

ORDINANCE 2025-47

**VILLAGE OF DEGRAFF RULES AND REGULATIONS GOVERNING THE
USE OF MUNICIPAL UTILITIES, AND DECLARING AN EMERGENCY**

Council for the Village of DeGraff hereby adopts these regulations replacing any water ordinances in conflict herein.

Section 1-1 in accordance with section 735.01 and 735.02 Ohio Revised Code, and existing Village Ordinances, the following rules, regulations, and fixed charges are hereby established for the control of service supplies by the water department of the Village of DeGraff. As a condition to receiving utility service from the Village of DeGraff, the consumer hereby agrees to the following municipal utility rules and regulations.

- A. New property owners, purchasing property as primary residence, are required to pay a deposit equal to the current rate resolution which shall be held until the final bill is established where the deposit is applied and all utility charges have been paid.
- B. Rental Property consumers are required to sign a rental agreement and pay the current deposit fee for all domestic and/or commercial property. An obligation of the property owner clause on the rental agreement must be signed and returned to the Utility Office within ten (10) days of renting of the property or building. If the property owner refuses to sign the Obligation Clause accepting the responsibility of any unpaid utility bills due from the renter, the deposit will be refunded to the renter and the property owner billed monthly. The deposit can be applied to the renter's final bill.
- C. The renter deposit is for the protection of the property owner and in no manner relieves the property owner of their responsibility for payment of water and sewer bills. If the property owner wants the service disconnected for any reason, except an emergency, the owner must notify the Utility Department personally or the service will not be disconnected. If the services bill is in the name of the tenant, the property owner cannot have the service disconnected in order to remove said tenant from the property or building. All property owners' will get copies of their tenants; bills and late notices.
- D. No water service shall be initiated, transferred, or restored to any property until all outstanding water service charges, penalties, and fees associated with that property have been paid in full, regardless of change in ownership or tenancy. Upon notification of sale, transfer, or change in occupancy of any property served by the municipal water system, the Utilities Department shall, within forty-eight (48) hours (excluding weekends, Wednesdays, and holidays), prepare and issue a final bill for all charges incurred to the date of termination. The final bill for the property shall be paid in full prior to the establishment or reconnection of water service for any new owner, tenant, or occupant.
- E. When ownership of any premises connected to the Village's utility system is transferred, any unpaid utility charges associated with that property, including but not limited to water and sewer utility services, may be transferred by the Village to the account of the new owner or tenant. Unpaid charges for utility service shall be deemed to follow the property served, and the Village may collect such charges from the current owner or tenant of record regardless of whether the charges were incurred by a prior owner, occupant, or tenant. It shall be the responsibility of any party involved

in a property transfer to verify the status of the utility account prior to closing. The Village shall, upon request, provide a statement of outstanding balances for a specific property. Failure by the Village to notify a new owner of unpaid charges at or prior to transfer shall not constitute a waiver of the Village's right to recover such amounts.

- F. Utility bills are due and payable by the fifteenth (15th) of each month.
- G. A penalty shall be assessed in the amount as established in the rate charges ordinance on accounts not paid by the twentieth (20th) of the month.
- H. Utility bills unpaid by the fifteenth (15th) of the next month will be subject to disconnection.
- I. Notification will be sent by mail Seven days (7) prior to disconnection of service. Such notice shall advise that if the delinquent account is not paid within the seven days (7) of said notice, service will be disconnected without further notice. Such notice shall further advise that reconnection shall require payment in the full amount, plus penalties, plus our current reconnect fee set in the rate Ordinance.
- J. To restore service disconnected for non-payment, the utility account must be paid in full to date plus penalties and a reconnect fee as determined in the current rate Ordinance
- K. Water and Sewer usage within the Village will be billed monthly at the rate posted in the Billing and Collection Office of the Village Administrator, set by the Village rate Ordinance.
- L. Water and Sewer usage for property serviced outside the corporation limit shall be one and half (1.5) times the existing rate for the use within the Village limits, for the minimum of two thousand (2000) gallons. These same rates shall apply to anyone purchasing water within the Village limits for use outside of the Village limits.
- M. The Village Administrator shall have the right to adjust bill for the past months service where meters are found to be faulty, readings incorrect, or for any reason that the administrator may deem justifying an adjustment.
- N. The Village Administrator shall have the right to bill on basis of an estimated monthly charge when readings are not available.
- O. The Village and/or Village Administrator shall have the right to go on to the premise's services at all reasonable times for the purpose of reading, replacing, repairing, or inspection of meters and/or utility service.
- P. Due to staffing limitations and office efficiency, the utility office is unable to accept any loose coins exceeding the amount required for a coin roll of that denomination to be rolled within any single transaction. Standard coin roll denominations are: (i) pennies - \$.50; (ii) nickels - \$2.00; (iii) dimes - \$5.00; (iv) quarters - \$10.00; or (v) half dollars - \$10.00.

