

VILLAGE OF SPENCERVILLE WATER SYSTEM OPERATING RULES

Revised: March 4, 2024

Adopted by Village Council on March 4, 2024 by Ordinance #24-05

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CROSS REFERENCES

Power to provide and regulate water systems – see ORC 715.08, 717.01, 743.01, 743.02, 743.03, 743.04

Water pollution – see ORC 715.08, 743.25

Waterworks mortgage revenue bonds – see ORC 715.09

Compulsory water connections – ORC 729.06, 743.23

Weekly deposit of waterworks money collected – see ORC 743.06

Tampering with water hydrants, pipes, or meters; unauthorized connections – see ORC 4933.22

Fluoridation – see ORC 6111.13

Water pollution control – see ORC Ch. 6111

Water supply – see OAC 4101:2-51-37

Backflow – see OAC 4101:2-51-38

1.01 INTENT

The regulations and procedures hereinafter set forth shall be considered a part of the contract of every person, firm, company, or corporation that is supplied with water and waste water service through the Water and Sewer Systems of the Village, and every such person, firm, company, or corporation, using water and sewer shall be considered to have expressed his or their consent to be governed thereby. All persons using Village water and sewer or permitting Village water and sewer to be used on premises owned by them shall thereby evidence their acceptance of agreement to be bound by these rules, conditions, and charges. The Village reserves the right to alter, amend or add to the Regulations and Procedures at any time.

1.02 QUALITY OR SERVICE NOT GUARANTEED.

- (a) The Village shall use reasonable diligence in providing a regular and uninterrupted supply of water, but if the quality of such water should fail or the supply thereof should be interrupted

or fail due to failure of fuel supply or sources of water supply, strikes, or accidents, acts of God, breaks in mains or breakdowns in other appliances, necessary repairs or extensions to mains or other appliances, or other causes beyond the reasonable control of the Village, the Village shall not be held liable for any damages resulting from any failure in quality or any interruption or failure in supply.

- (b) The Village reserves the right, upon notice to its customers, to discontinue or limit the hours of use of water for sprinkling lawns or streets, washing pavements or floors, or other similar purposes in the event of drought or shortage of water supply. Such request must receive customers' prompt attention under penalty of having their entire water supply disconnected.
- (c) The Village reserves the right at any time with due notice, and in case of breaks in mains or other emergency without notice, to shut off the water in the mains for the purpose of making repairs or extensions, or for other necessary purposes.

1.03 RIGHT TO ENTER PREMISES.

The Village reserves the right through its authorized agents to enter at all reasonable hours the premises to which its service extends, for the purpose of reading, repairing, installing, removing or inspecting meters, or for any other purpose which it may deem necessary in properly safe guarding the interest of the Village and the consumer. When such access is refused, the water may be immediately turned off and not turned on again until the request of the Village has been complied with and an "OFF and ON" charge of ten dollars (\$10.00) OFF and ten dollars (\$10.00) ON is paid.

1.04 REQUEST FOR WATER SERVICE.

Request for water service shall be made at the Utilities Office. Water service will not be turned on at the address requested until all past due accounts (requested address and any previously occupied addresses) have been paid in full.

Tap fees shall be paid at the authorized collection office before the tap is made. The amount of the tap fee shall be per current legislation.

1.05 PUBLIC ACCESS TO OFFICIAL RECORDS AND DOCUMENTS.

The following guidelines shall be followed:

- (a) No official record or document will be removed from the offices of the Village for any purpose.
- (b) Copies of official records and documents are not to be provided to private citizens unless authorized by the Village Administrator.
- (c) All requests for information must be made at least twenty-four hours in advance.
- (d) When information is requested, such information is to be extracted from the records and the extract, along with any clarifying remarks deemed appropriate, is to be provided to the person requesting the information. The person requesting the information may be permitted to check the official records to verify that the information provided is correct.

