

CITY OF NORWALK

DEPARTMENT OF STREETS & WATER

WATER BY-LAWS

RULES AND REGULATIONS

Pursuant to the authority of the Ohio Revised Code section 743.02, the following By-Laws and Rules and Regulations are adopted and established by the Safety Service Director of the City of Norwalk, Ohio for the safe, economical and efficient management and protection of the water and water facilities. Such by-laws and regulations have the same validity as ordinances when not repugnant thereto or to the Constitution or the Laws of the State of Ohio.

RULE 1 - Introduction

The following regulations as adopted by the Safety Service Director of the City of Norwalk, Ohio are published for the information and guidance of all users of the contract between the City of Norwalk, Ohio and each user and owner of premises where city water is used.

RULE 2 - Water Control and Contents

The Public Water System of Norwalk, Ohio, including all water mains, laterals, valves, hydrants, meters, manholes and services, are under the exclusive control of the Director of Public Works and/or his authorized agents and employees. Such control shall include all piping from the city mains to the water meter.

RULE 3 - Water Connections

No person or firm shall make or maintain a physical connection between any other source of water or liquid and the public water supply piping. No water faucet or outlet shall be physically connected to a sewer or drain. Water faucets or outlets shall not be below a free overflow or submerged. If such a connection is made, it will be considered as a cross-connection, and if not removed, will be just reason for discontinuing water service.

RULE 4 - Wasted Water

Any person, firm or corporation having a connection to the public water supply system who permits public water to be wasted from such connection either by unnecessary use, faulty piping, to prevent freezing or who fails to prevent such wastage shall, after personal notification, have such water connection turned off, unless prior permission has been obtained in writing from the City.

RULE 5 - Tampering

No person may connect to any public water line, tamper with or remove any meter or meter seal, or insert a meter bypass without the permission of the Director of Public Works.

RULE 6 - Tampering Penalties

If a meter seal has been broken or a bypass has been inserted and there is evidence that the meter has been tampered with, the water shall be shut off and shall not be turned on again until the consumer or the owner of the premises pays for the estimated quantity of water which has been used and, in addition thereto, a fee for turning on said water. The penalties herein above are in addition to the penalties as provided by the criminal laws of the State of Ohio and making the aforementioned payment will not in any way relieve any person from criminal prosecution.

RULE 7 - Tampering after Shut-off

No person shall operate, open or otherwise tamper with any valve, stopcock, or other device, after same shall have been closed for violation of any rule or regulation adopted by the Department of Streets and Water, or unlawfully secure a supply of water through such valve, stopcock, curbcock, or other device after same shall have been closed for the violation of any rule or regulation adopted by the Department of Streets and Water, or in any way take water for private use unlawfully or without first having secured the necessary permission from the authorized representative of the Department of Streets and Water.

RULE 8 - Meter Requirements

Every water service must be equipped with a meter. All meters will be purchased from the City of Norwalk and it will be the

responsibility of the property owner to pay the required fee for use of the water meter. Meters are the property of the City of Norwalk and may be removed, tested and replaced by the Water Department. No meter smaller than 5/8" x 3/4" shall be installed.

A customer who requests a water only meter for lawn irrigation, outside usage will be required to pay the cost associated with splitting the service line in the residence and the cost of the second meter which must be equipped with an outside reading device. The customer must also abide by any backflow prevention requirements.

This section does not apply to Mobile Home Parks (see Rule 30).

RULE 9 - Request for Service

Any person, firm or corporation desiring water service must sign an application provided by the City Utility Billing Department before water service will be provided. The City Utility Billing Department, at the time of application, shall require the property owner to sign for rental property. Water shall be refused to an applicant delinquent in payment for previous service.

RULE 10 - Readings/Billing/Payment/Delinquency

Meter readings will be taken monthly and billed monthly. The net amount becomes due on the date indicated on the bills. Any bill remaining unpaid after the due date will be charged a penalty in the amount of 10% of the current billing. Failure to receive notice by mail will not excuse customer from paying the water and sewer bill.

Bills remaining unpaid by the 30th of the same month shall be subject to shut-off without further notice. If water is shut off, a turn on charge as determined by the Public Works Director shall be added to any outstanding charges and all charges must be paid before water service is restored unless otherwise approved by an authorized agent of the City of Norwalk. All unpaid accounts shall be a lien against the property served.

Final readings for accounts shall be billed to the customer. An additional fee may be charged as approved by the Public Works Director for excessive final readings requested. Amounts less than the minimum charge for water and/or sewer in the case of a final bill for change of ownership of the property shall not be collected or refunded.

