

CITY OF ORRVILLE, OHIO
DEPARTMENT OF PUBLIC UTILITIES



WASTEWATER DIVISION

GENERAL RULES & REGULATIONS

**COVERING THE FURNISHING OF WASTEWATER
SERVICE TO CONSUMERS OF THE CITY'S**

DEPARTMENT OF PUBLIC UTILITIES

WASTEWATER UTILITY DIVISION

Authorized Under Date of June 14, 2004, By The Public Utilities Board of the City of Orrville, Ohio, Revised May 8, 2006 , Revised October 13, 2008 in accordance with Section 407(c) of the Charter of the City of Orrville and Sections 729.06, 729.07, 735.28, 735.29, 743.02, 743.04, 743.05, 743.10 and 743.12, of the Revised Code of Ohio.

Signed by: Roland Lehman , President

To Be Effective For All Bills Payable After November 1, 2008.

TABLE OF CONTENTS

GENERAL RULES, TERMS & CONDITIONS

CITY OF ORRVILLE, OHIO WASTEWATER DIVISION

	<u>PAGE</u>	<u>SECTION</u>
Definitions.....	1	
General Information.....	7	
Application & Classification of Service - Inside City Limits.....	8	1
Application for Service - Outside City Limits.....	9	2
Tap and Wastewater Service Line Installation	10	3
Meter Installation	10	4
Consumer's Installation.....	11	5
Use of Service.....	11	6
Billing and Payments	11	7
Deposits and Responsibility for Payments	12	8
Utility's Liability	12	9
Consumer's Liability.....	13	10
Discontinuance of Service	13	11
New Paving - Wastewater Connections to Unserved Lots.....	15	12
Sewer Main Extensions.....	15	13
Temporary Service.....	15	14
Serving Notice to Customers	16	15
Administration of Rules and Regulations.....	16	16
Revisions and Amendments to Rules and Regulations.....	16	17
Exhibit 1 – Residential Non-Sewered Water Meter Policy	17	
Exhibit 2 – Equipment Charges	20	
Exhibit 3 – Wastewater Rates	21	
Exhibit A – Surcharge Schedule.....	25	
Exhibit B – Utility Service Applications, Deposits, and Collections	26	
Exhibit C – Identity Theft Prevention Program	29	

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- (1) “Act” means the Clean Water Act (33 U.S.C.1251 et seq.), as amended.
- (2) “Applicant”, “Consumer”, “Customer”, “Developer”, “Owner”, “Person” or “Property Owner” means any individual, firm, company association, society, corporation, group or organization using or applying to use the City’s Public Water Supply.
- (3) “Authority” or “Control Authority” means the City of Orrville which is enacting and enforcing these rules and regulations.
- (4) “Backflow Preventer” means an EPA approved device which prevents backsiphonage of spent water into the public water supply.
- (5) “Board” means the Public Utilities Board of the City of Orrville, Ohio who shall manage, conduct and control the Water Division of the Department of Public Utilities as authorized by Section 407(c) of the Charter of the City of Orrville.
- (6) “BOD” denoting biochemical oxygen demand means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, expressed in milligrams per liter (mg/l).
- (7) “Bypass” means the intentional diversion of wastewater streams from any portion of an industrial discharger’s pretreatment facility.
- (8) “Building Water Line” means the water service line extending from the building side of the curb valve to the meter. It is owned, operated and maintained by the property owner.
- (9) “Categorical Pretreatment Standards” means National Categorical Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a publicly owned treatment works (POTW) by specific industrial dischargers.
- (10) “Chapter 913” means Chapter 913 of the Codified Ordinances of the City of Orrville, Ohio.
- (11) “City” means the City of Orrville, Ohio or it’s Department of Public Utilities.
- (12) “Composite Sample” means a sample that is collected over time, formed either by continuous sampling or by mixing discrete samples.
- (13) “Conditional Water Service” is intended to provide water throughout the interior plumbing system of a structure under construction for a limited time prior to the request for occupancy. It shall be charged at the applicable water and wastewater rate schedules unless the installation is approved by the Utility as a non-sewered meter. Allowable time frames for conditional service are:

Residential: 45 days from the date of installation.
Non-Residential: 90 days from the date of installation.

Upon expiration of the allowable time for conditional service, it shall be terminated until the owner obtains an "occupancy release form" and "permanent service" is established.

- (14) "Connection Fee" is a fee collected from new customers prior to connection to the sewer system. This fee to new customers is to assist in the liquidation of debt incurred by the construction of the present Wastewater Plant.
- (15) "Construction Water Service" is intended to provide water to a structure under construction for construction related tasks such as mixing mortar, etc. and therefore cannot be installed in the permanent interior plumbing system of a structure. The owner or contractor may apply for construction water after a "zoning permit" has been issued by the Director of Safety and Service and utility permits have been issued and all Utility fees paid. Construction water is charged at the applicable water rate schedule. There is no wastewater use charge and any unauthorized connection to the structures interior plumbing will result in the termination of construction water service plus all applicable fines, penalties, etc.
- (16) "Corporation Stop" means a valved tapping device installed into the public water main. It is owned, operated and maintained by the City.
- (17) "Curb Valve" means a valve located at the downstream end of the water tap line in the public right of way. It is owned, maintained and operated by the City. The "building water line" commences on the outlet side of the curb valve
- (18) "Daily Maximum" means the maximum allowable discharge of a pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of a 24 hour period. Where daily maximum limitations are expressed in terms of concentration, the daily discharge is the average measurement of the pollutant concentration derived from all measurements taken during a 24 hour period or from a composite sample collected during a 24 hour period, provided that the individual aliquots were collected during average or above average production and discharge.
- (19) "Discharge" means the addition of any pollutant to the POTW or its collection system.
- (20) "Discharger" or "Industrial Discharger" or "Industrial User" or "I.U." means any non-residential user who discharges an effluent into the POTW by means of pipes, conduits, pumping stations, force mains, and all constructed devices and appliances appurtenant thereto.
- (21) "Deposit" means an advance payment for water service installation based on a cost estimated by the Utility to provide such service.
- (22) "Director" means the Director of Utilities, or his authorized representative.
- (23) "Dwelling Unit(s)" means housekeeping suites, light housekeeping suites and other arrangements where separate tables are set.

- (24) “Grab Sample” means an individual sample collected in less than 15 minutes, without specific regard to flow or time, but collected during periods of average or above production and discharge.
- (25) “Inflow and Infiltration” or “I and I” is uncontaminated water that enters the Sanitary Sewer system from broken joints, connections, or means other than Illicit or Illegal connections.
- (26) “Illicit or Illegal Connection(s)” are intentional and physical connections of storm drain tiles, roof downspouts, footer drains, or sump pump discharges of footer drainage or other uncontaminated water to the Sanitary Sewer system.
- (27) “Inspector” means a person authorized by the Director to perform inspections.
- (28) “Interference” means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and therefore is a cause of a violation of any requirement of the POTW’s NPDES Permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under or (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the Toxic Substance Control Act and the Marine Protection, Research and Sanitation Act.
- (29) “Meter” means an approved device for measuring water or wastewater for billing purposes, provided at the expense of the owner, which may be owned by the City or the Customer.
- (30) “Micrograms per liter” or “ug/l” means the micrograms of substance per liter of solution, and is one thousandth of a milligram per liter or parts per billion.
- (31) “Monthly Average” is the arithmetic mean of the values for effluent samples collected during a calendar month.
- (32) “Milligrams per liter” or “mg/l” means the milligrams of substance per liter of solution, and is equivalent to 10^{-6} kilograms per liter or parts per million, assuming unit density.
- (33) “Non Residential” means commercial, professional, business establishments, industrial and processing plants, power plants, offices, restaurants, clubs, lodges, theaters, rest homes, hospitals, schools, churches, motels, hotels, tourist homes, car washes, commercial laundries, etc.
- (34) “Non-Sewered Meter” means a meter installation for measuring water for billing purposes and providing water for non-sewered purposes such as cooling water, lawn sprinkling, etc. A meter or deduct meter designated as a non-sewered meter by the Utility will be charged according to the applicable water rate schedule but will not be charged for wastewater service.
- (35) “NPDES” means National Pollutant Discharge Elimination System permit program as administered by the U.S. EPA or Ohio EPA.
- (36) “Occupancy Permit” means a document issued by the Director of Safety and Service certifying that

a structure has been completed, inspected and approved; and is ready for human habitation. The occupancy permit must be obtained by the owner prior to the establishment of "permanent water service" by the Utilities.

