

ORDINANCE #286

WATER AND SEWER RULES, REGULATIONS AND POLICIES FOR VILLAGE OF NORTH LEWISBURG UTILITY DEPARTMENT

WHEREAS, the Village of North Lewisburg has a Utility Department that provides water and sewer service to the residents and customers, and

WHEREAS, policy must be set to operate the utility service in a fair and equitable way to service all the customers, making the policies clear for all users and employees,

WHEREAS, The rules and regulations for the water and sewer utility services are contained within several different ordinances, passed during a period of several years, and all are in need of updating and revision, and said ordinances should therefore be repealed;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF, NORTH LEWISBURG, CHAMPAIGN COUNTY, STATE OF OHIO, that;

SECTION 1: PURPOSE OF ORDINANCE

This Ordinance shall be considered a part of the contract of every person, company, or corporation that is supplied with water or sewer service by the Village of North Lewisburg . Every such person, company or corporation by taking water shall be considered to express their consent to be governed thereby. This Ordinance may be altered, amended, or added to at any time.

SECTION 2: SUSPENSION OF SERVICE FOR SERVICE, OTHER

The Village shall find it necessary or convenient for the purpose of making repairs or improvements to its system, temporarily suspend delivery of water and shall not be liable for any loss or damage occasioned thereby. Repairs and/or improvements will be processed as rapidly as is practicable and so far as possible, at such times as will cause the least inconvenience to the customer. The Village shall, whenever possible and as time permits, make reasonable efforts to notify all affected customers prior to such shutdowns. The Village will not be responsible for interruptions, shortage or insufficient supply, or of any loss or damage caused by accident, act of God, fire strikes, riots, war or any other cause.

SECTION 3: INSPECTIONS

The officials and employees or agents of the Village, with the consent of the owner or occupant, may enter at reasonable hours, after giving 24 hours notice, into any house or building supplied with service to examine pipes, meters and connections that are a part of the distribution system. The 24 hour notice shall not be required in emergency

notice shall not be required in emergency situations. The refusal of entry by a customer shall result in immediate termination of service until the customer complies.

SECTION 4: APPLICATIONS AND DEPOSITS

1. **PURPOSE OF DEPOSIT:** As the provider of water and sewer service to the Village, the Village must prevent customers who terminate their services from absconding and leaving unpaid fees and charges that accumulated while the customer occupied the serviced property. Therefore, all new customers shall pay an initial deposit as determined by the current rates and charges ordinance pertaining to water and sewer service.
2. **USE OF DEPOSIT:**
 - a. **Refund of Deposit.** The deposit will be held in perpetuity until service is terminated. Deposits will be applied to the final bill for the property. Any remaining deposit will be refunded to the account holder.
3. **APPLICATION OF NEW CUSTOMER REQUIRED:** Application of new customers shall be filed at the Utility Collection Office upon a form supplied by the Village, to include the name of the customer, service address, name and address of property owner, phone number for customer and property owner (home, cell and work), e-mail address (if available), copy of driver's license, and emergency contact (optional). The application shall be accompanied by the deposit in order for service to be established. If the applicant is not the property owner, the application shall be countersigned by the property owner or agent of the owner.
4. **VOLUNTARY TERMINATION OF SERVICE; NOTICE REQUIRED:** Customers who wish to end their service shall notify the Utility Collection Office upon a form supplied by the Village, to include the name of the customer, service address, name and address of property owner, phone number for customer and property owner (home, cell and work), e-mail address (if available), forwarding address, and date of termination. Said notice shall be given in advance of the customer's vacation of the premises. If the applicant is not the property owner, the application shall be countersigned by the property owner or agent of the owner. All deposits will be applied by the Village to any unpaid charges or fees which accrue for water and sewer service upon voluntarily termination of service. The Village shall apply deposit to unpaid sewer charges first, then to the water charges. Utility service to the address will terminate on the day listed by the party giving notice, unless the next occupant prepares and files an application for new service to begin service.
5. **UNCLAIMED FUNDS:** Should a customer move, leaving no forwarding address, the Village shall apply the deposit, of any, to the final bill into an unclaimed money fund maintained by the Village. No refunds shall issue if the balance remaining on the account is less than \$5.01.