- (e) Extracts or copies of official records and documents shall be furnished at the current rate identified in the Village of Spencerville's Fee schedule. Payment of said extracts or copies shall also be in accordance with the Fee Schedule and shall be paid in advance.
- (f) When, in the opinion of the Village Administrator, the information requested is either unreasonable or will require an inordinate amount of time to secure such information, the request will be denied.

1.06 WATER METERS

- (a) **Water Services to be Metered.** All water services shall be metered.
- (b) **One Meter for Each Service.** The Village Administrator may grant a permit for the installation of more than one meter on a service supplying an apartment building containing more than one apartment unit when the plans showing the piping arrangements are submitted to and approved by the Village Administrator. In cases where such additional meters are permitted, it shall be required:
 - (1) That all the meters shall be contained compactly or in a meter room, and that each meter be controlled independently of the others.
 - (2) That the owner assumes all responsibility for the installation and the maintenance of the meters other than that assumed by the Village.
- (d) **Meters Registered by Service Numbers.** All meters shall be registered by service numbers that apply to street number and lot number. Inquiries regarding meters should give the street numbers and if possible, service numbers.
- (e) **Meters to be Furnished by the Village.** Meters shall be paid for in accordance with the current legislation, by the person or persons applying for the service.
- (f) **Maintenance and Replacement.** The maintenance and/or replacement of meters owned by the Village will be at the expense of the Village. However, the customer will be charged and held responsible for all repairs or cost of replacement due to any act of negligence on the part of the customer.
- (g) **Responsibility for Loss or Theft of Meter.** Property owners shall be held responsible for and shall reimburse the Village for the loss or theft of any meter furnished and maintained as herein before provided.
- (h) **Meter Repairs at Expense of Owner.** All damaged or improperly functioning meters, not owned by the Village shall be repaired at the expense of the owner.
- (i) **Meter Removal by the Village Only.** A meter shall be removed only by an authorized employee of the Village. Unauthorized persons removing or tampering with meters will be subject to a One hundred-fifty dollar (\$150.00) fine.
- (j) **Penalty for unlawfully Breaking Meter Seal.** When, upon inspection, any meter seal in which it has been found broken from any cause whatsoever, the water may be turned off, and

the water will not be turned on again until the sum of One hundred dollars (\$100.00) and the cost of repair or replacement of the meter has been paid to the Village.

- (k) **Meter Removal for Repairing or Testing.** 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.
- (l) **Meter Test without Request.** The Village may test any meter, which in its judgement is registering incorrectly, without charge to the owner.
- (m) **Request by Property Owner or Consumer to Test Meter.**
 - (1) In cases where the property owner or consumer requests the Village to test a meter, the Village shall charge the current cost related to testing the meter, if the meter is found to be operating properly. Cost of the meter test shall be billed to the property owner or consumer on their next bill.
 - (2) If a meter test is requested by the consumer due to a dispute of the amount billed, said amount is still due and payable by the date shown on the disputed bill. If the meter is found by testing to be operating improperly, the consumer's account shall be credited or debited to reflect the meter's improper operation. Cost of the meter test shall be billed to the property owner or consumer on their next bill, if the meter is found to be operating properly.
 - (3) On commercial meters two (2) inches or larger, where the property owner or consumer requests the Village to test a meter, the Village shall charge the current cost related to testing the meter, if the meter is found to be operating properly. Cost of the meter test shall be billed to the property owner or consumer on their next bill.
- (n) **Meters Must be Accessible.** Meters must be freely accessible to meter readers and the authorized employees of the Village and must not be covered with or obstructed by rubbish or other material, even if the meters are located in meter vaults, meter tiles or basements. The Village may shut off water when violations of this subsection are not corrected following a due notice of such violation by the Village.
- (o) **Water Meters in mobile home parks.** Each mobile home park shall receive one master water meter at the Village of Spencerville's expense. The Village is responsible only to the "master water meter", with the owner being responsible for all water lines and water meters thereafter. The Village is responsible for the reading of the master meter only. The billing of the master water meter shall be per current ordinance.