- (37) "Order" or "Compliance Order" means a written document issued by the Director to any discharger specifying wastewater effluent limitations, and containing orders for the compliance with such limitations by means of an approvable compliance schedule.
- (38) "Penalty" or "Administrative Penalty" means a charge which may be assessed by the Director on dischargers who fail to comply with numerical values or administrative orders issued by the Director or other regulatory agencies.
- (39) "Permanent Water Service" is provided by the Utility after the owner has signed up for permanent service in the City's bill payment office and all fees, charges, etc have been paid in full; and all ordinances, codes, standards, policies, etc have been satisfied, including the Safety Service Director's "occupancy release form". It shall be charged as per the applicable water and wastewater rate schedules unless the installation is approved by the Utility as a "non-sewered meter" installation.
- (40) "Permit or Indirect Wastewater Discharge Permit" means this written document issued by the Director to industrial users specifying wastewater effluent limitations and authorizing the discharger to discharge effluents complying with the terms of this permit to the POTW.
- (41) "Person" means any individual, firm, company association, society, corporation or group.
- (42) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. A pH of 7 is considered neutral, a pH of less than 7 is acidic, and more than 7 is considered base.
- (43) "Pollutant" means sewage, industrial waste or other waste as defined by divisions (B) to (D) of section 6111.01 of the Revised Code.
- (44) "POTW" means a sewage treatment works and the sewers and conveyance appurtenances discharging thereto as defined by section 212 of the Act, which is owned by the City as defined by section 502(4) of the Act. The term also means the City as defined by section 502(4) of the Act which has jurisdiction over the indirect discharges to and the discharges from the treatment works.
- (45) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in the wastewater to a less harmful state prior to discharging such pollutants into a POTW.
- (46) "Public Sewer Main" or "Main" means a sewer line in which all owners of abutting properties have equal rights, and is owned and controlled by the City.
- (47) "Renewed Lawn" means a lawn in which the entire front and/or back lawn is completely replaced.
- (48) "Residential" means individual residences, apartments, mobile homes or other dwelling units.
- (49) "Shall" is mandatory; "May" is permissive.

- (50) "Sanitary Sewer" means a sewer designed to carry wastewater and to which storm, surface and groundwaters are not intentionally admitted.
- (51) "Severe Property Damage" means substantial physical damage to property, damage to the pretreatment facilities which causes them to be inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (52) "Sewer Inspection Fees" means the amount charged to property owners to allow them access to the City's Sewer System. This fee covers limited inspection services. Some specific lots or allotments or sub-divisions may be required to pay significantly higher "Sewer Inspection Fees" to recover costs incurred by the City to provide sewer service to a specific area.
- (53) "Slug" or "Accidental Discharge" means any pollutant released, including oxygen demanding pollutants (BOD, etc.) or suspended solids, as a single extraordinary discharge episode of such volume or concentration as to cause interference to, or pass through, and/or reduce the treatment efficiency of the POTW.
- (54) "Standard Methods" means the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Association.
- (55) "Storm Drain" or "Storm Sewer" means a sewer which carries storm and surface waters and drainage, but excludes wastewater and industrial wastes, other than unpolluted cooling water.
- (56) "Surcharge" means an additional charge or fee which may be imposed upon dischargers which is intended to recover the additional costs to the POTW associated with treating "extra strength" discharges and are not penalties.
- (57) "Suspended Solids" means solids that either float on the surface of, or are in suspension in water, wastewater or other liquids, and which are removable by laboratory filtering.
- (58) "Tap" or "Wye" means the point at which the building's lateral sewer line intersects with the City's sewer main or a fitting which was specifically manufactured to provide entry of a smaller line into a larger one.
- (59) "Temporary Non-Sewered Meter" means an external meter service provided by the Utility on a temporary basis for purposes of establishing a new or renewed lawn or filling swimming pools.
- (60) "Tenant" means the occupant(s) of a building, dwelling unit, household, residence, or commercial establishment who is not the "owner" of the tenement.
- (61) "Tenement" means a building, dwelling unit, household, residence or commercial establishment being rented or leased to a tenant(s).

- (62) "Upset" means an exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the standards set forth in this permit or Chapter 913 due to factors beyond the reasonable control of the discharger, and excludes noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance or careless or improper operation thereof.
- (63) "Utility" means the Wastewater Division of the Department of Public Utilities of the City of Orrville, Ohio.
- (64) "Wastewater" means industrial waste or sewage or any other liquid waste including that which may be unintentionally combined with any groundwater, surface water or storm water that may be discharged to the POTW.
- (65) "Wastewater Treatment Plant" means all facilities for treating wastewater.
- (66) "Water System" means all facilities for supplying, pumping, treating, conditioning, storing and distributing water for public consumption.
- (67) "Weekly Average" means the arithmetic mean of the values for effluent samples collected during the 7 day periods starting on the 1st, 8th, 15th, and 22nd of each calendar month.

DEPARTMENT OF PUBLIC UTILITIES

CITY OF ORRVILLE, OHIO

WASTEWATER DIVISION

GENERAL RULES & REGULATIONS COVERING WASTEWATER SERVICE

GENERAL

As is set forth in Section 407(c) of the Charter of the City of Orrville and the Ohio Revised Code, the Public Utilities Board shall be responsible for the operation and maintenance of, and any improvements or expansions of, the wastewater utility of the City, and may adopt such rules and regulations, not inconsistent with the Charter, as the Board shall deem necessary for the conduct of its affairs and the management and operation of the Utility. In conformance to this responsibility, these General Rules & Regulations are hereby made effective and are applicable to the operation of the Wastewater Division of the Department of Public Utilities of the City of Orrville for the supply of wastewater services to all of the City's wastewater consumers. When used hereinafter, the word "City", "Utility", "Director", "Wastewater Department" or "Wastewater Division" shall be considered as being the Department of Public Utilities and/or the City of Orrville, Ohio.

As hereinafter used, Consumer, Customer, Applicant, Developer, Property Owner, Owner or Person shall be construed to be any Individual, Firm, Organization, Group or Corporation using or applying to use the City's wastewater service and all of the following General Rules & Regulations are applicable to all such wastewater consumers of the City as well as all employees of the City's Wastewater System.

These Rules and Regulations are supplementary and a part of the City's Wastewater Rate Schedule(s) and are intended to set forth the rights and obligations of the City and its Wastewater Utility as well as those of the Consumers and/or Property Owners with respect to the supply and use of the public water system together with other related matters. The Public Utilities Board reserves the right to alter, amend or add to these Rules and Regulations at any time.

To the extent necessary, the Department of Public Utilities shall prepare such supplementary administrative rules, policies, forms, standards and/or specifications as are consistent and necessary to properly enforce these General Rules & Regulations and applicable EPA requirements.

1. APPLICATION AND CLASSIFICATION OF SERVICE - INSIDE CITY LIMITS

- (a) All applications for wastewater service shall be made in writing on the City's standard form at the City's bill payment office located in the Orrville City Hall on Water Street.
- (b) All Applications involving permanent wastewater service installations shall be made only in the name of the Property Owner. By such application the Property Owner shall be deemed to assent, agree and commit himself to all rules, regulations, charges and fees pertaining to the furnishing and utilization of wastewater service.

Such application shall state the Property Owner will be responsible (as specified in Section 743.04 RC) for the payment of all bills for wastewater service to the premises involved.

- (c) Subsequent applications for wastewater service involving a Tenant, may be made by the Tenant who will occupy the premises to be served with wastewater service. In such an event, all bills will be billed to the tenant and mailed to the address of the premises being served. However, such application and billing procedure shall in no way relieve the Property Owner from being responsible at all times for all wastewater discharges from said premises.

See Section 7, "Billing and Payments" and Section 8 "Deposits and Responsibility For Payment of Bills By Property Owner".

- (d) The application shall identify the location of the premises to be served - whether inside or outside the corporate limits of the City of Orrville, Ohio. It shall also identify the class of service (whether Residential or Non-Residential) and the applicable rate that shall apply. Any non-residential facility requesting wastewater service may be required to submit additional forms, questionnaires, etc. to allow the Wastewater Department to determine if grease traps, pretreatment facilities, etc. will be required. The Director, for reasonable cause, may refuse wastewater service and/or connections if such discharges are deemed potentially deleterious to the wastewater collection system and/or the wastewater treatment plant.
- (e) If the premises are located outside the city limits see Sections 2 and 3 for conditions under which the City will furnish service and its responsibility for continuation of service.
- (f) As a part of the Zoning Application package, the Consumer shall advise the Utility of the purpose for which water will be used and the description, number and sizes of all water consuming fixtures required in order that the Utility can properly determine the size of the water tap, building water line and meter, and/or sewer lateral size required to properly serve the Consumer. A full set of house plans should be submitted with the zoning application.

