

RECORD OF ORDINANCES

Ordinance No. 2023-6

Passed _____, _____

AN ORDINANCE CREATING, ESTABLISHING, ADOPTING, AND CONSOLIDATING THE VILLAGE OF BREMEN WATER AND SEWER RULES, REGULATIONS, AND PROCEDURES

WHEREAS, the Village of Bremen is responsible for the maintenance and operation of the Village's water and sewer infrastructure; and

WHEREAS, several ordinances have been adopted over the years, each addressing different aspects of the Village's policies pertaining to the regulation, management, and protection of water works and wastewater in the Village. This has led to piecemeal legislation that is cumbersome and inefficient to use; and

WHEREAS, Council for the Village of Bremen believes it is time to consolidate this legislation and create a clear and consistent set of rules, regulations, and policies.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREMEN, FAIRFIELD COUNTY, STATE OF OHIO:

SECTION 1: Council for the Village of Bremen hereby creates, establishes, and adopts the following policies, rules, and regulations to govern, manage, and protect the Village of Bremen Water and Sewer Works.

SECTION 2: Register of Consumers. The Office of the Village Administrator shall keep a register of all consumers; collect all water rents or other money due to the works; and each month shall report an itemized statement of all receipts and disbursements to the Council.

SECTION 3: Meter Installation. Outside meter installations shall be as follows: Twenty-four (24) inch meter pit with lid down thirty-six (36) inches. There shall be a meter set with a shut off valve. #57 gravel will be placed under the meter housing and one-half (1/2) up the outside of housing. Furnishing and installation of meters, and piping water to the curb, shall be performed by the Village.

SECTION 4: Permits. No service lines of any nature shall be connected to the street mains except by permit from the Village Administrator. It shall be unlawful for any person, firm, or corporation to open or tap any water main, pipe, or lateral, or make any connection therewith, or to open or dig in any street, alley, or public place for the purpose of connecting with or tapping any water main, pipe, or lateral, or for the purpose of construction or repairing any private pipe connecting therewith, without first obtaining from the Village of Bremen a permit to do so. The permit, when so secured, shall be the plumber's authority for connecting the house piping with the street mains, in accordance with the regulations of the Village of Bremen in such work and such addition, fee, or charge as the Village of Bremen may provide

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shall be paid in similar manner by the application for tapping the main and laying pipe to the curb.

Upon application completion, the Operator of Record shall make a proper tap in the water main or pipe and shall lay and construct a connection therewith from said water main or pipe to a point inside the curb line of the street in which said water main or pipe is located in the manner and under the specifications herein provided and under such rules as the Village of Bremen may adopt. All pipes, fittings, and other water infrastructure up to the curb valve, and including the meter, shall be the property of the Village. No tap will be covered until approved by the Operator of Record. Outside Village corporation limits, the cost of a water tapping permit shall be increased by twenty-five percent (25%). For all lots that are inside the Village of Bremen limits that are plotted and recorded by Fairfield County as of May 8, 2017, the cost of a water tapping permit shall be:

| | | | | |
|---------------------------|------|-------------|----------------------------|-------------|
| Inside Corporation Limits | 3/4" | \$2,500.00 | Outside Corporation Limits | \$3,000.00 |
| | 1" | \$3,000.00 | | \$4,000.00 |
| | 2" | \$4,000.00 | | \$5,000.00 |
| | 3" | \$6,000.00 | | \$7,500.00 |
| | 4" | \$8,000.00 | | \$10,000.00 |
| | 6" | \$12,000.00 | | \$15,000.00 |

The fee for inspection of a sewer tap installation shall be \$3,500.00 for lots inside the Village corporation limits, and \$4,500.00 for lots outside corporation limits. The owner of the property of said lot shall be responsible for all expenses or costs incurred for the installation of the work and supplies required to tap into the sewer. The application must state the name of the owner of the property, the number of the lot, and the street on which said lot is located. No permit shall be issued unless the owner shall have paid all taxes, assessments, and other public charges due and payable on such property. All other expenses whatsoever for continuing such connection must be borne by the lot owner or other person making the connection with the pipe as laid, and the lot owner shall replace the sidewalk in its former condition.