1.07 STOPPED OR IMPROPERLY FUNCTIONING METERS.

In the event of the stoppage or failure of a meter to register the full amount of water consumed, an estimate will be made of the amount of water used during the period of stoppage and the customer billed accordingly. The estimate will be based on the customer's use of water during a similar six (6) month period. If no account history is available, then a minimum charge shall apply.

1.08 PAYMENT OF WATER BILLS

(a.) **Charges a Lien Against Property.**

- (1.) All charges for water are assessed against the property to which the service is rendered and are an encumbrance upon such property per Ohio R.C. 743.02, 743.03, 743.04, collectible in the same manner as other taxes and assessment. It shall be the responsibility of persons purchasing property to ascertain if there are any unpaid water bills.
- (2.) When there is an outstanding water, sewer, or sanitation bill or combination thereof, and the responsible party cannot be located for payment, the water service to that address will be discontinued, and the bill will then be presented to the owner of the property and water service will not be reconnected until payment is made in full.
- (3.) Property owners shall be denied water service to new turn ons or existing services if other accounts are delinquent.

(b.) **Account must be in Property Owner's Name.** To receive services in your name, the owner shall appear at the utilities' office with a state or federal picture id and shall provide one of the following:

- The owner of record (as shown by the Allen County Auditor)
- A company representative (provided by owner)
- A recent buyer (deed stamped by the Recorder's office)

The property may be used as a rental but account shall remain in the property owners name.

- (1.) Residentially used accounts shall comply with this section effective as of the date the adopting ordinance was passed.
- (2.) All other account uses (ie commercial, industrial, etc.) shall transition as per these rules when the existing tenant transfers ownership of the premises, at which point, the landlord/owner shall have the utilities account placed into their name.

(c.) **Delivery of Bills.** The Water Department will undertake to deliver bills for water by depositing same in the Post Office only as a matter of convenience to the owner. Failure to receive a bill shall not relieve any person from his obligation to pay the bill. The owner has the option to receive bills through email notification and/or to have paper bills sent to address on file. For rental units, owner has the option to receive email notifications and/or have paper bills mailed to address of choice.

(d.) **Unrepaired Leaks and Billing for Leaks.** When a consumer has been notified of a leak and repair is not made within ten days, the service may be shut off without further notice. If the leak continues and the customer cannot locate it and does not wish service terminated, then the customer will owe the complete bill and it will not be adjusted.

- (1.) An underground water line leak, which is a leak from the outside of the foundation wall to the meter or shutoff will be adjusted as follows: If proof of the leak can be shown,

all of the sewer charge over the average usage will be dropped and one half of the water charge over the average usage will be dropped.

- (2.) Any water line leak inside the foundation line of a structure will be adjusted as follows: all of the sewer charge over the average usage will be dropped. In the event that the occupant of a home has not resided at the residence long enough to establish a past usage history and/or it is not reasonably possible to obtain an average usage based on past usage history at the residence, the Village of Spencerville shall determine the number of occupants in the home and multiply that number by 50 gpcd (gallons per capita per day). This number shall be used as the average until an actual average can be determined based on water meter readings.
- (3.) When a customer has excessive water usage due to a leak in their water service (for the purposes of these Rules, Excessive Water Usage shall be defined as follows: Usage resulting from a leak in a customer's water service line resulting in water usage that is 600% over their monthly average usage or at least 32,000 gallons); and their utilities bill has already been adjusted per Section 1.08(d)(2) of these Rules, as outlined above, and they feel the adjusted bill amount is still not affordable, they may, in writing, request an Additional Adjustment as per the provisions outlined herein. If the customer's utilities bill meets the criteria as outlined herein, the customer shall be eligible for, and request in writing, an additional adjustment of 75% of their remaining Water balance; there shall be no further adjustments to the Sewer or Garbage portions of their bill. In no case shall the final adjusted bill be less than the customer's average monthly bill. When a customer's final adjusted bill exceeds a total of \$500.00 or more, they may enter into a Payment Plan Agreement not to exceed four (4) months, as outlined herein; customer shall pay one-half (1/2) of the adjusted bill in the current month, then pay the balance of the adjusted bill, along with their regular monthly bill, over the next three (3) months. If a customer defaults on a Payment Plan, they may be subject to water service disconnect.
- (4.) Unaccounted for high bills: If a high bill occurs of one hundred percent (100%) or seven thousand-five hundred gallons (7500 gals.) over average, whichever is greater, when compared with similar bills of the same period of the preceding year, a meter test will be given. If the meter test is found to be accurate and there is no reasonable explanation for the high reading, the Village will take the following stand: the meter was not at fault, therefore the customer shall pay for the meter test, the water was sent through the meter, so the bill is owed, but for public relations only, the Village will adjust the bill by fifty percent (50%) if the customer and property owner or agent will sign an affidavit stating that the Village was not at fault. Under these circumstances, the Village will adjust a bill of these qualifications for the current owner only one time in every three-year period. The adjusted amount of the water and sewer bill shall not be less than the minimum bill, as per the current rate ordinance.
- (5.) Delinquent fees per Section 1.21 will be waived on the amount of the bill, pending action under 1.08 (d), if the request is made within fifteen (15) days of the bill's issuance.
- (e.) **Water and Sewer Bill Disputes.** When a customer disputes a bill for reasons not covered in subsection (d) hereof by filing an affidavit with the Village Administrator stating the reasons