In the case of industrial Customers, they shall advise the Utility of the probable quantity of wastewater to be discharged, the specific industrial processes to be utilized and other information required by the Wastewater Division.

- (g) The size of all building sewer lines shall be determined and/or approved by the Director. The "Minimum" and other charges shall be determined as set forth in the applicable rate schedule.
- (h) Where the Consumer's requirements for wastewater service are unusual, the Director may require a suitable contract from the Consumer so as to protect the Utility's investments required to render the service involved.

- (i) All Applications involving a new sewer tap and/or building sewer line shall, before work is commenced, be accompanied by the deposit and other applicable charges, including connection fee(s), hereinafter specified to be paid for or advanced by the Property Owner or Applicant, including such payments as may be specified if a line extension is involved. No work or inspection shall be performed by the Utility until all applicable fees and/or deposits are paid.
- (j) The Residential Wastewater Rate Schedule A is applicable for individual residences, apartments, mobile homes or other dwelling units. (Dwelling units are defined as housekeeping suites, light housekeeping suites and other arrangements where separate tables are set).
- (k) All newly constructed dwelling units shall be individually metered and plumbed before permanent water service is established. For new multi-family installations (duplexes, triplexes, etc) the City may require each occupancy unit to have a separate sewer line. All buildings designed for multiple occupancy shall be separately metered for each occupancy unit. Existing structures being converted to multi-family residences will be handled on a case by case basis.
- (l) Where a single building water line supplies a combination Residential and Non-Residential or Commercial establishment, the Commercial/Industrial Rate Schedule B or C shall apply or at the Consumer's option and expense, the plumbing may be separated (subject to Utility's approval) and each class of service will be separately metered and billed.
- (m) The Commercial/Industrial Rate Schedule B (Small) is applicable to all commercial, professional and business establishments, industrial and processing plants, power plants, offices, restaurants, clubs, lodges, theaters, rest homes, hospitals, schools, churches, motels, hotels, tourist homes, car washes, commercial laundries and all other non-residential establishments which use less than 1100 cubic feet (8,228 Gallons) of water per month. Those commercial establishments that use more than 1100 cubic feet (8,228 Gallons) of water per month are subject to Commercial/Industrial Schedule C (Large).
- (n) Food Processors Rate Schedule D is applicable to those facilities which have installed pretreatment facilities for the purpose of reducing BOD and Suspended Solids resulting from the preparation of large quantities of food and/or dairy products.
- (o) For further details as to definition and applicability of rates for residential and non-residential service, see the City's current Wastewater Rate Schedule Exhibit 3.

2. APPLICATION FOR SERVICE - OUTSIDE CITY LIMITS

For wastewater service outside the City Limits - all of the foregoing provisions set forth under Section 1 shall likewise be applicable for wastewater service outside the City limits. In addition, all applicants for service outside the City limits shall execute an agreement that conforms to the City's sewer main extension policies. Said agreement specifies, among other requirements, the following:

- (a) All applications shall be as defined in Sections 1 (a), (b) and (c).
- (b) The entire cost of all installations, including pipes, valves, fittings, manholes, right of way(s), insurance, inspections and all other related costs, shall be paid by the Applicants and/or Consumers involved. See the City's Water and Sewer Pipe Standards for more specific requirements pertaining to sewer main extensions.
- (c) No new wastewater service connections outside the corporation limits of the city will be

approved unless the Property Owner executes an annexation agreement and meets the requirements of Section 913.15 of the Codified Ordinances of the City of Orrville, Ohio.

In the event that the Property Owner refuses to properly execute and deliver to the City said annexation petition within ten (10) days after the City requests same, the City may discontinue all wastewater service from said premises after three (3) months written notice has been given to the Property Owner to that effect.

- (d) Specific long-term contracts for wastewater service to specific communities, customers or individuals located outside the corporation limits may be entered into by the Mayor and Utility Director.

3. TAP AND WASTEWATER SERVICE LINE INSTALLATION

- (a) The Wastewater Division will inspect all new taps into existing sewer lines. All new taps or connections to existing sewer mains, taps or wyes must be done in accordance with the City's current Water and Sewer Pipe Standards. All work must be performed by an experienced contractor and be performed in a safe manner. Prior to backfill, the work must be duly inspected by an authorized City inspector.
- (b) In the case of a new multiple lot subdivision or development, all wastewater taps and service lines must be installed by the Developer at the time he or she installs the public sewer mains. The service line installation shall extend from the main to a point extending a minimum of three feet beyond the public right of way, into the private property. All work must be performed by an experienced contractor and be performed in a safe manner. Prior to backfill, the work must be duly inspected by an authorized City inspector. It is particularly critical that the exact location of the end of the service line be located to provide accurate locates for future building construction.
- (c) In all cases where new public sewer mains are being installed, every Property Owner will be required at his expense to install, or have installed, at that time the sewer lateral, etc. for each lot, regardless of whether or not the lot is to be occupied. The foregoing sewer lateral(s) installations will be required prior to the paving or repaving of any street, alley or other thoroughfare.

4. METER INSTALLATION

- (a) All wastewater metering required by the City or requested by a commercial property owner must be designed, inspected and installed to City specifications. The meter shall also be re-calibrated at the owner's expense and arrangement, per City requirements. The specific City requirements may be defined on a case by case basis.
- (b) Additional water meters for Industrial or Commercial purposes such as non-sewered usages and/or subtraction (deduct) meters may be installed subject to the approval of the Director. All costs of such installations shall be borne by the Property Owner. The Owner shall notify the Utility of any change or partial change in the status of any non-sewered water meter. Failure to do so may result in backcharging of sewer use charges for a period of one year and/or termination of the non-sewered meter.
- (c) Residential consumers may install a non-sewered water meter if approved by the Director in accordance with Exhibit 1.

5. CONSUMER'S INSTALLATION

- (a) Unless otherwise specified by the Wastewater Division, all wastewater service lines shall be located in front of the building or premises to be served. To protect against freezing, all wastewater service lines shall have not less than 48" of cover and shall be located so as to avoid driveways, large trees or other obstructions, where possible.
- (b) The Property Owner shall install, own, operate and maintain at his expense the building sewer line extending from the City's sewer main into the structure. The City shall be responsible for repairs that are considered part of the wye or tap only. The City will not be responsible when the wye is intact and the service line has become disconnected or broken at the point where it enters into the wye.
- (c) No allowance or rebate shall be permitted on any wastewater bill that is excessive due to leaks or other wastage on the premises of the Consumer unless specifically authorized by the Director.
- (d) The location and/or routing of the building sewer line to be installed by the Property Owner shall be approved by the Utility before work is commenced.
- (e) The Consumer's installation shall conform to the Wayne County Plumbing Code if applicable or otherwise it shall conform to such other governmental authority having jurisdiction over same and/or the "Water and Sewer Pipe Standards of the City of Orrville". Wastewater service shall not be established by the Utility until the Consumer's installation is inspected and approved by the Utility.
- (f) The enlarging, moving or relocation of any sewer main, sewer line, or other wastewater system appurtenances at the request of a Consumer or other party shall be paid for by the individual requesting the move who shall make a suitable advance deposit to cover all costs involved as estimated by the Wastewater Division.
- (g) All new customers will be required to pay a connection fee in the amount specified by the Director. This fee is normally accessed and collected when the Utility permit is issued. This fee to new customers is to assist in the liquidation of debt incurred by the construction of the present Wastewater Plant. This fee may vary depending on the location of the property and specific additional fees may apply to individual allotments.

6. USE OF SERVICE

- (a) No Consumer shall sub-meter or resell wastewater service to others, unless specifically approved by the Director, in writing. Any violation of this provision shall subject all water service to the premises to be disconnected until the violation is corrected to the satisfaction of the Director.

7. BILLING AND PAYMENTS

- (a) All bills for wastewater service shall be rendered monthly in accordance with the provisions set forth in the City's Wastewater Rate Schedule(s) and are payable on or before the date specified on the bill. Failure to receive a bill does not entitle or relieve the Consumer from payment for wastewater services nor to the remission of any charge for non-payment within the time specified, unless exempted by the Director.
- (b) In the event of the stoppage of or the failure of any water meter to register the full amount of water used, the Consumer will be billed for such billing period on an estimated consumption basis which will be based upon the Consumer's normal use of water in a similar period during

the time the meter was registering correctly.