Section 1-2 Municipal utility systems shall include water, service lines, mains, services, valves, meters, hydrants, curb stops, and are under the exclusive control of the Village Administrator and its authorized employees. Such control shall also include all piping, tiles, or wires from Village mains, or wires to the point of consumption or where serviced is finally used or discharged.

Section 1-3 No Person, persons, firm, or corporation including contractors and other temporary users shall use any utility service until appropriate application and fees, if required, have been filed with and approved by the Village Administrator and/or Fiscal Officer. The application shall

be as required for each utility as provided for in these rules and regulations. Application for service may be refused or approved on condition, if the utility is unable to furnish service desired or furnishing service would impair the efficiency of the utility. The rules and regulations herein after set forth shall be considered part of the contract with every person, company, or corporation that is supplied with utility service through the water department of the Village of DeGraff. Every person, company, or corporation by taking service shall be considered to express their consent to be governed thereby.

Section 1-4 The municipal utilities do not guarantee any fixed pressures, or continuous supplies of water, but in case of trouble will endeavor to notify consumers affected thereby. No claim for damages will be considered for any of the above-mentioned acts.

Section 1-5 The Village Administrator and /or water superintendent after written notice has been served upon the customer, may cause any utility to be disconnected until any unsafe water conditions existing on a property is corrected. Existing plumbing Ordinances shall be used as criteria or if none exist, the appropriate building code as adopted by the State of Ohio shall be used.

Section 1-6 Contracted work on water lines or fixtures which are connected to the Municipal Utility System either directly or indirectly, inside or outside of the corporation limits, shall be done by a plumber or water installer licensed by Logan County Health Department and approved by the Village Administrator.

Section 1-7 No person shall tamper with, damage or obstruct any portion of the Municipal Utility System. No person other than authorized personnel shall open or close curb boxes, meter boxes, valves, or fire hydrants unless permission is first obtained from the Village Administrator. If the Municipal Utility finds that a meter seal is broken, and by-pass inserted, or any utility has been tampered with, the service will be "TURNED OFF" and shall not be "TURNED ON" again until the violator has paid (i) the estimated quantity of water service which has been used (ii) "TURN ON" fees; and (iii) an administrative fee of two hundred fifty dollars (\$250). If the Village determines that repeated tampering offenses have or are occurring legal action shall be taken by the Village, including referral to the appropriate authorities for criminal charges. If a service shut-off is requested the meter cannot be removed due to safety concerns, and in accordance with EPA Regulations 3745-95-01 (M) which states in full, "HEALTH HAZARD" means any conditions, device or practice in a water system or its operation that creates, or may create a danger to the health and well-being of users. The word "SEVERE" as used to qualify "HEALTH HAZARD" means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.

Violators are also subject to arrest under applicable sections of the Codified Ordinances of the Village of DeGraff, which statues or ordinances shall be enforced for utmost protection of consumers and the Village of DeGraff.

Section 1-8 No person shall take utility service for private use from any public building, place or fixture, such as fountains or fire hydrants for which service is provided without securing the permission from the Village Administrator and/or Fiscal Officer.

Section 1-9 No person receiving service from any utility shall supply other persons or families. There shall not be more than one house or single dwelling unit on each meter. New apartment houses shall be plumbed to meter individually for each dwelling unit. Each dwelling unit shall be

individually metered except/unless and due to the logistics of the unit(s) it would be impractical.

A Dwelling Unit is interpreted as a single-family living unit.

Multi-dwelling Units are interpreted as multiple single-family living units within a single building/structure (i.e., apartments, condos, duplexes, trailer courts, etc.). A Monthly service fee shall be charged for each dwelling unit.

Section 1-9 (A) Mass metering situations where more than one dwelling unit is being metered by one meter, each dwelling unit shall divide the consumption plus pay anything over the minimum monthly charge.

Section 1-10 There shall not be more than one Commercial Building Unit on each meter. New Multi-Unit Commercial Buildings shall be plumbed to meter individually for each unit. Each Commercial Building Unit is interpreted as a single business unit. Multi- Commercial Businesses are interpreted as Multiple Commercial Businesses within a single building /structure (i.e., professional services, personal grooming facilities, retail stores, real estate offices, etc.), a monthly service fee shall be charged for each Commercial Unit.