why the bill is being disputed, the Village Administrator may propose an adjustment with documentation to the Village Council. Any adjustment must be approved by the Village Council.

- (f.) **Charges for NSF Checks.** Any customer who has a check returned to the Village due to NSF (non-sufficient funds), shall be charged a returned check fee as per current ordinance for each occurrence. The fee shall be paid at the same time as when the customer is required to pay cash for the returned check. All fees associated with a returned check shall be split evenly between the water and sewer operating funds.
- (g.) **Cash Only for N.S.F. Checks.** The Village of Spencerville reserves the right to place any customer on a “cash only” basis if the Village Administrator and/or Village Council deem it to be necessary due to a history of N.S.F. (non-sufficient funds) checks. A letter shall be sent to the customer explaining why they are only allowed to pay with cash. The Collection Agency shall receive an updated “cash only” list at the beginning of every billing cycle. The customer shall remain on a “cash only” basis until the Village Administrator and/or Village Council states otherwise.
- (h.) **Extensions/Payment Plans.** No extensions and/or payment plans shall be granted. , except as herein provided.
- (i) **Automatic Payments (ACH)**
 - 1.) The term “bill” means water, sewer, refuse, and any other charges that appears on the Village of Spencerville Utilities Bill.
 - 2.) Depositor agrees that the bank’s right with respect to each bill shall be the same as if each bill were a check drawn on the bank and signed personally by the depositor and that the bank be fully protected in honoring each bill.
 - 3.) This authority is to remain in effect until revoked upon 30 days written notice by the bank, utility company or depositor.
 - 4.) Bank’s sole responsibility and duty shall be to charge the depositor’s account for the amount shown on the utility bill and to promptly remit said amount to the utility company; however, in the event any bill is dishonored, the bank shall be under no liability whatsoever.
 - 5.) In the event the bill presented is in error or is incorrect in any respect, depositor’s recourse shall be solely against the utility company. **The depositor shall make every effort to contact the utility company prior to the 15th of the month to work out any issues.**
 - 6.) Bank is under no obligation to notify depositor of either payment or dishonor of utility bills. Bills will be returned unpaid to the utility company if depositor’s account does not contain sufficient funds to cover the amount of said bills. **A fee will be added to Customer Account for non-sufficient funds consistent with Villages Fee Schedule.**
- (j) **Credit Card Payments.** Credit card payments are not accepted in the collection office and are only provided by a third-party company. If credit card transaction is stopped by Payee for any reason, the Payee shall still be responsible for all charges on the account and will also be assessed any other fees (ie Chargeback Fee) charged to Village of Spencerville in result of this dispute.
- (k) **Receipt of Utilities Bill Payment from Customer:** It is the customers responsibility to ensure payment of their utilities bill is made and submitted to the Utilities Department in a timely manner.