Any account for water and/or sewer service deemed uncollectible by the Finance Director after reasonable efforts to collect the same may be abated and written off when such determination is confirmed, in writing, by the Law Director.

RULE 11 - Billing Appeal/Adjustments (Both Water and Sewer By-Laws)

A customer may submit a request for a sewer adjustment if a determination is made by the City of Norwalk that excess water usage did not enter the sanitary sewer. Such adjustment shall be based on the average usage of the previous four billings. If a determination is made by the City of Norwalk that the excess water did enter the sanitary sewer, no adjustment shall be given however, if necessary, a reasonable payment schedule may be negotiated with the Director of Finance or Assistant Director of Finance.

The Director of Finance or Assistant Director of Finance may also adjust both the water and sewer billing based on the average usage of the previous four months, if the customer has received notification in writing from the City of Norwalk to purposely leave faucets open to help prevent freezing of water mains or if a determination is made by the City that as a result of construction of a waterline, air pressure may have activated the meter.

Any customer dissatisfied with the decision for adjustment made by the Director of Finance or Assistant Director of Finance may appeal to the Safety-Service Director.

Requests for adjustments for water usage must be made to the Safety Service Director.

All adjustments given either by the Director of Finance, Assistant Director of Finance or Safety Service Director shall be in writing and signed by such individual authorizing the adjustment and shall be kept on file in the Finance Department for auditing purposes.

RULE 12 - Meter Accessibility

Meters must be installed or relocated in such a manner and place that will make them readily, safely accessible for reading, repairs and replacement. If the City or authorized agent is unable to obtain a reading by reason of the meter being out of order or unable to gain entrance to the meter, an estimated charge will be made based upon previous readings or similar service of the same use of water for one billing period until free access is provided. Failure to make a meter available for reading, repairs, or replacement may result in the city shutting off water service until free access is provided.

RULE 13 - Request for Connection/Meter Requirements

Any person, firm, contractor or corporation, in person, or by agent desiring a water or sewer connection shall make application for a permit for such connections on forms provided by the Department of Streets and Water. There shall be but one residence or business on each meter unless otherwise approved by the Director of Public Works. Each residence or business shall have a separate meter and service line, with the exception of Mobile Home Parks (see Rule 30). Additional meters when requested and after approval by the Director of Public Works, may be furnished by the City at the expense of the applicant.

RULE 14 - Request to Discontinue Service

A water customer may discontinue water service by proper notice to the City Utility Billing Department and be relieved of their responsibility when the water is turned off at the curb stop and the account cleared on the records of the City of Norwalk. Where required by the water department, the meters shall be removed by and kept in the possession of the Water Department. Unused or abandoned connections shall be terminated at the main.

RULE 15 - Construction Charges

During construction of a new building, a charge for water used for construction purposes shall be made in accordance with the Fee Schedule.

RULE 16 - Meter Shut-off Requirements

Each meter must be provided with a stop and waste cock on the inlet and a stop cock on the outlet piping. Such shut-offs shall be readily accessible, paid for and installed by the customer. The valves must be functioning properly and the Director of Public Works reserves the right to require necessary repairs to be made by the owner.

RULE 17 - Access to equipment by City Employees

Inspectors, meter readers or employees of the City of Norwalk whose duty it may be to enter upon private premises to examine meter, pipes or other fixtures used in connection with the city water system shall be equipped with credentials as the Director of Public Works may deem necessary to identify them as agents of the City of Norwalk. Such inspectors, meter readers, or employees authorized by the Director of Public Works must have free access at all reasonable hours to all parts of the building for the purpose of inspecting meters, examining fixtures and observing the manner in which water is used. In case any authorized inspector, meter reader or employee is refused admittance to any premises or is hindered or prevented from making such examination the water will be turned off and not turned on again until free access is given.

RULE 18 - Emergency Usage

If or when a declaration of emergency has been declared by the Mayor of the City of Norwalk, the water user will follow all requests of the emergency declarations and related information. Failure to follow instructions of the emergency declaration and related information is cause for turning off water. Anyone who violates the declaration of emergency is subject to a fine and/or a minor misdemeanor; Ordinance #88-56.

RULE 19 - Repair Responsibilities

Whenever a break or leak occurs in a service line between the water main and the curb stop, unless damaged by a contractor, the City will make repairs. If a break or leak occurs on the users side of the curb stop, it is the responsibility of the user to repair the break or leak within 14 days after notification. Failure to make repairs will result in the water being turned off.

RULE 20 - Continuous Water Supply

The City of Norwalk does not guarantee any fixed pressure or continuous water supply but it will in case of an accident or emergency that will cause a shortage of water or water to be shut off, endeavor to notify customers affected. The City of Norwalk shall not be responsible for any damage resulting from such shortage or shut off of water.