SECTION 5: Tap Specifications. All taps in water mains or pipes shall be of such size as to give proper service to the property which is to be connected therewith and shall be extended with plastic, PVC, polyethylene pipe, so as to free from strain in the settlement of the earth from the trench to the curb line and provided with suitable lead free brass fittings, corporation cock at the main and brass service cock within the curb; each curb cock shall be provided with a suitable iron box with lid and these boxes shall be consecutively numbered; the top of said boxes shall be at or slightly above the ground level and the Village of Bremen shall cause accurate measurements and location of all taps, corporation cock and curb cocks to be made and recorded in a record kept for that purpose.

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All cocks should be of such pattern as to open with the same key and to be turned to the left to open. The curb cock and box shall be included in the fees and charges mentioned in the foregoing rules. No service pipe shall be laid at a depth less than thirty-three (33) inches below the established grade of any street or below the surface of the ground and no trench shall be backfilled before pipes are inspected tested by turning on the water and all meters shall be placed by Water Department personnel. The Village shall have the right at any time to temporarily remove any meter and test the same and if it is found inaccurate, they may order the same repaired or a new meter substituted. Meters shall be removed only by the Village.

SECTION 6: Street Extensions. Parties desiring extensions of a street main shall do so by petition stating they will agree to take water from such proposed extension and the revenue from such extensions shall equal the interest of the cost of construction of such work desired. All such petitions shall be filed with the Village Administrator who shall report the same to Council for the Village of Bremen at its next regular meeting.

SECTION 7: Fire Hydrants. No fire hydrant shall be opened or tampered with except by the offices in charge of the works, or by the duly appointed officers and members of the fire department in the regular discharge of their duties in the extinguishment of fires or fire practices. No obstruction of any nature shall be placed near or about any such hydrants that will interfere or obstruct the free use of such hydrants for fire protection.

SECTION 8: Water Supply. No person shall do, or permit to have done, anything or place any matter in the wells or grounds in such a way or manner that the water supply will be contaminated.

SECTION 9: Reservoirs, Buildings, and Tanks. No person shall damage the reservoir, buildings or tank of the water works or any of its appurtenances.

SECTION 10: Private Fire Protection. Proprietors of buildings or grounds or yards desiring private fire protection may apply to the Village stating the uses of such protection and the manner to be laid, which on approval by the Village of Bremen will be done entirely at the expense of the persons to applying and in the manner directed by the Village. The care of such appliances shall be at the expense of the owners under the direction of the Operator of Record for the Water Department.

All such connections shall be placed with a valve and valve boxes in the right of way so that when ordered by the Village, the supply to such premises may be cut off by the Operator of Record or Water Department personnel. The valve shall be paid for by the owners of the property, but when in place shall be the property of the Water Department and shall be maintained by the Village.

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SECTION 11: Protection of Fire Lines. All service, pipes, meters, and fixtures thereon shall be fully protected by the owner of the property or the tenant against damage by frost or other causes. All repairs of damage arising from neglect of such care shall be at the sole expense of the owner or tenant of the property. Failure to protect the pipe and fixtures will subject the owner or tenant to the forfeiture of the use of water. A stop valve shall be placed in such position that the pipes and meter may be shut off at times when desired. Said valve shall be located between the meter and the curb box.

The service branches are considered the property of the water consumer and as such said consumer will be held responsible for any leakage that may occur between the house and the meter, also for the care and maintenance of the curb box which shall at all times be free from obstruction and of ready access for the turning on or off of water. Anyone grading or resurfacing yards is required to notify the Office of the Operator of Record of the Water Department so that the curb box can be raised or lowered to the proper height.

The Village of Bremen reserves the right at any time to limit the amount of water used for sprinkling, or any such use other than human consumption purposes. The Village reserves the right to shut off the water from any part of Village water services for such time as may be required for extension, repairs, or emergencies. The Operator of Record for the Water Department shall provide advance notice of the date and duration of probable interruptions to supply when feasible.