- 1.) When a customer sends payment for their utilities bill through regular mail (United States Postal Service/USPS), with a postmark date of the 16th of the current billing month, or prior, and the payment is not received until after the 23rd of the current billing month, the customer may request (once per calendar year) a credit of the late fees that were applied due to the payment being received after the 23rd of the current billing month. Upon receipt of the request to waive the late fees, the Utilities Clerk shall review the account, and if the account is eligible for an adjustment of the late fees, the adjustment will be made as a credit to the subject account.
- 2.) Any mailed payment with a postmark date of the 17th of the current billing month, or later, and received after late fees have been applied on the 23rd of the current billing month, is not subject to having the late fees credited to their account.
- 3.) In the event a mailed payment does not have a postmark date, and is received after late fees have been applied on the 23rd of the current billing month, the customer may request a one-time per calendar year credit of their late fees, as long as the date on the check is listed as the 16th or prior.
- 4.) The Village offers these late fee adjustments as a customer service mechanism only, and does not accept responsibility for the delay in the delivery of utilities payments by the USPS to the Village Utilities offices.
- 5.) All customers affected by a delay in the delivery of their utilities' payments will be notified of alternative payment methods by the Utilities office staff.
- 6.) All other methods of payment of utilities bills are not subject to a credit of late fees applied per current rules.

1.09 FIRE PROTECTION.

- (a.) **Connections for Commercial or Industrial Establishments.** The installation of fire protection service connections to supply water to standpipes and sprinkler systems for fire protection water shall only be permitted when applications and plans for such service have been submitted and approved by the Village.
- (b.) **Fire Line Connections.** All fire line connections to water mains for industrial, commercial, residential, or educational establishments for fire protection services shall comply with the following applicable section:
 - (1.) **Propylene glycol sprinkler system.** On such systems (non-potable fluids) Watts Series 909 Reduced Pressure Backflow Preventor or equal will be installed.
 - (2.) **Direct connection – dry or wet systems.** On system types with a low potential of contamination a Watts Series 709 DDC Double Detector Check Valve Assembly or equal will be installed.
 - (3.) **Bypass valve.** All installations shall be valved with a bypass for the removal of the Watts unit (or its equivalent) for maintenance. All installations shall be inside and above the floor. The cost of all apparatus and installation is to be paid for by the owner or contractor.

- (4.) **System capacity fee.** A flat fee of one hundred dollars (\$100.00) per inch of diameter (inside rate) will be charged for a fire line connection to the water distribution system. The cost of the tap and all piping is the owner's responsibility and is to be installed to the Village's specifications. Any connections outside the corporation limit shall be at double the inside rate.
- (5.) **Fire Line Metering.** Meter devices, such as detector type meters, shall not be required for any fire line connections used for fire protection service.
- (c.) **Other Uses Prohibited.** Lines used for fire protection must not be tapped or used for any other purpose than fire protection.
- (d.) **Use of Fire Hydrants.** Fire hydrants are intended primarily for the use of the Fire Department. Permits for their use for other purposes are given only in cases where such use cannot be avoided.
- (e.) **Persons Authorized to Operate Fire Hydrants.** No person except an authorized employee of the Village Utilities Department or a member of the Fire Department, shall open, operate or remove the nozzle cap from any fire hydrant to which water is supplied in whole or in part by the Village.
- (f.) **Permits for Use of Fire Hydrants.** At the discretion of the Village Administrator, a special permit may be issued for the use of a fire hydrant. The fee for this permit shall be per current ordinance and shall be valid for ninety days from the date approved by the Village Administrator. A permit holder shall estimate and record the amount of water used each day. This record shall be turned in to the Utilities Office on a weekly basis. Failure to record daily amounts of water used and submit logs on a weekly basis shall be considered just cause for immediate revocation of the permit. A Village employee shall be present each time the permit holder uses the fire hydrant to obtain water. Charges for water used will be based on the rates established by current Ordinance.
- (g.) **Connections Used on Fire Hydrants.** Fire hydrants used for construction purposes must have a reducing coupling and union attached to the nozzle of the hydrant with an independent valve for regulation of the supply. The main valve of the fire hydrant must be fully opened at the beginning of work each day and remain open until stoppage of work for the day. The water supply shall be regulated by the independent valve. At the close of each day's work these connections shall be disconnected or at any other time when required by the Fire Department. The fire hydrant shall be operated only by a spanner wrench to be supplied by the Village. Any damage to a hydrant occasioned by any act of the user or due to freezing will be repaired by the Village at the expense of the user.