RULE 21 - Water Meter Testing and Repair - City

The City of Norwalk will, on its own initiative, undertake to test and correct any water meter, which, in its judgment, is registering incorrectly without the consent of the customer. The City of Norwalk shall not be responsible for breakage of pipes or valves occurring

during removal or installation of meters. If the City initiates a meter replacement program, free access at reasonable hours must be provided for either the City or authorized agent to replace the existing meter. Failure to allow access to replace the existing meter will result in the City shutting off the water until such access is provided.

RULE 22 - Water Meter Testing and Repair — Resident's Request

Upon request from a customer, with an agreement to pay for test charges, the City of Norwalk will remove any meter to the meter shop for testing upon payment of the fee that is established by the Public Works Director in the fee schedule. If, upon examination and testing, it is found that any meter registers more than 5% in excess of the accurate amount on flows from one to twenty gallons per minute, it shall be considered inaccurate and the fee paid for removal and testing the meter will be refunded. The customer may witness the meter being tested.

RULE 23 - Fire Hydrant Operation

No person except an authorized agent of the Public Works Director or the fire division or a person with a special permit from the Director of Public Works shall operate a fire hydrant or any part thereof or take any water from said hydrants under any circumstance. In case any damage is done to a fire hydrant by any person, he shall upon demand of the Director of Public Works, pay for all damages and all cost and expenses incurred by reason thereof.

RULE 24 - Fire Protection Water Supply and-Usage

Applicants for connections with city water mains for the purpose of obtaining a supply of water for fire protection sprinkler systems and standpipes must first furnish plans and specifications of the same to the Director of Public Works for approval. Plans and specifications shall include such information as determined by the Public Works Director, including a double check-detector check valve, back-flow prevention device and shall have a metered and backflow protected bypass. Plans showing the fire system as completed, in compliance with all requirements of the Public Works Director with all measurements, outlets, etc., must be filed with the City of Norwalk before water will be allowed to supply the system. Said plans should be in both a reproducible format and an electronic (CAD) format.

There will be no charge for the water used through such a system for combating a fire. Connections into such a system for the purpose of supplying water for any use except fire protection is prohibited. Cost of taps for fire protection sprinkler systems and standpipes will be in accordance with standard tapping charges. The City of Norwalk Water Department shall be notified prior to any flushing or testing of any fire suppression systems.

RULE 25 - Fire Department Authorization

In case of fire, the Fire Department shall have the right to use any hydrant, hose, pipe or other fixture wholly or in part from pipe use for fire protection.

RULE 26 - Meter Installation Placement and Damage Responsibility

All water meters shall be installed per the Director of Public Works or his/her representative. No meter shall be permitted to be installed within a crawl space or parallel over an electric hot water tank. The meter must be installed in a safely accessible location as determined by the Public Works Director or his/her approved representative. Any damage to the meter from negligence of the user or due to weather conditions will be paid by the customer.

RULE 27 - Reading Device Placement

Outside touchpad reading devices will be installed and located on the outside of the house or building, in the front quadrant of any residence. Radio frequency devices may be installed and located on the outside of the house or building in the front or side quadrant of any residence. Outside reading devices are required on all meters installed.

RULE 28 - Tap Fees

Where the City of Norwalk makes 1" taps the customer shall be charged the price of materials used (on file in the Water Department) and cost of labor used for installing. The materials for 1" tap and outside reading devices shall include, but not limited to the following: corporation stop, 40 ft K copper pipe, curb stop, curb box and an outside reading device w/connectors.

Where the developer had made the tap, all 1" meter settings shall be charged for by the price of installation materials used (on file in the Water Department) and the cost of labor used for installation. The materials shall include, but not limited to, the following meter and outside reading device.

All charges for larger taps shall include the cost of labor for the installation.

Installation of all ¾" and 1" meters shall be performed by the City of Norwalk. Meters must be purchased from the City of Norwalk. All meters 3" and above shall be purchased from the City of Norwalk but will be installed by the customer at their cost and must be inspected by the City at the time of installation.

Excavations and backfill for the installation of all water taps and service lines shall be performed by the customer. The standard permit and deposit as required for excavation in a paved street shall apply and the cost of same shall be in addition to the water tap charges as listed herein.

RULE 29 – Service Line Activation

Subsequent to all fees being paid in full, inspection approval and backfilling, the water service line may be used for its intended purpose.

RULE 30 – Mobile Home/Trailer Park Meters

Charges for water and sewer services to Mobile Home and/or Trailer Parks shall be based upon a master meter, approved by the city, installed by and paid for by the Park owner in a City-approved location. The master meter shall be followed by a backflow prevention assembly meeting the Underwriters Laboratories Approval.