The Operator of Record shall have the authority to order all homes and/or businesses to install backflow prevention devices at the expense of the property owner.

Failure to repair leaks or remove obstruction from the curb box when notified to do so will cause the Village to shut off the water at the main, until such leak has been repaired or curb box freed from obstruction and the expense of shutting off and turning on paid by the consumer.

SECTION 12: Tampering Prohibited. No person, unless otherwise approved by the Village, shall tamper with, modify, obstruct, or damage any water meter, valve, main, pipe, service opening, or other part of the Village water system, nor shall any person detach, install, use, or knowingly permit the use of any jumper or bypass pipe or other bypass structure on or with connection with any part of the Village water system. No person shall impede the natural flow of any water line or pipe in any manner whatsoever.

It shall be a violation of this Ordinance to alter a water bill.

SECTION 13: Water Mains. Water mains shall be six (6) inches in diameter minimum. Pipe shall be PVC plastic C900 class 150. Pipe shall be laid forty-eight (48) inches deep. Fire hydrants shall not be more than six hundred (600) feet apart

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and shall be of a size and brand specified by the Operator of Record of the Water Department.

SECTION 14: Water Heaters. Consumers who have hot water heating plants must provide automatic regulators to protect their heaters and pipes against increased pressure by the mains due to water, rain, or direct pumping by the fire protection service. Damage to such heaters or pipes shall be at the expense of the consumer.

SECTION 15: Water Meter Readings. Every property which receives water service from the Village shall have a separate and individual water meter, unless an exception has been granted by the Village Administrator. The Village shall read all water meters on a quarterly basis. When the amount of water consumed exceeds a minimum amount, the overage shall be added to the quarterly amount and divided into a monthly bill. Utility meter reading cards must be returned to the Village Billing Office for accurate billing of accounts. No meter read shall be estimated unless:

- a) The water meter is covered and inaccessible to the meter reader;
- b) The water meter is broken;
- c) Jumpers or by-passers are discovered while attempting to read the meter; or
- d) A change in ownership occurs without a special reading first being made. In each case, the estimate shall be made by Village Billing Office and no such estimate or payments in accordance therewith shall prevent the Village from charging the Owner for water metered, giving due credit for the payment of estimated charges.

A property owner may apply to the Village Billing Office to have their water meter's functioning checked. The owner requesting an inspection shall be charged twenty-five dollars (\$50.00). Upon application for a water meter inspection and payment of the inspection charge, the Village shall remove the meter and have it checked for the correct gallon usage. If the meter is found to be faulty, the inspection charge shall not be assessed or shall be returned to the owner if already paid.

SECTION 16: Billing Procedures. All monthly bills are due and payable at the First Bremen Bank, monthly, no later than the 20th day of each month. No credits shall be carried over from one year to another.

SECTION 17: Discontinuing Service. The regular monthly charge will be charged for all properties, whether occupied or not, and owners desiring to avoid the payment of charges for unoccupied property must notify the Village Billing Office in writing that they wish to discontinue water service. Such writing must

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specify the date upon which discontinuance of service is requested, and such date must be at least two days after notice is provided to the Village. When discontinuing service, the Village will read the owner's meter and their balance will be adjusted accordingly.

Where discontinuation of service was voluntarily requested, a fee of twenty-five dollars (\$50.00) shall be required to resume service to a property.

SECTION 18: Rental and Transfer of Property. The owner of all rented property shall be liable for water rents in buildings owned by them, whether the owner occupies the building. Owners are required to notify the Village Billing Office of any transfer or change in ownership of property to which the Village provides water services. An owner who transfers property to which the Village provides water services shall remain liable for all water supplied to the property unless they provide a notice of termination of ownership and reasonable proof of new ownership to the Village.