1.10 SERVICE CONNECTIONS.

- (a.) **Tapping Water Mains.** No person except an employee of the Village or its duly authorized agents shall be permitted to tap or make any connection with the mains or distribution lines of the Village. Where a water main is in the street right-of-way, the service line will be extended from the main to the property line.

- (b.) **Broken Services.** Any person who causes a service between the main and the curb cock to be broken or damaged shall be responsible for exposing the service line. Subsequently, the Water Department at the expense of the person causing said damage will make repairs.
- (c.) **Outside Meter Settings.** Outside meter settings (meter pits or vaults) are preferred by the Village and shall be installed whenever possible. Inside settings shall only be installed as per 1.06 (b.) when no other option is feasible.
- (d.) **Inside Meter Settings.** In roughing in a plumbing job sufficient space shall be provided for the required meter. The property owner shall install a valve on the user's side of the meter.
- (e.) **Cross Connections not Permitted.** No service pipe connected with the water system of the Village shall be connected with pipes supplied with water from any other source.
- (f.) **Operation of Curb Stops or Gate Valves.** Only authorized personnel of the Village shall be permitted to open or close curb stops or gate valves. The only exception shall be an authorized plumber who is making repairs.
- (g.) **Theft of Water Service:** Anyone who has committed theft of water service shall be penalized according to the provisions of these rules and/or under the following sections of the Ohio Revised Code: 2913.01, 4905.03, 4933.19 and 4933.22.

1.11 TAPPING REGULATIONS.

- (a.) **Tap Fees.** Tap charges shall be in accordance with current ordinance.
- (b.) **Meter Pits.** Eighteen (18) inch diameter pits shall be constructed and maintained by the Village. Anything over eighteen (18) inches in diameter shall be constructed per Village regulations at the property owner's expense.

1.12 WATER RATES.

- (a.) **Water Rates.** Water rates shall be in accordance with current ordinance.
- (b.) **Minimum Amount Billed.** Minimum amount billed shall be in accordance with current ordinance. In the case of commercial enterprises where multiple dwellings and/or commercial establishments are served by one meter, each dwelling or commercial establishment shall be charged a minimum bill. Owners of commercial enterprises are strongly encouraged to individually meter each dwelling and/or commercial establishment and thus eliminate multiple units on a single meter.

1.13 WATER SERVICE TAP FEES.

- (a.) **Tap Fees.** Tap Fees shall be in accordance with current ordinance.

1.14 OTHER SERVICES.

- (a) **The following services will be provided at the fee set forth opposite the service:**

Meter Test	At current cost
Turn-on after hours	As per current ordinance.
Turn-off after hours	As per current ordinance.