Section 1-11 Inspectors and meter readers employed by the Municipal Utility Systems, whose duty it may be to enter upon private premises to read or examine meters, pipes or other fixtures used in connections with the utility Systems, must have free access at all reasonable hours to all parts of the building for the above-mentioned purposes. In case any authorized inspector, meter reader, or employee is refused admittance to the premises or shall be prevented from making such examination the utility shall be "TURNED OFF" and not "TURNED ON" until access for the above-mentioned purposes is permitted.

Section 1-12 It shall be the duty of the Village Administrator to cause surveys and investigations to be made of all properties served by public water supply where private, auxiliary or emergency water supplies, other than the public water supply, are known to exist or where such supplies are likely to exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Village deems necessary.

Section 1-13 Meters will be read monthly and as near to the same date each month as possible. Weather conditions may hamper meter readings, in which case an estimated reading may be applied on basis of past consumption. The occupant of the home or business is responsible to see that the meter reader is permitted access on the regular reading route. Meters not able to be read for extended periods of time may be estimated until the situation is corrected. Bills will be mailed by the 1st of the month for the previous month.

Section 1-14 Persons, firms, or corporations may interrupt service by proper notice to the utility office. Upon Changing occupancy and proper request, the meter will be read, or upon request will be "TURNED OFF".

There shall be no fee for emergency shut offs. If customers fail to install a main shutoff valve and an initial shut off is performed, then the Village will charge a nuisance emergency shutoff fee of \$25.00 per event.

For seasonal or maintenance reasons it may be necessary to "TURN OFF" the utility for a period of time. It is a violation of these regulations for individuals to tum off the utility and/or remove water meters. To prevent damage to the meters, an employee of the utility department is the only person(s) authorized to "TURN OFF" or "TURN ON" the utility. If a resident is requesting service for events to be "TURNED OFF" then "TURNED ON" more than two times per year a service fee of \$25.00 shall be charged starting with the third (3rd) "TURN ON".

Section 1-15 The property owner/agent as recorded on the tax duplicate, shall be responsible for all water usage and charges that occurred on the property, or where any usage and charges were incurred through the service connection of the property dwelling unit or any other connection that would normally be expected to be considered for billing purposes under these regulations and policies.

The Village Administrator is not responsible for legal relationships between renters and renter, or land owner and land contract owners.

Section 1-15 (A) The property owner shall not discontinue the water service to force removal of any renter, tenant or land contract owner from the property and/or building.

Section 1-16 The utility reserves the right to remove a meter from any premise and substitute another meter in its place, for the purpose of testing or repairing. The utility will on its initiative undertake to test and/or correct any meter, which in its judgement is registering incorrectly without the consent of the consumer.

Section 1-17 Meters must be kept accessible to meter readers and other authorized personnel of the Village and must not be permitted to become covered or obstructed by rubbish or other materials, regardless of where such meters are located, notices will be sent to violators.

If clear access is not provided to the Water Department any necessary action to provide the access will be at the owners' expense.

Section 1-18 Upon request from owner and payment of a fee, the utility will remove a domestic meter to the meter shop for testing purposes. The fee for other sizes will be on an hourly basis for any time involved based upon the hourly rate of the service/utility worker performing said testing. If upon examination and testing, it is found the meter registers outside the tolerance limits, the meter shall be considered inaccurate, the fee will be refunded, and a new meter installed.

Section 1-19 If a meter fails to register, the consumption will be estimated on the basis of consumption for a period when service was supplied under similar conditions and was correctly metered.

Section 1-20 In case it becomes necessary to "TURN OFF" any utility because of any violation of any rules and regulations of the Municipal Utility System, a charge as provided in the appropriate schedule will be made. (Reconnect Fee)

Section 1-21 Whenever in these rules and regulations it is stated that notice will be given to the consumer, said "notice" shall be posted at and/or mailed to the premises where service is consumed. Such "notice" shall be considered sufficient notification.

However, if there is a HEALTH AND SAFETY HAZARD issued, a notice is not required.

Section 1-22 The Municipal Utility System endeavors to provide proper notice of utility charges, but cannot guarantee the delivery of utility charges. It is the responsibility of the owners, buyers and/or sellers of the property to see that proper transfer of ownership is made at the water office

and utility charges paid to date. The Municipal Utility System will make every possible effort to collect utility charges or assessments that are unpaid through failure of the Municipal Utility System to make collections as provided by its rules and regulations.