(c) All meter readings and billings shall be in the measured units specified in the applicable wastewater rate schedule.

(d) For service involving a partial billing period where either the initial billing period after service is first established or the final billing period up to the time of discontinuance of service by the Consumer is less than the regular billing period, the following billing procedure will apply:

(1) "Customer Charge"

a. When service is initially established to the Consumer and the period of service involves 7 days or less of the Utility's regular billing period, the Consumer's initial usage will be carried over into the next succeeding regular billing period at that location and shall be combined with and be considered as part of same.

For all other service furnished for a partial billing period of more than 7 days including all final bills irrespective of the number of days of service, the bill shall be calculated with the "Customer Charge" applied for an entire billing cycle.

(2) "Consumption Charge"

a. The consumption charge will be calculated and billed based on the amount of usage that actually occurred during the full or partial billing period.

(e) A Consumer and/or Property Owner who intends to move from the premises or discontinue the use of wastewater or in any way terminate his liability hereunder, shall give the Utility reasonable notice of such intention. The Consumer and/or Property Owner shall be liable for all wastewater that may be discharged from the premises until such notice is given and the Utility has made the final meter reading.

8. DEPOSITS AND RESPONSIBILITY FOR PAYMENT OF BILLS BY PROPERTY OWNER

(a) See Appendix, Exhibit B, Utility Service Applications, Deposits and Collections.

9. UTILITY'S LIABILITY

(a) The Utility will use reasonable diligence in supplying a regular and uninterrupted sanitary sewer system, but shall not be liable for damages in case such service should be interrupted or fail by reason of an act of God, the public enemy, accidents, strikes, legal processes, other governmental interferences, breakdowns, root intrusion, grease buildup, or injury to the machinery or wastewater collection pipes or mains of the City or for extraordinary repairs.

10. CONSUMER'S LIABILITY

- (a) The Consumer as referred to throughout these General Rules and Regulations is defined as the Property Owner inasmuch as the Property Owner is, according to law, responsible for payment of all bills and is the owner of the necessary piping and connections of his premises.
- (b) All water that passes through the meter installed in the service line that supplies the Consumer shall be charged as wastewater and paid for by the Consumer whether actually used or consumed by the Consumer or whether wasted or lost by leakage of Consumer's piping or equipment. This does not apply to properly approved and installed non-sewered meters, which are billed for water usage only.
- (c) The Consumer shall be responsible for any tampering, interfering with or breaking of the seals of meters or other equipment of the Utility installed on the Consumer's premises and will be held liable for same including any illegal diversion of water according to Law.
- (d) The Consumer agrees that no one except the employees of the Utility shall be allowed to make any internal or external adjustments to any meter or any other piece of apparatus which is the property of the Utility. The Consumer also agrees to notify the Utility immediately after, or prior to, any changes in the usage, piping, or plumbing connected to a non-sewered meter. The non-sewered status of such meter (or any new installation) is strictly contingent on Utility approval.
- (e) Only authorized employees of the Utility shall have the authority to turn the water service on or off at the curb valve and no other person shall be permitted to turn such water on or off without first having approval of the Director.
- (f) If a blockage occurs on the building sewer between the Consumer's home and the sewer main the Property Owner shall repair same. The Utilities is only responsible for the main sewer line and the connection point to it or wye branch. If it is deemed the Utilities responsibility then the repair will be made in a reasonable time considering weather, traffic, workload, notification of utility protection services prior to excavation, scheduling of outside contractors, etc. If, upon excavation, it is determined that the property owner's service line is blocked or broken then the property owner must reimburse the City for time and equipment (see Exhibit 2) used to repair, identify and/or correct the problem.
- (g) The Utility shall not be responsible for any inconvenience or damages caused by items.

11. DISCONTINUANCE OF SERVICE

- (a) The Utility may discontinue its service at once and without notice to any Consumer on any premise for any of the following reasons:
 - (1) If water taps are connected ahead of the Utility's meter or metering equipment or if connections or devices of any kind are found installed on the premises of a Consumer which would prevent the meter from registering the total amount of water being used or to be used.
 - (2) If inspection by the Utility shows that anyone has interfered or tampered with any meter seals or metering equipment that may or could prevent the meter from registering the total amount of water used.

- (3) If water has been illegally diverted from an unmetered fire protection line or if non-fire protection taps or connections have been made.
- (b) Upon disconnection of service for any of the aforesaid reasons, the following procedure shall be applicable and followed before service is restored:
- (1) The Utility shall, in any reasonable manner, estimate and/or compute the amount of unmetered water used and shall have the right to inspect the Consumer's premises and make an accurate service count and check all water consuming devices in order to arrive at the probable amount of unmetered water. Wastewater charges shall then be computed and charged based on the water consumed.
 - (2) The Consumer shall pay for all metered and estimated wastewater discharges in accordance with the applicable wastewater rate schedule plus any damages to the Utility's metering equipment.
 - (3) The Consumer shall pay for all of the expenses incurred by the Utility so as to prevent the future diversion or theft of water or wastewater services from the Utility.

The foregoing Rules, applicable to illegal diversion or theft of water or wastewater services are not in any way intended to affect, waive or modify any possible action or prosecution under the Laws and Criminal Statutes of the State of Ohio pertaining to this crime.

The Utility may discontinue or curtail the wastewater service and disconnect its lines, and/or remove its property from the premises of any Consumer for any of the following reasons of violations:

- (c) For non-payment of water bills including any charges set forth under Section 14 (Exhibit 3).
- (d) For non-payment of sewer bills.
- (e) If the Consumer's utilization of service is detrimental or hazardous to the service furnished by the Utility to other consumers and if the Consumer fails or refuses to correct the situation after reasonable notice has been given to the Consumer by the Utility.
- (f) For any unsafe or objectionable installations or discharges.
- (g) When made incompatible, unreasonable or unlawful by the order of any State or Federal Government regulator authority, Laws of this State or any political subdivision thereof.
- (h) If the Property Owner fails to sign an annexation agreement as specified.
- (i) If the Consumer fails to comply with any of the Rules & Regulations set forth therein.
- (j) When the Consumer has moved from the premises or requested disconnection of service.
- (k) To prevent fraud upon the Utility.
- (l) If a Customer allows to continue, after being notified, any condition, discharge or situation detrimental to the health or personal safety of utilities personnel.
- (m) If the Consumer fails to comply with a Director's Order to upgrade his wastewater service line

or disconnect footer tiles and/or downspout drains within 90 days of notice to do so. In the event that such a discontinuance of water involves an inhabited dwelling unit and the City determines that such complete shut off of water will cause a sanitary or health problem in connection with the disposal of human waste, as an alternate to a complete shut off of water to an inhabited dwelling unit, the City may curtail its water supply at the curb valve to the bare minimum water supply required to dispose of human waste into the City's sanitary sewer. The re-establishing of water service when discontinued or curtailed for cause, is subject to the applicable turn-on, turn-off and other charges specified in Exhibit 3. Any such discontinuance or curtailment of service shall not terminate or reduce the term of any contract with the consumer nor abrogate any minimum charge specified therein.

12. NEW PAVING WASTEWATER CONNECTIONS SHALL BE MADE TO UNSERVED LOTS

Where a street is to be paved, the Property Owners of all lots for which a wastewater connection and/or wye branch is not already installed shall be required, as provided by Ohio law to make the necessary connection, pay the associated fees and conform to the other requirements as are set forth in these General Rules & Regulations.

13. SEWER MAIN EXTENSIONS

All extensions of the Utility's public sewer mains including the connection of new consumers to the Utility's sewer system shall be in accordance with and conform to the City's written Sewer Pipe Standards.

- (a) The size, specifications and installations of all sewer main extensions shall be determined by the Director and no connections will be made by the Utility unless the extensions conform to the utility's standards and specifications.
- (b) If a public sewer main is to be extended, it must be extended to the Owners far property line unless it is determined by the Director that there is no reasonable potential for future service beyond the property to be served.
- (c) In all cases where new public sewer mains are to be installed a minimum of 8 inch sewer mains is required. To accommodate future growth and/or service connections, larger sewer mains may be required.

14. TEMPORARY SERVICE

Whenever the service requested by the Consumer is temporary, special short term or emergency, the written application or contract for such service shall specify the period of service, the character of service and the Consumer shall pay for all extra charges involved to install and remove the service facilities. Such charges shall include all material, labor and other expense incidental thereto.

Temporary service shall be defined as wastewater service that is, in the opinion of the Director, considered to be non-permanent in character.