There shall be no fee for turn-off and turn-on due to an emergency

- (b) **Village Meter Key.** Plumbers may use the Village meter key for residential meter access if provisions are made with the Village Administrator.
- (c) **Village Curb Stop Wrench.** Plumbers may use the Village curb stop wrench for residential shut-off if provisions are made with the Village Administrator.
- (d) **Master shut-off Valve Required.** Each structure that is served by the Village's water system, within the corporation limits, shall have a master shut-off valve as soon as the water line enters the structure. The purpose of this valve is to shut-off all of the water within the structure. In the event that a customer requests to have the water shut off for maintenance purposes by the Village, it shall be required that a master shut-off valve be installed and an authorized Village employee shall inspect such installation, prior to reconnecting the water service.
- (e) **Swimming Pools.** Each water/wastewater service account of the village may apply for and be granted a once per calendar year wastewater charge credit when filling an outdoor swimming pool of 3000 gallons or more, however the following conditions must be met.
 - (1) The person whose name appears on the water/wastewater service account (Account Holder) must appear in person at the Utilities office and fill out a Swimming Pool Fill form containing: name, address, location of pool, size of pool, and account number; and thus formally request a wastewater charge credit related to the filling of their swimming pool. Incomplete forms will be rejected by the Village. Falsification of data shall be punishable as per section 1.99
 - (2) The Account Holder must state in writing the approximate dimensions of the pool to be filled. Length and width, or diameter, and approximate depth of the swimming pool shall be recorded. The Account Holder must then sign their name along with the date of said request on the Swimming Pool Fill form.
 - (3) A water meter will then be furnished by the Village to the Account Holder to connect to their outside faucet to record the amount of water actually used to fill their swimming pool.
 - (4) Upon return of the meter, in good condition, to the Utilities office; the amount of water, to the nearest thousand gallons, used to fill the swimming pool, will be recorded and a wastewater charge credit for that amount of water used only, will be posted to their water/wastewater service account.
 - (5) The Village shall not be responsible for delays in the filling of pools due to failure of persons to return meters to the Village in a timely manner.
 - (6) Failure to return a meter supplied by the Village, within seven (7) days of being furnished one for purposes of determining the amount of water actually used to fill a swimming pool; shall be considered just cause for termination of water service at the

address given on the Swimming Pool Fill form, until such time as the meter is returned in good condition to the Village.

- (7) Any indoor pool greater than 3000 gallons, in existence at the time of initial passage of these rules, shall also qualify for a once per calendar year wastewater charge credit, as per the above. Any indoor pool built after passage of these rules shall **NOT** qualify for a wastewater charge credit.
 - (8) Only one wastewater charge credit per pool may be requested and granted per calendar year.
- (f) **Sewer Deduct Meter For Outside Water Usage.** The Village of Spencerville will offer the option of a sewer-deduct meter to homeowners who wish to have their outside water usage (watering lawns and gardens, filling pools, washing vehicles, etc.) monitored for the sole purpose of receiving a sewer credit for that usage. The homeowner will need to follow these procedures:
- (1) Homeowners wishing to participate in the sewer-deduct meter program shall fill out an application at the Water Department. The Village Administrator will review the application and upon his approval, the homeowner shall purchase a “touchread” meter from the Village at the current cost. The Village will issue an invoice to the homeowner and payment shall be made to the “Village of Spencerville”, before the meter will be issued.
 - (2) The homeowner will then have the meter installed in their house. (It is recommended that a licensed plumbing contractor install the meter and touchpad.) The meter is to be installed on a water line that goes to outside water use only. The touchpad for the meter shall be installed on the outside of the house at a height of 5’ (five feet) from ground level and a wire will run from the meter to the touchpad. The installation of the meter, touchpad and wire is the sole responsibility of the homeowner. Any damage that may occur to any of this equipment at anytime will be the homeowner’s responsibility to repair and/or replace. If the meter needs to be replaced, the new meter would be purchased from the Village and it will be the homeowner’s responsibility to fill out the paperwork that would provide the Village with the new meter information along with the old meter information. Any replacement meters will need to go through the inspection process (Step 3).
 - (3) Once the meter, touchpad, and wire are installed, the homeowner will contact the Village so that the Village Administrator and/or an authorized Village employee can conduct an inspection. This meter will not be read until the installation is approved. Once it is approved, the meter will be read on the same schedule as all other meters are read. If the owner requests that the sewer-deduct meter be re-read, the policy and fees for re-reading meters would apply as per the current water rates ordinance. The Village reserves the right to inspect the meter at anytime.
 - (4) Upon approval, the customer will receive a “secondary” account for that address. This account will keep track of the outside water usage and will then make the proper sewer credits to the customer’s “main” account. The computer will only print one bill and the

sewer credit will be included on the total cost of the wastewater (not to go below the minimum base rate for sewer).

