTABLISHMENT AND USE OF WATER FUND.

The funds received from the collection of the service charges authorized by this chapter shall be deposited daily with the Director of Finance and shall be accounted for and be known as the Water Fund and when appropriated by the City Commission, subject to the provisions of any ordinance or indenture of mortgage authorizing issuance of any securing mortgage revenue bonds for the water works system, shall be available for the payment of the costs and expenses of the management, maintenance and repair of the City water system and the water treatment plant, and any surplus in the Fund following such payment shall be used for the payment of the interest on bonds issued and outstanding or which may be issued to provide funds with which to pay the City's portion of the cost of constructing such water system or part thereof and the water treatment works, and to retire such bonds when they mature, and for costs incurred in the enlargement or replacement of the water system and treatment works.

911.08 PAYMENT OF SERVICE CHARGE.

The service charge levied and assessed by this chapter shall be payable to the City in monthly payments in each year, provided, however, that the service charge payable for any premises for water service during the first monthly billing period after such service begins where the amount of water supplied during such period is less than the maximum amount for which the minimum charge is assessed and collected pursuant to such section shall be prorated on a per diem basis according to the following formula:

$$\frac{\text{Amount of water supplied}}{\text{Maximum amount of water supplied under minimum charge}} \times \text{Minimum Charge} = \text{Charge}$$

911.09 FAILURE TO PAY SERVICE CHARGE.

Each service charge levied pursuant to this chapter shall be collected by the Finance Director. For any refusal, failure or neglect in paying these service charges when due, the services shall be terminated without further notice and restored only upon payment of all charges and fees due. The City Manager shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management and protection of the City water system and the water treatment plant, for the construction and use

of house services and connections to the water system and for the regulation, collection, rebating and refunding of such charges.

911.10 FIRE HYDRANT USE AND OBSTRUCTION.

No person, unless duly authorized by the proper authorities, shall make use of the water from any fire hydrant of the City, or open any such hydrants for any purpose whatever, or place any building material or other obstruction so as to interfere with the use of or free access to such hydrant; or willfully injure any cistern or hydrant.

911.11 PERMISSION REQUIRED TO TAP WATER MAINS.

No person shall tap any of the pipes of the City water works until he has first filed his written request therefor with the City Manager and has obtained permission to do so.

911.12 UNLAWFUL TO TURN ON CITY WATER WHEN TURNED OFF BY CITY.

No person, after the City water has been turned off from his premises by order of the City Manager, shall turn such City water on again until the permission of the City Manager has been obtained therefor.

911.13 INSTALLATION OF LOCKABLE VALVE BOX AND SHUTOFF VALVE.

In the event water service has been terminated to a property due to non-payment for water or sewer services provided to the property or due to violation at the property of any other rules and regulations pertaining to receiving the City's water or sewer municipal utility services, and it is subsequently discovered that water or sewer service has been turned back on without the City's authorization on, or the property has been reconnected to the City's water or sewer system without the City's authorization, then the Service Director or Finance Director, at their discretion, may install a valve box with a lockable shutoff valve for the property and the cost to the City of procuring and installing the valve box with a lockable shutoff valve and their appurtenances shall be added to the utility bill for the property and collected in equal installments during a period of up to twelve months in the manner of other water charges. (Ord. No. 08-289. Passed 9-23-08.)

911.14 WATER SHUTOFF FOR NONPAYMENT OF WATER BILL; EXCEPTIONS.

(a) Payment Required Prior to Water Service Resumption. Where a water bill has not been paid as provided by the rules and regulations of the City Manager and the proper shutoff notice has been delivered, the water shall thereafter be shut off in accordance with these rules and regulations, and it shall not thereafter be turned on again until all charges due and payable, including advance charges, if any, are fully paid.

(b) Application. This section shall apply whether or not there has been, in the meantime, a change of ownership or possession of the premises supplied, except as provided in subsections (c) and (d) hereof.

(c) Insolvent or Bankrupt Water User. Where premises in arrears for payment of water bills becomes subject to a bankruptcy or insolvency court, the Service Department may permit the supply of water to such premises to be continued or restored without previous payment of the water bill accrued under the bankrupt or insolvent owner.

(d) Foreclosure Proceedings Against Premises Supplied With City Water. Whenever the Department of Finance, Utilities Billing Division, has been given written notice that foreclosure proceedings have been instituted against premises supplied with City water, the Department shall arrange to require deposit payments or other suitable guaranties in advance for the water furnished to such premises until the premises have been sold or the proceedings

otherwise terminated. If the Department receives notification in writing of the pendency of the foreclosure proceedings and the location of the premises affected thereby prior to such sale, the purchaser at the foreclosure sale shall be entitled to have water furnished the premises without payment of water charges accrued under the previous owner, for any period subsequent to the date of the receipt of notice of the pendency of foreclosure proceedings by the Department.

(e) Where payments required to be made to the City under a Development Incentive Agreement or a pre-annexation agreement (i.e. a contract by which a customer outside of the City's corporate boundary is provided with municipal water and/or sewer services) have not been paid as provided under the Development Incentive Agreement or pre-annexation agreement and the proper shutoff notice has been delivered, the water shall thereafter be shut off in accordance with these rules and regulations, and it shall not thereafter be turned on again until all charges due and payable, including advance charges and payments required to be made under the Development Incentive Agreement or pre-annexation agreement, if any, are fully paid.

(Ord. 11-321. Passed 12-6-11.)

911.15 LATE PAYMENTS.

All water charges due from customers under the provisions of the chapter and remaining unpaid after they have become due shall bear interest at the rate of one percent (1%) per month or part thereof.

911.16 WATER TAPPING FEE ON UNASSESSED PROPERTY.

No person, firm, or corporation shall be permitted to make a tap to or connection with a water main for the purpose of affording water service to abutting property where such property has not been assessed the cost and expense of the construction of such water main until the applicant therefore shall have paid a water main tapping fee to the City. Such fee shall be determined by the Service Director and shall be based on the cost of construction. Such fee shall be paid either in cash or by execution of a note therefor payable to the City quarterly over a period not to exceed five (5) years and billed to the owner by the City with each water and sewer rent statement during such period.

911.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor. Any such violation shall constitute a separate offense on each successive day continued.