The wastewater rate to be charged for such temporary service shall be specified in the City's Rate Schedule or documented in writing by the Director in unusual or special conditions or circumstances.

15. SERVING NOTICE TO CONSUMERS

Notice to consumers may be given by whichever of the following methods is applicable:

- (a) To Curtail or Discontinue Service for Non-Payment of Bill: All Consumer bills shall clearly state the date or days available for payment of the bill and the date or days thereafter that will result in service being disconnected for non-payment of bill. As an alternate, the Consumer may be given a separate printed notice by mail by the Utility at least 5 days in advance of the date that service is subject to disconnection by the Utility.
- (b) To Discontinue Service When The Utility's Metering Equipment Has Been Tampered With Or When Illegal Diversion Of Water Has Occurred Or Exists Or when sump pumps, downspouts, footer drains or other surface water connections are observed or suspected: No Notice will be given. In such an event the Utility's employees may give verbal notice at the time of disconnection if the Consumer or any of his agents or employees are on the premises. Such verbal notice may be subsequently confirmed in writing by mail to the Consumer.
- (c) To Discontinue Service For Violation Of Other Rules and Regulations: Reasonable Notice shall be given by the Utility by any of the following methods:
 - (d) Verbal notice may be given to the Consumer anywhere or to his agent or employee who may be on the premises of the Consumer. Such verbal notice shall be given personally by an authorized representative of the Utility or by telephone. The Utility may subsequently confirm such verbal notice in writing by mailing same to the Consumer.
 - (e) Written notice by prepaid mail deposited in the United States Post Office.
 - (f) Other Notices to Consumers: Notice of other matters may be given by one of the methods shown under (c) above.

16. ADMINISTRATION OF RULES & REGULATIONS

As provided by Section 743.02 RC et seq., these General Rules and Regulations are promulgated by the Public Utilities Board of the City of Orrville, Ohio, who, by law, is responsible for the proper administering and enforcement of same and its Director of Utilities who may supplement same by such printed forms and supplementary regulations as may be necessary to properly administer these Rules and Regulations in accordance with their expressed intent and purpose.

17. REVISIONS & AMENDMENTS

The Public Utilities Board may from time to time, revise or amend these Rules and Regulations by means of typed or printed sheets, which shall indicate on same the date of revision and shall replace or supplement the corresponding page herein.

WASTEWATER DIVISION
GENERAL RULES AND REGULATIONS

EXHIBIT NO. 1

RESIDENTIAL
NON-SEWERED WATER METER POLICY

This policy is incorporated into the General Rules and Regulations of the Water Division of the Department of Public Utilities covering water service and all rules, regulations, charges and fees are applicable to this policy. In the event of conflicts between this policy and other policies and regulations, this policy prevails.

The non-sewered water meter shall be used only for external water uses such as:

- * Lawn and garden watering
- * Tree or shrubbery watering
- * Filling swimming pools that are not drained to the sanitary sewer.

A non-sewered meter system cannot be used in the event of a sprinkling ban.

Application(s) for a non-sewered water meter shall be made by the property owner at the City's bill payment office located in the municipal building at the corner of North Main and West Water Streets. There will be an application charge equal to the applicable meter charge documented in the "tap and service line installation" contained in Exhibit 1. By such application, the property owner shall be deemed to assent, agree and commit to all rules, regulations, policies, charges and fees pertaining to the furnishing and utilization of water service. Such application shall state that the property owner will be responsible for the payment of all bills for water and/or sewer service used on the premises involved.

A piping plan detailing the proposed non-sewered installation must be submitted with the application and be approved by the Director prior to commencement of the work. All costs associated with the installation of a non-sewered meter system are at the expense of the owner.

All related work must be inspected and approved by the Department of Public Utilities before the meter is permanently installed.

In the event that the Director of Utilities is satisfied that a portion of the metered public water supply consumed upon any premises does not and will not enter the sanitary sewer system, the owner may, at his sole expense, install such separate approved metering system to determine the portion of the metered public water supply which shall not be discharged to the sanitary sewer system of the City. Such portion shall be subtracted from the applicable metered public water supply to determine the quantity of sewer discharge.

An approved backflow prevention device shall be installed after the master meter and before the non-sewered meter. In addition, an approved pressure relief device shall be installed downstream of the non-sewered meter in a location required by the Wayne County Plumbing Inspector. Isolation valves shall be required as per exhibit "A" or as approved by the Director. All related internal piping shall be exposed and accessible at all times.

All remote readers must be installed in same location as the electric meter or as approved by the meter department.

RESIDENTIAL
NON-SEWERED WATER METER POLICY EXHIBIT 1 (Continued)

Seasonal discontinuance of the non-sewered meter is permitted only if the house water service is discontinued totally.

Except for the above, if the non-sewered service is discontinued at the request of the owner, it shall not be reinstalled unless there is a change of ownership.

Any unauthorized use of the water supplied through a non-sewered meter system shall be cause for discontinuance of the service. In addition, a minimum charge of \$100.00 per month for possible unmetered sewer service shall be added to the utility bill.

Example of Installation Costs

Paid to the City:

Application Fee (consists of 3/4" meter fee & remote, Exhibit 2): \$180.00

Other Fees or Costs:

County Permits and/or Inspection Fees (if applicable)	?
Approved Backflow Prevention Device (estimated cost):	\$20.00
Approved Pressure Relief Device (estimated cost):	\$30.00
Approved pipe and fixtures:	?
Installation Costs:	?

- (h) Before any Meter installation and service line tap is made, the Owner shall make the "Advance Deposit" specified under Exhibit 1 herein.
- (i) A "Temporary Non-Sewered Meter Installation" may be provided to customers for purposes of establishing a new or renewed lawn. All such installations shall be provided only by employees of the Utility and only to a hose connection located outside any structure or to a fire hydrant, whichever the Utility deems best. The customer shall be liable for any damages incurred while the meter is in his trust. A renewed lawn is defined as a lawn in which the entire front and/or back lawn is completely replaced. The "old" yard must be completely tilled and seeded or sodded. Over seeding an existing lawn will not be considered as a renewed lawn. All such services shall have a limited term which shall only be long enough to reasonably fulfill the intended purpose (not to exceed one growing season, April thru October).
- (j) Customers who desire a temporary non-sewered water service for purposes of filling swimming pools may request the service by contacting the Utility. All such installations shall be as specified in Section 4(j) above with the exception that they may be renewed annually.
- (k) If in the judgment of the Utility, a temporary non-sewered water service is utilized for any purpose other than the specific, intended purpose; the installation shall be removed immediately and that customer (including current spouse and/or co-habitants) shall be denied any future temporary non-sewered water service for any properties owned or controlled by such customer.

RESIDENTIAL
NON-SEWERED WATER METER POLICY EXHIBIT 1 (Continued)

Authorized Under Date of April 9, revised April 23, 2001 and revised February 9, 2004, By The Public Utilities Board of the City of Orrville, Ohio, in accordance with Section 407(c) of the Charter of the City of Orrville and Sections 729.06, 729.07, 735.28, 735.29, 743.02, 743.04, 743.05, 743.10 and 743.12, of the Revised Code of Ohio.

Signed by: Robert Maglio, President

To Be Effective For All Bills Payable After the above stated authorization date.

WASTEWATER DIVISION
GENERAL RULES AND REGULATIONS

EXHIBIT NO.2

Equipment Charges

EQUIPMENT	CHARGE per HOUR (Does NOT Include Operator)
Air Tamper	\$10.00
Air Compressor	\$25.00
Backhoe	\$35.00
Cut Off Saw	\$10.00
Gas Torch	\$18.00
Gas Tamper	\$15.00
Gopher	\$25.00
Hydrant Pipe Cutter	\$20.00
Portable Generator	\$8.00
Sewer Jetter	\$35.00
Sewer Camera	\$35.00
Shoring	\$20.00
Skid Steer	\$35.00
Tap Machine, Small	\$30.00
Tap Machine, Large	\$30.00
Truck 16 (2-Ton Dump Trunk)	\$25.00
Truck 8 (1-Ton Dump Truck)	\$20.00
Pickup or Service Truck	\$15.00
Water Pump (4 Inch)	\$20.00
Water Pump (3 Inch or Smaller)	\$10.00

Authorized Under Date of June 14, 2004, By The Public Utilities Board of the City of Orrville, Ohio, in accordance with Section 407(c) of the Charter of the City of Orrville and Sections 729.06, 729.07, 735.28, 735.29, 743.02, 743.04, 743.05, 743.10 and 743.12, of the Revised Code of Ohio.