- (5) Anyone that violates section 1.14(d) of these rules is subject to loss of privileges of the sewer-deduct meter and penalties as explained in section 1.99 of these rules.

1.15 TEMPORARY SERVICE.

For temporary service of less than thirty (30) days duration, the rate shall be the regular rate for such service plus the flat charge of twenty dollars (\$20.00) to cover the cost of setting and removing the meter.

1.16 READING METERS.

All meters are to be read once per month. When weather conditions or other circumstances make it impossible to read a meter on the scheduled date, the Village shall then estimate the bill based on past usage, (minimum six months). If no account history is available, then the minimum charge shall apply.

1.17 FREQUENCY OF BILLING

Bills will be rendered to the user once per month in accordance with the tariff applicable to the users' service. Such bills are payable at the authorized collection office within the time specified on the bill. Failure to receive a bill does not relieve the customer of their obligation to pay their bill or to the remission of any penalty charges which may be assessed due to non-payment within the time specified.

1.18 SERVICES TO BUILDING CONTRACTORS AND DEVELOPERS.

Contractors and developers desiring water services for building purposes will be required to make application to the Village Administrator. Such service will be sold by meter measurement or flat rate as may be agreed upon with the Village Administrator.

1.19 DELINQUENT ACCOUNTS.

- (a.) All Water System charges including materials and supplies shall be prepared by the Village Administrator and shall be billed monthly at the first of each month for the previous month's usage. All charges shall be payable in cash or check to the Village, at the authorized collection office, on or before the twentieth (20th) day of the billing month. In the event that payment for a bill is received on the twenty-third (23rd) day or after of the billing month, a ten percent (10%) delinquent fee (aka late fee) charge shall be assessed to that account. A disconnect/late notice will be prepared and mailed out to the customer and/or landlords to notify them that their account is delinquent and if not paid in full by the twenty-eighth (28th) day of the billing month, they will be scheduled for shut-off on the second (2nd) day of the following month after the billing month, starting at 8:00 a.m. If the water service is disconnected, it shall not be continued (reconnected) until all charges, including a ten percent (10%) delinquent fee, disconnect fee, reconnect fee, total current account charges (i.e: all charges identified on billing computer) and any other applicable charges, are paid in full at the authorized collection office by 8:00 a.m. on the 2nd day of the following month.

- (b.) On final water bills where the delinquency is less than one dollar (\$1.00) after and deposits have been applied to the account, the Village may waive such delinquency. The ten percent (10%) delinquent fee shall be charged on final bills if not paid by due date.
- (c.) Accounts will not be disconnected for non-payment when the delinquent amount is Twenty Dollars (\$20.00) or less.

1.20 (BLANK)

1.21 DELINQUENT SERVICE CHARGE.

As per current ordinance.

1.22 REFUNDS.

Amounts of less than one dollar (\$1.00) shall not be refunded.

1.23 BACKFLOW PREVENTION.

A monthly flat rate will be charged for any account that has a backflow prevention device on their water service as per current ordinance.

1.24 NEGOTIATION OF WATER FEES TO PROMOTE INDUSTRIAL, COMMERCIAL AND EDUCATIONAL DEVELOPMENT.

Notwithstanding Sections 1.06, 1.13, 1.15, and 1.18 of the Water System Rules, or other applicable Ordinances, the Village Administrator, with the majority approval of Council, may waive or reduce any and all charges, tap fees, connection charges, permit fees, inspection charges or other charges for the purpose of promoting, encouraging, and pursuing industrial, commercial, and educational development.

1.25 WATER LINE RESPONSIBILITY.

The Village of Spencerville shall be responsible for the maintenance of all main water lines, service lines, water meters and appurtenances located within the street and/or alley rights-of-way. In the event that any appurtenance, i.e.: curb stop and/or water meter, is located outside of the street right-of-way on private property, the Village shall be responsible for the maintenance of those appurtenances only and not the service line on said property.

1.99 PENALTY.

Whoever violates any provision of this chapter where no other penalty has been provided is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be a separate offense.