Section 1-23 These rules and regulations shall be modified, or added to, at any time as deemed necessary to protect the Municipal Utility Systems of the Village of DeGraff.

Section 1-24 A minimum of two working days notification must be given to the Water Department and the Ohio Utilities Protection Service (OUPS) before any excavation can begin.

Section 1-25 When a consumer suffers a significant leakage problem, and a water bill of \$50.00 more than normal billing is incurred the customer may be permitted to make payments upon approval of the Village Administrator, not to exceed three (3) months in payments. This privilege may be suspended at any time, and the account must then be paid in full. The Village Administrator is permitted to implement a delinquent account repayment program upon utility customers, or property owners whose tenants are served by utilities provided by the Village of DeGraff, Ohio, who receive water and/or sewer utilities, and whose accounts are delinquent prior to undertaking actions at law and/or certification of the delinquent accounts to the Logan County Auditor in accordance with ORC §735.273 and ORC §735.29.

Section 1-26 All water bills are due on the 15th of each month. If the water bill is not paid by the 20th of the month, a penalty as established in the rate charges ordinance will be assessed. If the water bill plus the penalty has not been paid by the 15th of the following month, the water service may be disconnected. A re-connect fee as established in the rate charges ordinance will be charged to have service "TURNED ON". The water bill and all charges must be paid in full before service is restored. Water Service will be reconnected as soon as practical after payment has been received.

Section 1-27 Consumers whose payments are returned for insufficient funds (NSF) shall be charged an NSF fee as established in the current rate charges ordinance. If the consumer is delinquent as described in Section 1-26, water service will be disconnected seven (7) calendar days after receiving notice of insufficient funds and will remain disconnected until the full amount owed, including the NSF fee and any applicable penalties, is paid in full by cash, money order, or credit card.

Section 1-28 The Village finds it necessary to limit the number of non-sufficient funds (NSF) received from residents. After the 3rd NSF received in 1 year, the resident will be required to pay by money order or cash only. After a period of twelve (12) consecutive months during which the resident incurs no penalties or additional NSF payments, the account holder may again be permitted to make payments by check, card, or cash. If, following reinstatement, the resident incurs an additional three (3) NSF payments, the account holder shall thereafter be permanently required to make all payments by cash or money orders only, with no further eligibility for reinstatement of check or card privileges.

Section 1-29 Bulk water can be obtained from a fire hydrant at a location directed by the Village employee, only by permission of the Village Administrator. To get permission to obtain bulk water, you must have the proper back flow prevention equipment and/or air gap separation when loading. You must also leave an address for billing purposes.

Charges are directed from the current rate fee Ordinance.

Section 1-30 (A) If, in the judgement of the Village Administrator, an approved back flow prevention device is necessary for safety of the public water system, the Village Administrator will give notice to the Water Consumer to install such an approved device immediately. The water consumer shall at his own expense, install such an approved device at a location and in a manner approved by the Village Administrator, and shall have inspections and tests made of such approved devices as required by the Village Administrator.

Section 1-30 (B) That person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Village Administrator of the Village of DeGraff and by the Ohio Environmental Protection Agency.

SECTION 2

Section 2-1 No person, firm, or corporation shall make or permit to make, maintain or permit to maintain, any physical connection between any other source of water and the Municipal Utility System, unless said connection is approved by the Logan County Board of Health, the Village of DeGraff, and the proper back flow prevention devices are approved and installed in accordance with Ordinances and Regulations of the Village of DeGraff and Ohio EPA.

Section 2-2 Consumers shall not allow service pipes or fixtures connected therewith to remain out of order, unprotected from frost, permit unnecessary waste, or allow other to use water from their systems.

Section 2-3 Every water service shall be metered. All meters of size 4" or larger shall be of the compound type unless otherwise approved by the Village Administrator.

Section 2-4 The Village will, where available and determined to be in the best interests of the Village Utility, provide water service for the use of applicant. Water service is provided at the expense of the applicant and shall include the applicable water tap-fee as per current rate schedule. No tap shall be provided until a set of prints are received showing the location of entry of water into the structure, and an approval has been issued by the utility Office. A water tap tee shall include a corporation stop, tapping saddle, curb stop, and riser, water meter, remote register, and the necessary tubing to provide water to the curb stop. The owner shall be responsible for the remaining labor and materials to complete the service.

Section 2-5 Whenever a break or leak occurs in a service line between the Village water main and the curb stop or property line, the Municipal Utility System will repair the same at its own expense as soon as possible, but if the break occurs beyond the curb stop property line, or at any place on the owner's premises, the repair or replacement shall be done by and at the owners' expenses, if the Municipal Utility System deems it proper to prevent waste or damage, the water may be "TURNED OFF" and will not be "TURNED ON" again until repairs have been made.