Signed By William Sampson, President

To Be Effective For All Bills Payable After the above stated authorization date.

WASTEWATER DIVISION
GENERAL RULES AND REGULATIONS

EXHIBIT NO.3

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORRVILLE, OHIO

WASTEWATER RATES

SCHEDULE A: Residential

1. Applicability: This schedule is only applicable for individual residences or for apartment buildings, mobile homes or other premises only is served through a single water meter. Dwelling units are defined as housekeeping suites, light housekeeping suites and other arrangements where suitable tables are set.
2. Where the service is used for commercial, business or other non-residential purposes, the City's applicable rate schedule shall apply.
3. Monthly Billing: The total billing for each month, or part thereof, that service is turned on shall be the sum of the following charges (a), (b) and (c) but not less than Part (a):
 - (a) Customer Charge: \$ 9.47 per month
 - (b) Consumption Charge: \$ 2.64 per 100 cu. ft. or \$.0035294/gal.

For service outside the Corporate Limits, the Customer Charge (a) shall be increased by 50%.

For service to residential customers without water meters, there shall be assessed a consumption charge equivalent to 800 cu. ft. per month.

SCHEDULE B: Commercial/Industrial - (Small)

1. Applicability: This schedule is applicable to certain non-residential services including, but not limited to, commercial and business establishments, industrial plants, offices, theaters, churches, motels, etc.
2. The Director shall determine which non-residential customers are assigned to this classification by considering the level of usage and/or the possibility of discharging any contaminants of concern to the Director.
3. Monthly Billing: The total billing for each month or part thereof, that service is turned on shall be the sum of the following charges (a) and (b) but not less than Part (a):
 - (a) Customer Charge: \$ 8.76 per month
 - (b) Consumption Charge: \$ 2.75/100 cu. ft. or \$.0036764/gal.

For services outside the Corporate Limits, the Customer Charge (a) shall be increased by 50%. All facilities served must have their water supply metered by the City.

SCHEDULE C: Commercial/Industrial - (Large)

1. **Applicability:** This schedule is applicable to certain non-residential services including, but not limited to, commercial and business establishments, industrial plants, offices, restaurants, clubs, lodges, theaters, rest homes, hospitals, schools, churches, motels, hotels, meat packing houses, etc.
2. The Director shall determine which non-residential customers are assigned to this classification by considering the level of usage and/or the possibility of discharging contaminants which are regulated by one or more governmental agencies.

Example: (See Schedule B) Any non-residential unit with a usage in excess of 1100 cu. ft. per month would be considered "large".

3. **Monthly Billing:** The total billing for each month or part thereof, that service is turned on, shall be the sum of the following charges (a) and (b) but not less than Part (a).
 - (a) Customer Charge: \$ 77.75 per month
 - (b) Consumption Charge: \$ 2.39 per 100 cu. ft. or \$.003195/gal.

For services outside the Corporate Limits, the Customer Charge (a) shall be increased by 50%.

All facilities served must have their water supply metered by the City.

SCHEDULE D: Food Processors.

1. **Applicability:** This schedule applies to non-residential customers which, according to existing laws and regulations, have installed "pre-treatment" facilities for the purpose of reducing the BOD and Suspended Solids resulting from the preparation of large quantities of food and/or dairy products.
2. The Director shall determine which customers are designated as Food Processors.
3. **Monthly Billing:** The total billing for each month or part thereof, that service is turned on, shall be the sum of the following charges (a), (b) and (c) but not less than Part (a).
 - (a) (1) Customer Charge - Smuckers: \$ 10,292.00 per month
 - (a) (2) Customer Charge - Mohican: \$ 3,850.00 per month
 - (b) Consumption Charge: \$ 1.73 per 100 cu. ft. or \$.0023128/gal.
 - (c) Pretreatment Surcharge: See Surcharge Rate Schedule, where applicable.

For service outside the Corporate Limits, the Customer Charge (a) shall be increased by 50%.

GENERAL

The furnishing and utilization of the sanitary sewer service, including system improvements and the financing of same, shall be accomplished pursuant to the terms in the application for service, the General Rules and Regulations of the Department of Public Utilities, the Water and Sewer Pipe Standards of the Department of Public Utilities and applicable ordinances, all of which are a part of this schedule as is fully written herein.

1. Net Rates:

- (a) Except for Food Processors, for each month, or part thereof, the net billing shall be the applicable charges specified in Schedules A, B or C respectively. Bills will be rendered monthly based upon the amount of water usage. The City may elect to read all meters, or any portion of the total meters, once each quarter and estimate the meter readings for the intervening months.
- (b) For Food Processors, for each month or part thereof, the net billing shall be the applicable charges specified in Schedule D.

2. RV Policy: Orrville Utility customers (Water, Sewer and/or Electric) are generally permitted to dump their Recreational Vehicle's (RV's) sanitary tank at the RV Dump Site located in the parking lot behind the Wastewater Plant located at 1530 North Main Street subject to the following guidelines. Permission to dump is solely contingent on permission from on-duty personnel at the Wastewater Plant who **MUST BE CONTACTED IMMEDIATELY PRIOR TO DUMPING**. Office hours are Monday thru Friday (excluding holidays) 6:30 a.m. – 3:30 p.m. No fees will be charged for dumping.

- (a) The RV must be owned by an Orrville Utility customer or be a current guest of an Orrville Utility customer. If requested, proof of RV ownership must be provided in the form of the Vehicles License Plate Registration.
- (b) If requested, proof of identity in the form of a valid Drivers' License must be presented.
- (c) If requested, proof of current Orrville Utility customer status must be provided in the form of a recent Utility Bill to the individual requesting to dump.

This policy is solely intended to provide a convenient RV dump site for occasional use, by current Orrville Utility customers or their visiting guest(s). It is not intended for regular or on-going use by any individual person or RV. No person or vehicle will be permitted to dump more than 6 times per calendar year. No commercial Septic Tank Haulers or similar vehicles are permitted to dump at any time.

Orrville Utilities assumes no liability for damage to personal property or personal injury to RV operators or their passengers while on Wastewater Treatment Plant property.

3. Sub-metering and unauthorized connections: No customer shall sub-meter for, or allow other persons or parties to connect (either temporarily or permanently) to their sanitary sewer facilities, whether for profit or not for profit. Any violation of this provision shall subject all water and/or sanitary sewer services to

the premises to be discontinued until such violation is corrected to the satisfaction of the City.

- 4. Multiple Business/Dwelling Units: Where more than one business/dwelling unit are served through a single water meter, the customer charge set forth in Section A, B or C shall be multiplied by a number (Y) equal to the number of business and/or dwelling units served.

The minimum charge for each month, or part thereof, shall be the customer charge stated in Schedule A, B or C respectively, times the factor Y.

Example : For 3 units, multiply Customer Charge by three (3).

- 5. Billing and meter reading: Each sanitary sewer service shall be separately billed and no meter readings shall be combined for billing purposes. The charges shall be applied as written with no pro-ration for a fractional billing period.
- 6. Deposits and responsibility for payment of Bills: Deposits may be required pursuant to ordinances, policies and procedures as promulgated by the City and as amended from time to time. Responsibility for payment of bills shall be pursuant to applicable state and local laws, rules and regulations now in existence and as may be added, revised and amended from time to time.
- 7. Prohibited Connections: Once the original sanitary sewer service, including the internal collection system of the premises is complete, no revisions or additions (either temporary or permanent) shall be made without the prior approval of the City and all such approved revisions and/or additions shall be made in accordance with the applicable laws, ordinances, rules and regulations then in effect.
- 8. Other Revisions and Conditions: Other provisions and conditions of service pertaining to application for service, furnishing of service, deposits, discontinuance of service, etc., shall be as set forth in other ordinances, rules, regulations, policies and procedures applicable to same and as may be amended from time to time.
- 9. City's Rights: The City shall have the right at all times to inspect the piping and sanitary sewer system, including any associated equipment, at any reasonable hour to make certain that the provisions set forth herein are being complied with and, if noncompliance is found, to require and take such actions as are necessary to correct the problem(s) including immediate discontinuance of water and/or sewer sanitary sewer services, without notice. In the event of a discontinuance of service, such service shall not be re-established until the condition is corrected to the satisfaction of the City, with no expense to the City.
- 10. Definition of "City": The word "City" as used in these rate schedules shall mean the City of Orrville, Ohio; its Department of Public Utilities; the Public Utilities Board; the Director of Utilities; and employees and representatives of the Department of Public Utilities both individually and collectively, as applicable.
- 11. Definition of "Director": The word "Director" as used in the rate schedules shall mean the Director of Utilities or his designated representative(s).