SECTION 19: Water Rates 2024. The monthly rates for water consumption/usage shall be as follows:

| For Residents and Businesses Located Within the Village of Bremen | |
|--|----------------------|
| 0-3,000 gallons (Base Rate) | \$27.06 |
| Any amount over 3,000 gallons | \$4.71/1,000 gallons |
| For Residents and Businesses Located Outside the Village of Bremen | |
| 0-3,000 gallons (Base Rate) | \$32.48 |
| Any amount over 3,000 gallons | \$5.64/1,000 gallons |
| For The Village of Rushville | |
| 0-333,000 gallons (Base Rate) | \$3.72/1,000 gallons |
| Any amount over 333,000 gallons | \$3.54/1,000 gallons |
| For Car Wash Bulk Purchases | |
| 0-100,000 gallons (Base Rate) | \$4.00/1,000 gallons |
| Any amount over 100,000 gallons | \$4.03/1,000 gallons |
| For All Other Bulk Water Purchases | |
| 0-3,000 gallons (Base Rate) | \$35.00 |
| 3,001-6,000 gallons | \$0.01/gallon |

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SECTION 20: Capital Improvement Charge. In addition to the rates identified in the above Section, a five-dollar (\$5.00) Capital Improvement Charge will be added to each month's invoice.

SECTION 21: Sanitary Sewer Rates. Sanitary sewer service is billed in gallon units based on the same consumption calculated for water, unless a deduct meter is installed to measure and deduct outside usage. The monthly rates for sanitary sewer shall be as follows:

| For Residents and Businesses Located Within the Village of Bremen | |
|--|----------------------|
| 0-3,000 gallons (Base Rate) | \$42.64 |
| Any amount over 3,000 gallons | \$7.62/1,000 gallons |
| For Residents and Businesses Located Outside the Village of Bremen | |
| 0-3,000 gallons (Base Rate) | \$51.40 |
| Any amount over 3,000 gallons | \$9.13/1,000 gallons |

SECTION 22: Delinquent Accounts. Twenty-one (21) days after the end of a billing month, a twenty percent (20%) late charge will be added to the utility bill. Delinquent/disconnection letters shall be mailed by the Village on the first business day following the due date. This will be the only form of notification which the Village is obligated to provide. The Village may use whatever means it deems necessary to collect unpaid water rents on outstanding accounts.

The Village reserves the right to shut off the water supply for any amount over ninety-nine dollars (\$99.00) or over ten (10) days past due. When the Village determines water access to a property will be shut off, the property owner will be notified on the 25th day of the month and water will be shut off on the first day of the next month after the bill is past due.

If water has been disconnected for non-payment, the entire past due balance must be repaid in addition to a reconnection fee in the amount of fifty dollars (\$50.00.). If an account is disconnected twice or more within a twelve-month period, the entire past due balance *plus any current balance* must be paid in full before reconnection, in addition to the reconnection fee.

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SECTION 23: **Penalty.** Any person, persons, firm or corporation who shall violate any of the provisions of this Ordinance or who shall fail to comply with any of the requirements hereof or who shall assist in such violation or noncompliance, shall be deemed guilty of a minor misdemeanor. Each and every day a violation exists shall constitute a separate offense.

SECTION 24: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 25: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

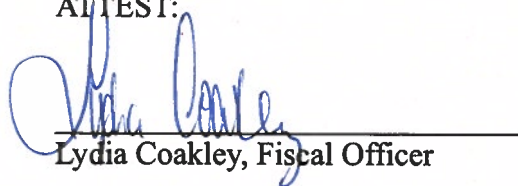
SECTION 26: This Ordinance shall take effect at the earliest time allowed by Ohio law.

Passed in Council this 13th day of November, 2023.



Anthony Taylor, Mayor

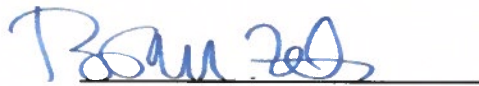
ATTEST:



Lydia Coakley, Fiscal Officer

APPROVED:

Approved as to form this 9th day of June 2023:



Brian M. Zets, Esq.
Village Solicitor