RULE 31 - Inspection and Plan Review Fees

Charges for water tap plan review(s) and tap inspections to compensate for the time will be charge as appropriate in a Fee Schedule in amounts as determined by the Public Works Director.

RULE 32 - Turn-on Fee

In case it becomes necessary to turn off the water at the request of the property owner or because of violation of any rule or regulation of the City of Norwalk, a charge of \$50.00 will be made for turning the water back on.

RULE 33 - Meter Replacement

Meters damaged by abuse, misuse, freezing, accident or any act of carelessness will be replaced by the City of Norwalk at the expense of the customer. Repeated incidents of abuse, misuse, freezing or other acts causing damage to meters shall be sufficient cause to have water service discontinued.

RULE 34 - Service Line Requirements - Curbstops

Each service line shall have a separate curbstop or valve located outside the premises and on the public right of way. Service lines 1" diameter shall have a curbstop installed near the property line and this curbstop together with the service line between the city main and the curb stop shall be installed by the City of Norwalk. The service line between the curbstop and the residence or building shall be installed by the customer. Service lines >1" in diameter shall have a valve installed adjacent to the city water main and this valve shall be furnished and installed by the customer under the supervision of the City of Norwalk. The service line between the gate valve and the residence or building shall be furnished and installed by the customer. Maintenance and repair of all service lines from the city curbstop to the residence or building is the responsibility of the customer.

RULE 35 - Backflow Requirements

Whereas, Ohio law requires protection of the public water system from contaminants due to backflow of contaminants through the water service connection; and

Whereas, the Ohio Environmental Protection Agency requires the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems; and

Whereas, in order to accomplish these goals it is necessary to introduce restrictions that go beyond usual plumbing code requirements;

Now, therefore let it be known, by the City Council of Norwalk, Ohio that;

Section 1: In the judgment of the Director of Public Works, an approved backflow prevention device is necessary for the safety of the public water system of Norwalk, the said Director will give notice to the water consumer to install such an approved device. The water

consumer, at his own expense, shall install such an approved device at a location and in a manner approved by the Director and shall have inspections and tests made at the time of installation and annually thereafter, of such approved devices as required by the Director.

Section 2: No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City of Norwalk may enter the supply or distributing system of the City of Norwalk, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Director of Public Works and the Ohio Environmental Protection Agency.

Section 3: It shall be the duty of the Director of Public Works to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist.

Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Director shall deem necessary.

Section 4: The Director of Public Works or his/her representative shall have the right to enter (at any reasonable time) any property served by a connection to the public water supply or distributing system of the City of Norwalk for the purpose of inspecting the piping system(s) thereof. On demand, the owner, lessees or occupants of any property so served shall furnish to the Director any information, which he may request regarding the piping system(s) or water used on such property. The refusal of such information, when demanded, shall, within the discretion of the Director be deemed evidence of the presence of improper connections as provided in the rule.

Section 5: The Director of Public Works is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of these rules is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of these rules.

SUBDIVISIONS

RULE 36 - Subdivision Requirements

All costs of plans (including as-built), surveying, construction, authorized supervision and material furnished for connection to, or extension of, water and sewer mains to and within subdivisions or developments shall be the obligation of the developer of the subdivisions, or development.

Three sets of plans shall be submitted and the same shall be approved by the City of Norwalk and the Ohio Environmental Protection Agency prior to commencement of construction.

All water mains and lateral lines shall be approved by the City of Norwalk.

Water lines shall extend to supply all properties in the subdivision or development and shall have fire hydrants with one 4-1/2" and 2 1/2" standard fittings. Fire hydrants shall be placed at every street intersection and at a maximum spacing of 400 feet between intersections in residential areas and on all water main dead ends. Hydrants shall be 5" diameter and will be painted in accordance with City of Norwalk specifications. Fire hydrant shall be according to the City of Norwalk Standard Specifications. A watch valve and box shall be installed between the main line and fire hydrant. All fire hydrant leads shall be a minimum 6" diameter.

Main line valves shall be installed at 800' intervals or as directed by the City of Norwalk. Valves shall conform to A.W.W.A. specifications and City of Norwalk standards.

Water lines shall be tested for leakage in accordance with the standard procedures used by the City of Norwalk. All other details of design and construction shall conform to accepted engineering practice and to the standards used by the City of Norwalk.

Easements, as described in the subdivision regulations, shall be provided for installing and maintaining water and sewer mains must be furnished by the developer.

RULE 37 - Right to Inspect

The City of Norwalk reserves the right to inspect all water lines connecting to the approved or established water main.