Effective with bills due and payable by February 15, 1999 ,per Board
Resolution No. 1-98

Signed by: Robert Maglio, President

EXHIBIT “A”

SURCHARGE SCHEDULE

Pretreatment Surcharge

This shall apply to “Food Processors” as defined in Section 913.01 of the Codified Ordinances of the City of Orrville, Ohio and shall be in addition to any other charges.

Whenever a test performed by Orrville Utilities a certified testing laboratory indicates that a Significant Industrial User has discharged any effluent which exceeds the concentration limit for any parameter set forth below, the Director may apply additional charges for any such excess quantity as set forth below.

	Parameter	*Limit	Duration	Charge
A.	Biochemical Oxygen Demand (BOD)	200 mg/l	7 day	\$ 0.37/lb.
B.	Suspended Solids	250 mg/l	7 day	\$ 0.22/lb.
C.	Phosphates	30 mg/l	7 day	\$.61/lb.

Formulas for calculating surcharges:

1. Seven day average flow in mg/d x 8.34 x (seven day average BOD concentration - 200) x 7 x \$ 0.37 = seven day surcharge.
2. Seven day average flow in mg/d x 8.34 x (seven day average suspended solids concentration - 250) x 7 x \$ 0.22 = seven day surcharge.
3. Seven day average flow in mg/d x 8.34 x (seven day average phosphates concentration - 30) x 7 x \$.61 = seven day surcharge.

The above items and charges may be revised from time to time upon recommendation of the Director of Utilities with the approval of the Public Utilities Board.

*Re: per Board Resolution U-39-06 (*Limits are the only item modified on the date of October 30, 2006 – effective January 1, 2007). Previous reference per Board Resolution U-10-04 (verbage changes only), and per Board Resolution U-21-02 and City Ordinance No M-02 - effective with bills due and payable by December 1, 2002, previous reference – Council Resolution No. 1-98.*

EXHIBIT B

UTILITY SERVICE APPLICATIONS , DEPOSITS AND COLLECTIONS for the DEPARTMENT OF PUBLIC UTILITIES CITY OF ORRVILLE

All customers and potential customers of one or more of the Utility Services provided by the Department of Public Utilities of the City of Orrville, Ohio, shall be subject to the provisions of this policy.

Applications for first time customers must be completed at the office. Picture Identification is required and a Social Security Number is requested. The only acceptable foreign identification will be a passport. Deposits will be determined by a sliding scale. The scale will be determined by using the Online Utility Exchange. Orrville Utilities recognizes that receiving personal information from customers requires responsibility of maintaining privacy and security of each customer. In an effort to meet this responsibility Orrville Utilities has established guidelines in an "Identify Theft Protection Program Policy", see Exhibit "F".

Residential Service Applicants-Homeowners

1. Property owner(s) who reside at the property being served shall complete the application. This application must be completed in person. Applicants who pose no credit risk will not be charged a deposit. Applicants who pose credit risk will be charged a deposit of \$150.00. Applicants who pose substantial credit risk will be charged a deposit of \$225.00. If an applicant who was not required to pay a deposit is disconnected for nonpayment of a bill two times within a three year period, a cash deposit of \$225.00 will be required.

Residential Service Applicants -Renters

2. Applicants who pose no credit risk will be charged a deposit of \$75.00.
3. Applicants who pose minimal credit risk will be charged a deposit of \$150.00.
4. Applicants who pose substantial credit risk will be charged a deposit of \$225.00.
5. An existing customer who has no deposit and has been disconnected for non-payment twice in the past two years will be charged the maximum deposit to continue service.
6. Applicant must provide valid photo identification; i.e. driver's license or state identification. If applicant cannot provide the above, the application will be rejected. Service must be maintained in the landlord's name or applicant must obtain a valid cosigner. Refer to Item 9.
7. A service applicant who provides a social security number that is returned as deceased, non-issued, belonging to a person under the age of 18, or belonging to a person other than the applicant, or is fraudulent, shall be denied service until that person supplies a valid social security number. as well as an additional proof of identity i.e. valid drivers' license, Social security card, etc.
8. Orrville Utilities cannot demand that an applicant provide their social security number as a requirement for service. However, it is our policy that applicants who refuse to provide their social security number pose a greater credit risk and shall be charged the maximum deposit.
9. Applicants also have the option of having a cosigner. To qualify as a cosigner the following three (3) criteria must be met: 1) Cosigners must own property; 2) Cosigners must be a customer of Orrville Utilities; and 3) The cosigner's credit risk will be in the lowest credit risk factor.

Commercial Applicants

1. Commercial applicant's deposit will be determined in the following manner:
 - a. Sole proprietorships will have an Online Utility Exchange report pulled on the sole proprietor and charged the corresponding deposit.
 - b. Partnerships, Limited Liability Companies (LLC) and Limited Liability Partnerships (LLP) that are less than one year old will have the Online Utility Exchange report pulled on the managing partner or managing director, as appropriate, and the corresponding deposit will be charged. If the entity is over one-year-old, an IntelliScore Report will be pulled and a deposit charged as described in paragraph 2 below.
 - c. Commercial applicants who are corporations, regardless of whether they are Subchapter "S" or full "C" Corporations, or any corporation that has a corporate headquarters outside of our service area, shall have their credit risk based upon Online Utility Exchange's Business Profile Report and IntelliScore Report.
 - i. If there are no negative trade items or indications of risk, the deposit shall reflect the IntelliScore risk as described in Paragraph 2 below.
 - ii. If the Business Profile Report OR IntelliScore Report indicates credit risk, the customer will be referred to commercial rates for their deposit to be determined.
 - iii. Any commercial customer who bills in excess of \$2000 per month will have their deposit determined by commercial rates.
2. The Online Utility Exchange's Business IntelliScore reports.
 - a. Commercial applicants who pose a low credit risk and display an IntelliScore of 80 to 100 shall pay a deposit of one time the highest monthly usage of the service address during the prior 12 occupied months.
 - b. Commercial applicants who pose a medium credit risk and display an IntelliScore of 70 to 79 shall pay a deposit of two times the highest monthly usage of the service address during the prior 12 occupied months.
 - c. Commercial applicants who pose a moderate credit risk and display an IntelliScore of 69 or lower shall pay a deposit of three times the highest monthly usage of the service address during the prior 12 occupied months.
 - d. New Commercial/Business Accounts Deposit Determination - When application is made for new business/commercials accounts, deposit amount will be based on estimated type of usage and rate structure. Other businesses that fall in the proposed rate structure will be reviewed and based on their average monthly charges a deposit of 1 and ½ times that amount will be charged.

Deposit Duration

Orrville Utilities holds deposits in trust for the customer's account at no interest, and shall be refunded after discontinuing service, settlement of final accounts and proof of ownership. Deposits of customers shall be returned annually to all parties who have not been disconnected for nonpayment in the past three years.

Service to a customer will not be started or reconnected until all applicable fees, charges, and amounts owed are paid in full according to the laws, ordinances, rules and regulations in effect at the time.

General

1. Deposits are required to be paid prior to the time a connection order is issued.
2. Deposits are not transferable from one service address to another.
3. Upon termination of service, the deposit will be applied against any unpaid balance.
4. Any remaining balance will be returned to the customer.
5. Customers who terminate service and have an unpaid balance that is delinquent by more than 30 days from their final bill date shall be turned over for collection.

Customers with Unpaid Account Balances

When service has been terminated, customer will be issued a final bill. If the final bill is unpaid and past due, the balance owed will be transferred to the customer's current open account. If customer no longer has service with Orrville Utilities, unpaid past due final accounts will be turned over to a collection agency.

If said customer applies for service and there are unpaid balances, all past due monies are required to be paid prior to establishing the new service in their name. Once payment has been collected, collection agency will be notified that payment has been made.

Collection Procedure for Final Delinquent Bills

After final bills have been processed, on a monthly basis, a second notice is sent to the customer. At this time they are given an additional two weeks to pay their final bill. If no payment is received, their account is turned over for collection in the following month.

If the account has been disconnected for non-payment, and it is determined the residence is vacant, we will final out their account, and immediately turn it over for collection.

A notation is made on their account in the Utility Billing system that the account has been turned over for collection. If the customer attempts to have service again in their name, they must first pay all past due amounts plus a deposit to have service established.

If full payment is received from the customer, the collection agency is notified and advised to remove the customer from our collection listing.