Section 2-6 The customer shall protect all service lines, meter pits, and meters from damage. Frozen service lines will be thawed at the Municipal Utilities expense from the main to the property line or curb stop. If the meter is located inside the building, the consumer is responsible for meter damage due to freezing, negligence, tampering, accidental damage, and/or theft of meter.

Section 2-7 All new water main construction must be looped so that it will not affect the flow characteristics of the existing water distribution system. All water main extensions shall be made in accordance with the established policy of the Village of DeGraff and the current ordinances or subsequent ordinances. In all such extensions of 6" or larger water main shall be installed from the property line of any property to be serviced unless; in the opinion of the Village Administrator, such installation will never be required to eliminate a dead-end main or materially to improve the flow characteristics of the system. In no event shall any service be extended ahead of a main, through private property or easement to serve a property not immediately adjacent to the main, or to serve a property around the corner from a main, or to serve a property around the corner from a main, if in the opinion of the Village Administrator, a main should be extended to serve such property provided, however, a service, if approved, may be extended ahead of a main to a property

around the corner to a property provided that the owner or owners of said property shall enter into a contract with the Village of DeGraff, Ohio and agree for their selves, their heirs, and assigns to share their proportionate expense of any extensions of a main which may, at a later date, be required to service the property beyond the limit of their own property. Such agreement shall upon its execution, be recorded in deed records of Logan County, Ohio at the expense of the person to service.

Section 2-8 (A) All new construction of buildings for residential, commercial or industrial shall have individual water meters, remote register and curb stop for each apartment unit, dwelling unit, commercial unit, and/or industrial unit, unless otherwise approved by the Village Administrator.

Section 2-8 (B) Buildings or portions of buildings remodeled or converted to multi-units for residential commercial, and/or industrial shall have individual water meters, remote registers, and curb stops for each unit.

Section 2-8 (C) Mobile home parks, each mobile home shall be considered as a dwelling unit and shall have individual water meter, remote registers, and curb stops for each unit. Other buildings such as maintenance buildings, laundries, showers, swimming pools, etc.; connected to the system shall be metered and conformed to the policies and regulations.

Section 2-8 (D) Multi-Unit housing, each family unit shall be considered as a dwelling unit and shall have individual water meters, remote registers, and curb stops, for each unit.

Section 2-8 (E) Multi-Unit commercial/industrial buildings, each unit shall be considered as a separate unit and shall have individual water meters, remote registers, and curb stops, for each unit.

Section 2-8 (F) All units, buildings, and structures connected to the water and/or sewer utility shall be charged a minimum monthly service charge, plus the charge for water and sewer usage. If utility service is "TURNED OFF" at the Village curb stop then the utility shall only charge a utility availability debt fee as established in the current rate Ordinance.

Section 2-8 (G) Exemptions from accrual of monthly utility charges, including water and/or sewer utility availability debt fees are undeveloped properties (building removed from a lot); and properties that are in bankruptcy or foreclosure. Water and sewer lines need to be capped properly.

Section 2-8 (H) Inactive delinquent utility accounts may have their past due bill collected by means of property taxes in an event after proper notice to pay is submitted to the owner and they fail to pay their delinquent bill(s). Utility service is already disconnected by shutting off curb stops valving to disconnect the service prior to entering an availability debt service fee.

Section 2-9 All business services shall be installed at a minimum depth of 36" and a maximum depth of 48" from the final ground elevation, unless otherwise approved by the Village Administrator.

Section 2-10 All water service lines shall be installed at a minimum depth of 36" and a maximum depth of 48" from the final ground elevation, unless otherwise approved by the Village Administrator.

Section 2-11 Electrical grounds shall not be connected to any water line or a structure that is connected to

the Village water mains.

Section 2-12 The Ordinances of the Village of DeGraff, subsequent Ordinances, and current procedures are also part of these rules and regulations as if fully set out in length herein.

Section 2-13 Copies of the current water and sewer rates charges may be obtained upon request at the Municipal Utility Office.

PASSED: 11/4/25

[Signature]
President of Council

APPROVED: 11/4/25

[Signature]
Mayor

ATTEST: 11/4/25

[Signature]
Fiscal Officer

I, Kaitlyn M. Bailey, Clerk of the Village of DeGraff, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2025-47 passed by Council of said Village on the 4th day of November, 2025.

[Signature]
Fiscal Officer