SECTION 5: PROPERTY OWNER RESPONSIBILITY

Owner responsible for all costs of services. The property owner of the premises served shall be liable for the cost of water and sewer service provided to said premises, regardless if the property is rented to a lessee who has contracted with the Village for service. The Village reserves the right to assess a lien upon property taxes of the subject property as permitted by ORC 743.01-743.04. The Village will assess an additional five percent (5%) of the total amount owed to offset costs of processing and filing said lien. The property owner is responsible for following backflow prevention methods OAC 37450-95.

Responsibility to repair; no tampering. The property owner shall maintain and repair the service line from the meter pit to the premises (excluding the meter). The curb stop and the meter are the property of the Village and tampering with this property is a criminal offense. Any such tampering will be dealt with accordingly as provided by ORC 4933.18. No spigots shall be installed on the line before the meter; such an act will be considered theft of a public utility. Costs that arise as the result of any act that causes damage to any meter or other Village property due shall be the responsibility of the property owner.

Responsibility to report leaks and defects. Any defects or leaks must be reported to the Utility Collection Office immediately. Village employees will not connect service under any circumstances, without the customer, property owner or their representative present, to check for leakage inside of premises.

SECTION 6: PAYMENT

Bills will be mailed by the 4th business day of each month and will be due in full on the 18th of each month. Anytime the 18th of the month falls on a Saturday, Sunday, or a Holiday the bill will be due on the following business day by 5 p.m. All bills not paid by the due date will be charged a ten percent (10%) penalty on the water and ten percent (10%) on the sewer charges. No penalty is applied to the surcharge if applicable. Failure to receive a bill does not relieve a customer of penalty charges.

All accounts 30 days past due shall be shut off on the 2nd Tuesday of the following month. The Champaign County Health Board will be notified if water or sewer has been disconnected for a period of 7 days or more.

A Payment Plan may be offered not to exceed a period of 24 months. The Current regular monthly payments shall be made plus the payment plan amount divided by the 24 months. Failure to maintain current regular monthly payments or the payment plan amounts shall result in utility disconnection and revocation of the payment plan. The current past due balance shall be paid in full prior to reconnection of service.

SECTION 7: VACANT PREMISES FEE.

The Village shall charge the minimum rate to any vacant premises until notified by the customer/property owner that service is terminated. Temporary vacant charges for the utilities will be allowed only if service is shut off at the curb stop by the Village at the customer's request. If service is terminated with no water or sewer charges to the property, the meter will be pulled from the property and the owner will be charged for installation and a one-time rental fee of the price of the new meter and its components to resume utility service at that location.

SECTION 8: CONTESTING A BILL

All contested bills must be presented to the Utility Collection Office no later than the 18th of the month. A Village employee will check readings and meters for accuracy. If human error is found, the bill will be adjusted immediately. If no reason can be found the customer must present problem to Village Council at the next regular meeting. After all possible error has been eliminated, the bill shall stand.

SECTION 9: NEW OR EXISTING SERVICE

All new service will require installation of a new meter for a one-time rental fee of the price of the new meter and its components. All existing services requiring replacement with a new meter or components due to consumer damages or malfunction will be charged a one-time rental fee of the cost of the meter and its components.

SECTION 10: EFFECTIVE DATE

This Ordinance shall take effect the earliest period allowed by law. Council hereby deems this Ordinance to be of necessity for the proper running and management of the Water and Sewer Systems.

SECTION 11: PRIOR WATER/SEWER RATE AND POLICY ORDINANCES AND RESOLUTIONS

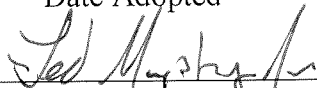
This ordinance shall supersede all prior policy ordinances or resolutions that have been established herein, including, but not limited to: Resolution #24. Any future changes in rules or regulations to operate the Utility shall be approved by Council before implementation.

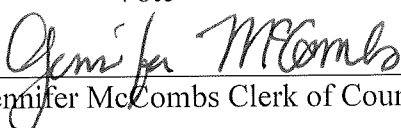
First Reading: 11-14-2023

Second Reading: 12-12-2023

Third Reading: 1-9-2024

Date Adopted 1-9-2024


Ted Murphy Jr., Mayor

Vote 5-0

Jennifer McCombs Clerk of Council