Customers who no longer have service with Orrville Utilities may make payments to the collection agency. We receive monthly payments from the collection agency for accounts they have collected, when this occurs, a notation is placed on the account stating payment has been received.

Authorized under date of October 13, 2008, by the Public Utilities Board of Orrville Utilities, City of Orrville, Ohio, in accordance with Sections 743.02 et. seq. of the Revised Code of Ohio.

To be effective for all bills payable after November 1, 2008.

Signed

Dave Shrader

Dave Shrader, President

Exhibit C

Identity Theft Prevention Program

Orrville Utilities Complies with the FACT Act (2003) As Follows:

An Identity Theft Prevention Program (Program) has been created and designed to detect, prevent and mitigate identity theft relating to covered accounts of the utility. The objective of Orrville Utilities is to safeguard the "identifying information" as defined by the Federal Trade Commission (FTC), of the customers of the utility for the purposes of identifying and preventing identity theft.

The Federal legislation identifies that program must involve to some degree the "Board of Directors" and "Senior Management" of the utility. **(Federal Register/Vol. 72. No. 217, page 63730)**

In accordance with this objective the following individuals/positions will serve on the Privacy Committee (Committee) which governs the use and enforcement of this policy.

<u>Title</u>	<u>Responsibilities and Expectations</u>
Director of Utilities	Oversight of Utility
Accounting Supervisor	Daily Utility Billing Operation
Director of Finance	Oversight of Utility Billing
MIS Manager	Oversight/Security of Computer Systems

In addition the Director of Utilities has been designated the Privacy Official/Officer who will be responsible for coordinating activities of the Committee and development of an evaluation program.

Identity Theft Red Flag Identification

Assessment of Operations and Review

The Committee conducted an assessment of the secured information for the processes of opening a new account with Orrville Utilities and also monitoring the secured information and transactions on existing accounts. This was completed on September 26, 2008. Red flags as identified in examples as outlined in the FACT Act legislation served as the foundation for reviewing current policies and procedures compared with those needed to detect, prevent and mitigate theft of the private information of the customers of the utility. Examples of those red flags included but were not limited to:

- Warning from consumer reporting agencies
- Suspicious documents
- Suspicious personal information
- Unusual use of account
- Notice from customers

With respect to Review and Monitoring of Existing Accounts:

Strengths: If customer pays with credit card; we require picture ID. When a customer calls with questions regarding their account, we ask for the last 4 digits of their social security number.

Challenges Discovered: We do not have picture ID's or Social security numbers on accounts opened prior to December 27, 2007

Applications are filed in file cabinet that is not secure or fireproof.

With respect to Opening New Accounts:

Strengths: Requiring picture ID's and previous addresses, and asking for social security number.

Scanning picture ID's and applications.

Challenges Discovered: Nothing currently in place to verify above information. We need to add the services of a Consumer Reporting Agency. When proposed changes to Application/Deposit policy are adopted; we will be using a third party reporting agency.

No way to link application/ID to utility billing system

Based on the above review the utility will set in place changes needed, to address the challenges discovered through the review of the Assessment of Operations. These changes once implemented are to be documented and included as part of this Program in Appendix A to this policy. The Committee will review the Assessment of Operations prior to each of its meetings throughout the year and assess any necessary changes in order to detect, prevent and mitigate red flags which could compromise the private information of its customers.

Review and Monitoring of Existing Policies/Procedures:

Based on the Assessment of Operations, the Committee also conducted a review of existing policies/procedures within the utility. Those policies include:

<u>Policy Name</u>	<u>Reviewed (Y/N)</u>	<u>Red Flag Identified</u>	<u>Revised (Y/N)</u>
Application/Deposit Policy	Y	Y	in process

Other Utility Procedures

Based on the Assessment of Operations, the Committee also conducted a review of the utilities procedures for the following to safeguard the "identifying information" as defined by the FTC, of the customers of the utility for the purposes of identifying, preventing and mitigating identity theft:

- Security Breaches
- Employee Training in Identity Theft Protection
- Address Discrepancies
- Records Disposal
- IT Security
- Reports of Identity Theft

Security Breaches

It is the policy of Orrville Utilities to address security breaches discovered within its utility in order to mitigate damage as follows:

1. Customer Service Representative (CSR), utility management, village/city/borough/town management or other village/city/borough/town employee who discovers the breach in security notifies the Privacy Officer/Official of the breach.
2. Privacy Officer/Official must notify all committee Members by both oral and written means (may include letter or email).
3. Privacy Officer/Official must notify law director/solicitor.

4. If the breach has compromised the identity of a utility customer, the utility will notify the affected customer. If it is determined that Orrville Utilities is responsible for a security breach, we have an insurance policy in place to cover losses to individuals incurred due to their identity being compromised.
5. Document the incident(s) and include them as part of Appendix B to this policy and as a report to the Committee, which the Committee will include as part of its annual report to the Public Utility Board and City Council. Such documentation will include an incident report plus what was done to mitigate the exposure.

Mitigation Choices

It is the policy of Orrville Utilities, once presented with the red flags, they be identified in Appendix E of this Program. The following possibilities for mitigating the effects of the red flag could include but are not be limited to:

- Monitor accounts
- Contact customer
- Change passwords
- Close and reopen account
- Refuse to open account
- Don't collect on or sell account
- Notify law enforcement
- No response

A list of identified red flags and how those red flags were dealt with is shown in the incident report, Appendix B to this Program.

Employee Training

It is the policy of Orrville Utilities to train each employee who has access to "identifying information" as defined by the FTC a minimum of between two to four hours for the first year of the Program, and then at least one hour of recurring annual training each year thereafter. The training will be administered by the Privacy Official/Officer or may be administered by a Member of the Committee, pending an assignment by the Committee. The employees will be trained on a "need to know" basis, only receiving information as it relates directly to their job.

For each new employee who it is determined to need access to the "identifying information" as defined by the FTC, that employee will be trained a minimum of between two to four hours for their first year working within the Program and at least one hour of recurring annual training each year thereafter.

A record of the employees trained, date, hours trained, and curriculum covered is maintained as part of Appendix C to this policy.

Curriculum will include:

1. ***Identity theft defined, policy review, etc.***
2. ***Handling data at the customer "window" (conscious of shoulder surfing and prying ears)***
3. ***Handling data at your desk, monitoring your work area***
4. ***Computer security and safety***
5. ***Document destruction and disposal***
6. ***Handling reports of identity theft***
7. ***Case studies in identity theft attempts***

Address Discrepancies Notices

It is the policy of Orrville Utilities, as users of information received from nationwide consumer reporting agencies (CRA), when notice of address discrepancy is received from the CRA, the procedure is as follows:

1. A difference is determined between the address the customer/potential customer provided and the address in the CRA's files; and
2. A reasonable belief must exist that the consumer report relates to the consumer about whom the report was requested; and
3. The information is compared from the consumer report to the information provided by the consumer; and
4. The information provided in the consumer report is verified with the consumer to the satisfaction of the Accounting Supervisor; and
5. The utility confirms that the address for the consumer in its reasonable belief relates to the consumer about whom address discrepancy existed.
6. Each address discrepancy is documented within Appendix D to this policy and will include the consumer's name, address provided by the CRA, address provided by the consumer, date the discrepancy was reported by the CRA, date the consumer was notified and date the discrepancy was resolved.

Records Disposal

It is the policy of Orrville Utilities, to shred and destroy documents and comply with the current Record Retention Policy.

Information Technology Security

It is the policy of Orrville Utilities to complete ongoing monitoring of its information systems in order to identify, prevent and mitigate the possibility of identity theft through access to/through the utilities computer software and hardware. This monitoring will include, but not be limited to the following:

- a. Testing and installation of critical systems patches to remove software defects which would create weaknesses in the security of either software or hardware which if left unresolved would allow access to the "identifying information."
- b. All computers will have the appropriate password protocol and software and/or hardware to allow the machine to be locked down.
- c. Employee training will include training in the security of both software and hardware annually.
- d. An annual audit of the computer systems' security will be performed by the Privacy Officer. This audit must include the Information Technology check list which is shown in Appendix F of this Program. The audit must be documented by use of the check list and address any areas where improvements must be made. This will include a date and time by which those changes must occur.
- e. Completion of the audit and meeting all required changes must be recognized by the signature of the Official/Officer.
- f. Appendix F will be reviewed annually by the Committee prior to the audit in order to allow updates to the check list.

Reports of Identity Theft

It is the policy of Orrville Utilities, once a customer identifies themselves to the utility as a victim of identity theft, and notifies the utility of the theft of their identity that the utility request the following of that customer:

