



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

File Number: 2398-2012

30 Day

File ID: 2398-2012

Type: Ordinance

Status: Passed

Version: 1

***Committee:** Rules & Reference Committee

File Name: Code Changes Title 2 and 11 Division of Power
Seperation

File Created: 10/25/2012

Final Action: 12/05/2012

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Joe Lombardi 662 3

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor	Date	Date Passed/ Adopted	President of Council
-------	------	----------------------	----------------------

Veto	Date	City Clerk
------	------	------------

Title: To amend Chapters 221, 1101, 1103, 1105, 1107, 1109, 1113, 1115, 1147, 1153, 1160, 1161, 1162, 1163, 1165 and 1167 of the Columbus City Codes, 1959, to reflect the separation of the Division of Power from the Division of Power and Water within the Department of Public Utilities and to repeal the existing versions of the Chapters being amended herein.

Sponsors: Eileen Y. Paley

Attachments:

..Explanation

BACKGROUND: In 2006 the Division of Power was merged with the Division of Water to create the Division of Power and Water. This legislation amends Title 2 and Title 11 of the Columbus City Codes, 1959 to reflect the separation of the Division of Power from the Division of Power and Water within the Department of Public Utilities.

FISCAL IMPACT: The fiscal impact is limited to the salary of the Division of Power Administrator.

..Title

To amend Chapters 221, 1101, 1103, 1105, 1107, 1109, 1113, 1115, 1147, 1153, 1160, 1161, 1162, 1163, 1165 and 1167 of the Columbus City Codes, 1959, to reflect the separation of the Division of Power from the Division of Power and Water within the Department of Public Utilities and to repeal the existing versions of the Chapters being amended herein.

..Body

WHEREAS, the Division of Electricity was merged with the Division of Water in 2006, thus creating the Division of Power and Water; and

WHEREAS, the water and electricity functions within the division are separate, stand-alone utilities, with separate accounts, budgets and personnel; and

WHEREAS, it is in the best interest of the City to separate the water and electricity functions to maximize leadership and attention to the core functions of the separate utilities; and

WHEREAS, separate divisions for the water and electric utility will increase the efficiency of the Department; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. To amend Chapter 221 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows::

Chapter 221 - DEPARTMENT OF PUBLIC UTILITIES

221.01 - Department of public utilities established.

There is established a department of public utilities consisting of a director of public utilities, two (2) deputy directors of public utilities, the division of power, ~~and water and~~ the division of sewerage and drainage, and the division of water. The department shall perform all lawful functions as may be directed by the mayor or ordinance of council.

221.04 - Division of power.

The division of power is established as a division of the department of public utilities. The administrative head of the division shall be the power administrator.

221.06 - Division of ~~power and~~ water.

The division of ~~power and~~ water is established as a division of the department of public utilities. The administrative head of the division shall be the ~~power and~~ water administrator.

SECTION 2. To amend Chapter 1101 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows::

Chapter 1101 - ADMINISTRATION

1101.02 - Effectiveness of rules.

Any rules and regulations issued by the Director of Public Utilities are made effective on all consumers of water from the system of the Division of ~~Power and~~ Water, both within and without the corporate limits.

1101.03 - Termination of water service.

(a) After twenty-one (21) days' notice, the Director may terminate water services to any person or real estate using city water in violation of this chapter for any of the following conditions:

- (1) Nonpayment of accounts pursuant to City Code Section 1105.12
- (2) Violation of any rule and regulation promulgated pursuant to City Code Section 1101.01
- (3) Violation of City Code Section 1105.038
- (4) Violation of City Code Chapter 1113

(b) The notice shall indicate the basis upon which service is being terminated and date after which service will be terminated if the violations are not corrected, or applicable payment or payment agreements are not received by the Division of ~~Power and~~ Water pursuant to City Code Section 1105.12. The notice shall also indicate the hearing rights afforded to any person affected by the termination notice by which the person may contest the water service termination. The notice shall be mailed or hand delivered to the address of the customer of record and to the service address.

(c) Any affected person desiring a hearing concerning a termination of water service under this section or billing dispute under City Code Section 1105.12(E) must request a hearing with the director by submitting a written and signed request to the Division of ~~Power and~~ Water no later than ten (10) days after receipt of a termination notice, or ten (10) days after the due date of the bill in question, whichever date is later. Failure of an affected person to file a request for hearing within the allotted ten (10) day period shall constitute a waiver by that person of their right to a hearing under this section. A request for hearing shall include as a minimum: name, address and telephone number of affected person; date; a statement requesting a hearing; and a description of the nature of the dispute, including the location of the affected property. The director or his designee shall convene a hearing on the matter within ten (10) days of receiving the request for hearing. If a hearing cannot be scheduled within this ten (10) day period, then the water service termination shall be automatically stayed, pending the holding of a hearing on this matter. The director shall adopt regulations establishing procedures by which hearings will be conducted pursuant to this section. For the purposes of this section the meaning of "affected person" shall include, but is not limited to, an owner, occupant, resident or tenant of the affected property.

(d) This section is not applicable to emergency termination of water services pursuant to City Code Section 1101.06, water service termination for the purpose of enforcing the termination of sewer services pursuant to City Code Section 1145.83, voluntary termination of water services pursuant to City Code Section 1101.07, or disruption of water service due to routine or scheduled maintenance of the water system or emergency circumstances.

SECTION 3. To amend Chapter 1103 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows::

Chapter 1103 - WATER PERMITS

1103.01 - Illegal use of water ; information; posting.

(a) It shall be unlawful for any person to take water or in any way use water for private use which is furnished by the Division of ~~Power and~~ Water, unless such person shall have first paid for and received a permit for such use from the administrator of the Division of ~~Power and~~ Water. Any person not employed by the city, or any ex-employees of the city, who furnishes information to the Division of ~~Power and~~ Water of any such illegal use of water, may receive as his compensation for such information, not to exceed twenty-five (25) percent of any amount received by the Division of ~~Power and~~ Water as a result of such information for such illegal use of water, and the amounts to be paid to such informant under twenty-five (25) percent, to be left to the discretion of the administrator of the Division of ~~Power and~~ Water. The administrator is authorized to make such payments out of the amount so recovered; provided,

however, that the foregoing provisions of this section shall not apply to the use of water for the extinguishing of fires.

(b) The administrator of the Division of ~~Power and~~ Water shall have printed and cause the same to be posted in as many public places in the city as he deems necessary, copies of (a) above.

1103.02 - Permit for work on pipes.

No plumber, water contractor, or sewer/water contractor shall make any attachments, additions to or alterations in any city service pipe, cock or any fixture connected with the service water pipes, unless he or she shall first procure a permit from the administrator of the division of ~~power and~~ water for such work, and shall make a written return of the same, as prescribed in the rules and regulations of the division of ~~power and~~ water.

1103.03 - Tapping mains.

No person other than the properly authorized employees of the Division of ~~Power and~~ Water acting under the direction of the Director of Public Utilities or a person or firm authorized by the Director of Public Utilities shall be permitted to tap or make any connections with the main or distributing pipes of the Division of ~~Power and~~ Water.

SECTION 4. To amend Chapter 1105 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1105 - WATER RATES AND CHARGES

1105.01 - Definitions.

"Available frontage" shall mean the frontage for all parcels which abut on the water main. On corner parcels the frontage shall be the shortest frontage which abuts on a street right-of-way. Parcels which already abut on a water main shall not be considered as part of the available frontage.

"Contract areas" means areas served with water by the city where a contract exists between the city and a political subdivision.

"Corner parcel" shall be a lot or parcel abutting on two (2) or more intersecting streets.

"Eligible senior consumer" shall mean any customer who applies for and receives certification by the Division of ~~Power and~~ Water that he or she (a) receives service by means of a single meter, registering to a single-family residence; (b) is personally or whose spouse is personally responsible (c) is sixty (60) years of age or older and (d) has a total income for a one (1) person household not greater than seven thousand eight hundred (\$7,800.00) dollars or one hundred fifty (150) percent of the federally established poverty level, whichever is greater; or a total income for a two (2) or more person household of one hundred fifty (150) percent of the federally established poverty level, as defined by the poverty threshold statistics published annually by the Poverty Statistic Branch of the Bureau of the Census.

"Front foot" shall mean the frontage that abuts on the street right-of-way. However, if a small section of a large property abuts the right-of-way, the front footage shall be the width of the larger more representative section of the property. When the property to be served does not abut upon a street right-of-way, front foot shall mean the width of the parcel.

"Noncontract areas" means areas outside the city served with water by the city where no contract exists with a political subdivision.

"Service connection" means the connection of all or any part of the service line to the tap.

"Service line" means the line extending from the tap onto the premises to be served and shall include all the necessary pipes, lines and appurtenances from the tap to and including the meter.

"Tap" means the connection to the water main and the necessary pipes or lines extending from the water main to and including the curb stop or valve and box.

"Total income" means the adjusted gross income of the applicant and spouse for the year preceding the year on which application for the senior consumer water rate is made, as determined under the "Internal Revenue Code of 1954," 26 U.S.C. 1, as amended, plus income from the following sources not included in the federal adjusted gross income: old age and survivors benefits received pursuant to the Social Security Act, retirements, pensions, annuities, payments received pursuant to the "Railroad Retirement Act," 45 U.S.C. 231

<<http://library.municode.com/HTML/16219/level2/CHTR_THECICOOH_MIPR.html>>et seq.; and interest on federal, state and local government obligations. Disability benefits paid by the Veterans' Administration or a branch of the armed forces of the United States on account of an injury or disability shall not be included in total income.

"Water service outside city" means water service furnished to consumers in contract areas or water service authorized by the Director of Public Utilities for consumers in noncontract areas.

1105.038 - Water metering systems.

A. The Director of Public Utilities is hereby authorized to install, read and maintain metering systems to any and all properties served with water by the Division of ~~Power and~~ Water.

B. The Director of Public Utilities or ~~his~~ the director's appointed agents are authorized to enter all properties served with water by the Division of ~~Power and~~ Water for the purpose of installing, reading and maintaining the metering system.

C. Water service may be terminated for failure of a customer to provide access to the property for the purpose of installing, reading or maintaining the metering systems pursuant to the provisions of city code Section 1101.03

D. The property owner shall pay the appropriate service termination and resumption charges as specified in Section 1105.09

<<http://library.municode.com/HTML/16219/level2/TIT11WASEELCO_CH1105WARACH.html>>for denying access to the Director of Public Utilities or ~~his~~ the director's agents for the purpose of installing, reading and maintaining the metering system.

E. The customer is responsible for damage to the metering system resulting from negligence, vandalism, freezing or hot water and shall be charged for said damages to the meter according to Section 1105.09, Part E, except that said charge shall not be imposed when to the satisfaction of the director it is shown that the damage is the result of conditions beyond the control of the customer.

F. If the customer causes the obstruction of the metering system after its installation, or requests that the metering system be relocated, and the Division of ~~Power and~~ Water agrees to perform such relocation, the customer shall be responsible for the relocation trip charge as specified in Section 1105.09, plus the actual costs of relocating any part of the metering system.

G. The Director of Public Utilities will determine the type of metering system to be installed for each customer and that if in the director's opinion an existing system is inadequate to meet the intent of Section 1105.038, the director shall cause it to be replaced with a system meeting said intent.

1105.045 - Unpaid charges a lien-Owner liable.

A. Each water charge charged under or pursuant to Chapter 1105, Columbus City Codes, is made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the water system of the city, and if the same is not paid within sixty (60) days after it becomes due and payable, it shall be certified to the auditor of Franklin County, Ohio, who shall place the certified amount on the real property tax list and duplicate of the property served by the connection. A penalty charge of ten (10) percent on the amount that is due and payable shall be added to the certified amount, plus an administrative charge for handling as specified in Section 1105.09

<<http://library.municode.com/HTML/16219/level2/TIT11WASEELCO_CH1105WARACH.html>>.

The total certified amount shall be collected as other taxes are collected. The city shall provide the owner of property with written notice of the impending certification at least thirty (30) days prior to the certification. For any procedure not specified in this section, refer to Section 743.04 of the Ohio Revised Code.

B. The division may also collect unpaid water charges by actions at law, in the name of the city, from an owner, tenant, or other person who is liable to pay the charges.

C. The owners of real estate premises installing or maintaining water service shall be liable for all water charges incurred for service at said premises.

D. The division will directly bill a tenant for water and sewer service if the property owner, or authorized agent of the property owner, along with the tenant, sign a written agreement authorizing direct billing of the tenant. Once a written agreement is signed, the division will simultaneously mail, to both the owner and the tenant, copies of any bills and notices concerning delinquent water and sewer charges. This requirement shall affect contracts made on or after the effective date of this paragraph.

E. Direct billing of a tenant shall be in no way construed as to relieve the owner of the real estate premises of liability for water and sewer service charges. No direct billing of a tenant will be allowed where all delinquent water and sewer charges are not paid in full up until the date the direct billing agreement is accepted by the city, or where water or sewer service has been terminated for real estate premises.

F. The owner of real estate premises by installing or maintaining water service from the city is deemed to assent to all rules and regulations of the Division of ~~Power and~~ Water and ordinance of the city pertaining to water service and distribution.

1105.06 - Charges when meter impracticable.

When it is impracticable to supply water through a meter a fair and uniform charge shall be made by the administrator of the Division of ~~Power and~~ Water.

1105.07 - Meter service fee.

A meter service fee shall be paid when a permit is issued for a service connection or a change in meter size. A meter service fee paid for one property will not be transferred to another property.

Size of meter- $\frac{5}{8}$ " - 1- $\frac{1}{2}$ ":

The cost of the meter service fee shall be based upon (1) the current contract cost of the metering system, (2) the current contract cost of the yoke or meter setter (usage of which is contingent upon meter size), (3) the cost of installing the metering system, and (4) a fifteen (15) percent charge of items 1 through 3 for handling and other administrative costs. The cost of the above items may be obtained from the Division of ~~Power and~~ Water, water permits office.

The metering system, except for any deducting meter(s) shall be installed by, maintained by, and remain the property of the city. If neither a yoke nor a meter setter is required for a meter setting, the meter service fee less the current cost of the yoke or meter setter (whichever is applicable due to meter size) shall be the amount charged.

Size of meter-2" and larger:

The cost of the meter service fee shall be the current contract cost of the metering system plus twenty-five (25) percent. The installation of the metering system shall be made by the applicant under the inspection and approval of the Division of ~~Power and~~ Water. The metering system shall be maintained by and remain the property of the city.

General Provisions. The new meter service fee, as set forth above, shall become effective as of July 1, 1986. It will be reviewed each year by the Director of Public Utilities, who shall recommend to council any needed adjustments based upon actual costs.

1105.08 - Water tap charge.

The Division of ~~Power and~~ Water will make and maintain the water tap which shall remain the property of the city. The tap charge shall be paid in advance as follows:

Size of tap- $\frac{3}{4}$ " - 2":

The cost of the water tap charge shall be based upon the current contract costs of material and the current labor and equipment costs to construct the water tap plus twenty-five (25) percent.

Size of tap-Larger than 2":

For taps larger than two (2) inches in nominal diameter, the charge shall be actual cost plus twenty-five (25) percent. A cash deposit equal to the estimated charge shall be required. Any excess deposit will be refunded and any deficiency shall be paid.

All water taps in subdivisions or developments must be installed at the time the water mains are installed, pursuant to [Section 183](#) of the Charter. Every property owner shall be required to install a tap for each lot or parcel immediately prior to the paving of any street when ordered by the director of public service pursuant to [Section 183](#) of the Charter.

Taps may be installed by a qualified contractor upon issuance of a permit by the Division of ~~Power and~~ Water. Such installation must conform to the standards and specifications of the Division of Power and Water and must be approved by the Division of Power and Water.

1105.09 - Special charges.

The following charges shall be paid for the specified special services furnished by the Division of ~~Power and~~ Water:

A. Special meter reading at request of consumer, except for final bill or initial service:

During regular working hours\$30.00

After regular working hours\$30.00

B. Service charge for trip to discontinue or attempt to discontinue water service or to turn on the water service due to non-payment of account arrearages\$20.00

C. Service charge to (1) relocate metering system due to obstruction of the metering system or at the request of the customer, (2) disconnect or remove the metering system at request of customer, except where service line is being capped and abandoned, or (3) reconnect the metering system at request of the customer\$40.00

(Plus actual cost of relocating, disconnecting, removing and/or reconnecting any part of the metering system.)

D. Service charge to turn on or off service at curb box at request of customer (except for emergency repairs.)

During regular working hours\$30.00

After regular working hours\$30.00

E. Service charge to repair meter damaged by customer abuse, tampering, freezing, or hot water. (Plus actual cost of repair or new metering system, if required.)

Residential: During regular working hours\$60.00

Residential: After regular working hours\$65.00

Commercial:\$315.00

F. Service charge to investigate, notify or discontinue water service where fraud or illegal diversion has occurred, including unauthorized turn on or other violation of the rules and regulations of the Director of Public Utilities (plus estimated quantity of water used)\$20.00

G. Testing of meter at request of customer:

(1) Where meter does not test within ninety-seven (97) percent and one hundred three (103) percent accuracyNone

(2) Where meter tests within ninety-seven (97) percent and one hundred three (103) percent accuracy\$40.00

(3) Where meter is two (2) inches or larger in diameter, the meter shall be removed, transported to and from the meter shop, and reinstalled by the consumer under the inspection and approval of the Division of ~~Power and~~ Water\$30.00

H. Returned check processing charge\$25.00

I. Service charge for additional trip to install metering system\$25.00

J. Service charge to pump out meter pit to obtain a meter reading\$65.00

K. Service charges associated with the chlorination process shall be as follows (full service contract areas only):

- (1) Preliminary field check\$50.00
- (2) Additional field checks (each occasion)\$50.00
- (3) Chlorination/flushed (each occasion)\$130.00
- (4) Flush and sample (each occasion)\$130.00
- (5) Processing charge\$15.00
- (6) Lab Sample (each sample)\$15.00
- (7) Water Usage\$25.00
- (8) Chlorine (per event)\$10.00

L. Special charge for renewed service inspections performed on overtime.\$30.00

M. Hydrant Flow Test\$220.00

N. Charges and fees for personnel services, administrative costs, indirect costs, labor and material supplied by the Division of ~~Power and~~ Water may be established by Rule and Regulation of the Director pursuant to 1101.1.

O. City of Columbus Backflow Tester (initial fee)\$100.00

- (1) Annual Renewal Fee\$25.00

P. Backflow Device Program Fee (annual fee)\$25.00

1105.10 - Fire protection service inside city.

For all fire protection service installations made after the effective date of this chapter requiring a separate fire service line the consumer shall install at his expense, subject to the inspection and approval of the Division of ~~Power and~~ Water, all of the piping system necessary to extend from the consumer's system and connect to the city's existing water main.

All separate fire service lines shall have installed, before service is established, an approved meter installation. Such meter and the installation shall meet the specifications and approval of the Division of ~~Power and~~ Water and the entire installation shall be at the expense of the consumer.

The following rates shall apply to fire protection services:

For areas covered by retail contracts, the outside city rates shall be the total obtained by adding the inside city rates and the percentage increase or additions specified in the contract. If no percentage is specified in the contract, the outside city rates shall be the inside city rates multiplied by one and three tenths (1.3).

For noncontract areas or areas where the contract has expired, the outside city rate shall be the inside city rate multiplied by one and one-half (1.5).

The city reserves the right to order the installation of a meter on an existing fire protection line upon violation of applicable ordinances and the rules and regulations of the Director of Public Utilities.

No charge except the minimum charge will be made for any measured water flow resulting from the use of water for fire fighting purposes when such fire has been reported to the fire department serving the area involved.

Where an unmetered tap for a fire service line exists, the following charge shall be paid in lieu of the minimum charges per month prescribed in C.C. Sections ~~1105.04~~ and ~~1105.05~~:

When a property is served with both a fire protection service and water service, the amount to be paid for the combined service shall be the charge computed by using the applicable commodity rate established in Sections ~~1105.04~~ and ~~1105.05~~ and, where applicable, the monthly unmetered fire protection service charge established in Section ~~1105.10~~.

When a property is served by more than one (1) fire protection service and such services provide water to a common inter-connected fire protection system, the services shall be considered a single fire protection service with the rates or charges to be based on the largest tap or meter.

All outlets, except sprinkler heads, on unmetered fire protection service shall be sealed under the supervision of the Division of ~~Power and~~ Water. No person shall break a seal or withdraw water from any unmetered fire protection system, except in the case of fire, without prior approval of the administrator of the Division of ~~Power and~~ Water.

1105.12 - Billing, meter reading-Terms of payment.

A. Billing. The city may render bills for water service on either a monthly or quarterly basis.

B. Water Bill Calculations. All meter readings and billings may be in units of one hundred (100) or one thousand (1,000) cubic feet, cubic meters or gallons and there shall be no proration of rates, except rates which may be prorated at the time of a rate change. Monthly periods described in Sections ~~1105.04, 1105.05, 1105.055~~ and ~~1147.11~~ are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable rate by thirty (30) days to derive a daily rate and multiplying the daily rate by the number of days in the billing period.

C. Terms of Payment. The water rates prescribed in City Code Sections ~~1105.04, 1105.05, 1105.09~~ and ~~1105.10~~ are net.

If bills are not paid within twenty-eight (28) days from the date of billing a gross rate, which is the net rate plus ten (10) percent, shall apply.

D. Termination for Nonpayment of Accounts. Water service may be terminated for nonpayment of any and all charges now and hereafter in force, whether charged by the City of Columbus Division of ~~Power and~~ Water, City of Columbus division of sewerage and drainage, or any of the division's contracting political subdivisions. Termination of water service for nonpayment of account shall be pursuant to the provisions of city code Section ~~1101.03~~

Water service will not be resumed until all service charges due and payable have been collected or a suitable payment agreement has been received from the customer of record or the owner of the real estate. The customer of record and the owner of the real estate shall be responsible for payment of all applicable service charges as defined in city code ~~Chapter 1105~~.

E. Billing Disputes. Customers of record and owners of the real estate wishing to contest any service charges for which they have been billed shall contact the Division of ~~Power and~~ Water at the phone number and/or address provided on the bill, to discuss the matter with a division customer service representative. If the billing dispute is not resolved through discussion with division customer service representatives, the customer of record or owner of the real estate may file a request for a hearing on the matter with the director, pursuant to provisions set forth in city code Section ~~1101.03~~(C).

1105.13 - Distribution of waterworks revenues.

There shall be and hereby is established for the Division of ~~Power and~~ Water, one (1) basic fund, entitled the "Water System Revenue." This fund is to be used for all normal operating costs of the Division of ~~Power and~~ Water in providing water service.

The distribution of water revenue, as covered by ~~Chapter 1105~~ of the Columbus City Codes, 1959, shall be as follows:

All expenditures from this fund shall be limited to those which are authorized by council through the normal appropriation process.

1105.15 - Charge for extension of water mains.

(A) Contract Areas:

(1) All water main extensions in areas having contract with the city for water service shall be installed and paid for as specified in the contract.

(B) Noncontract Areas:

(1) All water main extensions in areas having no contract with the city for water service shall be installed and paid for by the developer, applicants or political subdivision requesting such service at no expense to the city, regardless of the size of water main installed or length of extension.

(2) The specifications and standards of construction for all water main extensions shall be approved by the Division of Power and Water.

(3) The size of all water mains shall be determined by the administrator of the Division of Power and Water and shall be large enough not only to serve the areas under immediate consideration but also to serve areas which are likely to be developed and which would be served by the water main under construction.

Unless otherwise required by the administrator of the Division of Power and Water, no water main shall be smaller than six (6) inches nominal diameter.

(4) All extensions of water mains shall include the installation of all taps, valves and fire hydrants. The number and location of fire hydrants shall be in accordance with standards established by the Columbus Division of Fire and shall be installed and paid for by the applicant or developer under the supervision of the Columbus division of fire. The number and location of all taps and valves shall be as required by the administrator of the Division of Power and Water.

(5) All water mains and appurtenances shall be owned, operated and maintained by the city, with title to be vested in the city upon completion of the water main.

(C) Within the city.

(1) All water main extensions in the city shall be paid for by the applicant or developer requesting such extension. Where a water main extension is required by the city to be installed larger than eight (8) inches in nominal diameter, the city shall pay one hundred ten (110) percent of the difference in the cost of the pipe, fittings and valves between the installation of an eight (8) inch water main and the water main installed.

(2) The administrator of the Division of ~~Power and~~ Water shall determine from the division's records, or other sources, the cost of the pipe, fittings and valves, and this determination shall be final.

(3) The Director of Public Utilities may authorize water main extensions to be installed by a qualified developer and ~~he the director~~ shall determine whether the water main shall be installed by the city or by the applicant or developer.

(4) For each water main extension requested and installed by the city, the Division of ~~Power and~~ Water shall make an estimate of the total costs involved and the applicants or developer shall make a deposit to the city that is sufficient to cover the estimated cost of the water main extension. If the actual cost of the extension is higher or lower than the deposit, the applicants or developer will be refunded the amount of any excess deposit or shall pay to the city any deficit that may exist in the deposit, as the case may be.

(5) When water main extensions are installed by the city, the cost may be assessed against the abutting property owners, with the approval of council. Such assessment shall be in an amount equal to the total installation cost unless the line is required by the city to be larger than eight (8) inches. When the water main is required by the city to be installed larger than eight (8) inches, the amount assessed shall be the total installation cost less one hundred ten (110) percent of the difference in the cost of the pipes, fittings and valves between the installation of an eight (8) inch watermain and the water main installed. The costs shall be determined as prescribed in paragraph 2 above.

(6) The specifications and standards of construction for all water main extensions shall be prepared by the Division of ~~Power and~~ Water. Plans and installation shall be subject to approval of the Division of ~~Power and~~ Water.

(7) The size of all water mains shall be determined by the administrator of the Division of ~~Power and~~ Water and shall be large enough not only to serve the areas under immediate consideration but also to serve areas which are likely to be developed and which should be served by the water main under consideration.

Unless otherwise required by the administrator of the Division of ~~Power and~~ Water, no water main shall be smaller than six (6) inches nominal diameter.

(8) All extensions of water mains shall include the installation of all taps, valves and fire hydrants. The number and location of the fire hydrants shall be in accordance with the requirements of the Columbus division of fire. The number and location of all taps and valves shall be as required by the administrator of the Division of ~~Power and~~ Water.

(9) All water mains and appurtenances shall be owned, operated and maintained by the city, with title to be vested in the city upon completion of the water main.

(10) No water mains shall be installed except by the city unless authorized by an agreement between the city and the developer or applicants. Where water mains are installed by a developer or applicants and abut on parcels not owned by the developer or applicants nor included in the agreement, the developer or applicants shall be entitled to reimbursement when such parcels are connected to the water main within ten (10) years after the completion of the water main from the funds collected by the city for such connections pursuant to Section 1105-11 C.C. The amount of the reimbursement shall be determined by dividing the cost of the water main paid by the developer or applicants by the available frontage abutting on the water main provided that the total amount of reimbursement per front foot of property served shall not exceed the applicable charges established by Section ~~1105.11~~ C.C.

To be eligible for this reimbursement, the developer or applicants must file with the Division of ~~Power and~~ Water within ninety (90) days after the completion of the water main or such further time as may be authorized by the Director of Public Utilities in accordance with the standards and specifications, receipts for all labor and material used in connection with the construction of the water main, together with the final, as-built plans, properly referenced for future location of the work.

1105.18 - Corrections to billing; limits; exception.

(A) If the Division of ~~Power and~~ Water has undercharged a customer for water service because of a malfunctioning metering system or billing error, the division may bill the customer for the portion of the unbilled water consumption used in the two (2) year period immediately prior to the date the division remedies the malfunctioning meter or billing error.

(B) If, however, during the two (2) year period described in Part A, the Division of ~~Power and~~ Water has attempted to verify or repair a malfunctioning metering system and the customer has not responded to requests to read or repair the meter, the division will bill the customer for the amount of the unbilled water used in the six (6) year period immediately prior to the date the division remedies the malfunctioning meter.

(C) This section does not apply to tampering with utility equipment or theft of the utility service as defined in Section ~~1105.038~~ of the Columbus City Code and Section 4933.18 and 4933.19 of the Ohio Revised Code, or where a physical act of a customer or its agent causes inaccurate or no recording of the meter reading, or inaccurate or no measurement of the water rendered.

1105.19 - Water sampling credit.

To provide proper compensation to customers for their assistance in any collection or sampling efforts that may be mandated by any local, state or federal agency. The Division of ~~Power and~~ Water may apply a credit to any customer's account for such services rendered. This credit shall be determined by actual cost related to the services that the Division of Power and Water has requested of any individual customer.

1105.20 - Yard restoration.

In cases wherein the Division of ~~Power and~~ Water has performed excavation in an easement or public right-of-way for the purposes of repairing or replacing a portion of the water distribution system, the Division of ~~Power and~~ Water may offer to compensate property owner for acceptance of responsibility for yard restoration in lieu of the Division of ~~Power and~~ Water providing this service. Acceptance of responsibility shall be established by means of a signed agreement with the property owner.

Compensation shall be made as a credit to the property owner's account. Compensation shall be based on the square footage of the damaged area applied to a predetermined cost structure, based on actual costs.

SECTION 5. To amend Chapter 1107 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1107 - COLLECTION AND DISPOSITION OF WATER FUNDS

1107.01 - Collection and disposition of moneys.

All moneys payable to the Division of ~~Power and~~ Water shall be collected at the waterworks office. All moneys collected by the Division of ~~Power and~~ Water shall be turned over to the city treasurer by the cashier of the Division of ~~Power and~~ Water within not less than twenty-four (24) hours from the time it is received.

1107.02 - Disposition of security deposits.

(a) The city auditor is authorized and directed to transfer to the trustees of the sinking fund all moneys deposited as security for the payment of water rents.

(b) All moneys transferred to the sinking fund in accordance with C.C. 1107.03 shall be thereafter retained until either returned to the depositor or claimed by the lawful owner. If not claimed within a period of five (5) years after termination of the services for which the deposit was made, such money shall revert to the water system revenue fund of the Division of ~~Power and~~ Water.

1107.03 - Handling of funds by sinking fund.

The trustees of the sinking fund are authorized and directed to receive and invest all funds transferred, under the provisions of C.C. 1107.02, in the same manner as other funds in their hands or handled and invested, in trust, however, for the Division of ~~Power and~~ Water. The trustees shall place to the credit of such fund annually the interest earned thereon, which shall in like manner be held and invested.

1107.05 - Depreciation fund.

The city auditor is authorized and directed to establish, out of the revenues of the Division of ~~Power and~~ Water, a depreciation fund, which shall, as nearly as practicable, equal the annual loss by depreciation sustained by the water plant.

SECTION 6 To amend Chapter 1109 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1109 - FREE SERVICE TO INSTITUTIONS

1109.02 - Application-Investigation.

Hospitals, asylums and other institutions devoted to the relief of the poor, the aged, the infirm or destitute persons or orphan children, situated within the corporate limits, and not maintained by general taxation, desiring to be relieved from the payment of bills for water service, shall make application for such relief, at the office of the Division of ~~Power and~~ Water, upon prepared forms, detailing information necessary in determining whether or not such relief from the payment of water bills should be granted by the city council. The Division of ~~Power and~~ Water shall investigate each application, and, together with application, within ten (10) days after its receipt, shall file with the clerk of the city council, a report showing the number of rooms, conditions of plumbing, arrangement of meter and service supplying water for power, elevator, domestic and other charitable, partly charitable and noncharitable purposes.

1109.05 - Bills to be paid by council.

The Division of ~~Power and~~ Water of the Department of Public Utilities, at its regular monthly collection periods, shall at the then current rate per one thousand (1,000) cubic feet charged general consumers for water, render to the city council, bills for the amount of water used by hospitals and institutions granted the use of water free of charge under conditions and terms named herein, which bills shall be promptly paid to the Division of ~~Power and~~ Water out of the general revenue fund of the city upon provision being made therefore by the council.

1109.06 - Institutions to pay if council does not.

If the bills mentioned in C.C. 1109.05 are not authorized by the council to be paid to the Division of ~~Power and~~ Water within the time limit allowed for the payment of regular monthly water bills, the Division of ~~Power and~~ Water is authorized and directed to notify such hospitals and institutions that all bills for water supplied from the date for which such bills are rendered will be required to be paid by such hospitals and institutions. All such hospitals and institutions in such case shall be required to pay for all water supplied them by the Division of ~~Power and~~ Water, unless and until provision is made for its payment by the council.

1109.07 - Notification of changes in plumbing-Inspections.

Hospitals or institutions granted water free of charge shall notify the Division of ~~Power and~~ Water of any changes or alterations in plumbing or buildings as soon as completed.

The Division of ~~Power and~~ Water shall make periodical inspections of such hospitals and institutions, and if changes or alterations conflict with the original report of the service supplied, the city clerk shall be promptly notified.

1109.08 - Revocation of privileges for wastage.

Wastage of water by reason of defective plumbing or otherwise shall be avoided by hospitals and institutions, under the provisions of C.C. 1109.02, 1109.03 and 1109.07, and the privileges granted by such sections revoked if such wastage is not stopped within five (5) days after notification by the Division of ~~Power and~~ Water that such wastage exists.

SECTION 7. To amend Chapter 1113 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1113 - OFFENSES PERTAINING TO WATER SUPPLY**1113.01 - Protection against polluted water.**

(A) If, in the opinion of the administrator of the Division of ~~Power and~~ Water or his/her designees, an approved backflow prevention device is necessary for the safety of the public water system, the administrator of the Division of ~~Power and~~ Water will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his/her own expense, install an approved device at a location and in a manner approved by the administrator of the Division of ~~Power and~~ Water and shall have inspections and tests made of such approved device as required by the administrator of the Division of ~~Power and~~ Water.

(B) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the City of Columbus, Ohio may enter the supply or distribution system of said municipality.

(C) The Division of ~~Power and~~ Water shall make surveys and investigations of industrial and other properties served by the public water supply where actual or potential hazards to the public water system may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the administrator of the Division of ~~Power and~~ Water shall deem necessary.

(D) The administrator of the Division of ~~Power and~~ Water or his/her duly authorized representative shall have the right to enter any property served by a connection to the city's water supply for the purpose of inspecting the piping system or systems thereof. On request, the owner, lessees or occupants of any property so served shall furnish to the administrator of the Division of ~~Power and~~ Water any information, which the administrator may deem necessary, regarding the piping system or systems or water use on such property. The refusal of such information or entry, when requested, shall, within the discretion of the administrator of the Division of ~~Power and~~ Water, be deemed evidence of the presence of improper connections.

(E) The administrator of the Division of ~~Power and~~ Water shall be authorized to discontinue, after due notice to the occupants thereof, the water service to any property where any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he/she may deem necessary to eliminate any danger to the city's water supply distribution system. Water service to such property shall not be restored until any such dangerous conditions have been eliminated or corrected in compliance with the provisions of this section.

(F) The Director of Public Utilities shall have the authority as may be necessary in the interest of public safety, health, and general welfare to promulgate rules and regulations, to interpret and implement the provisions of this section and to secure the intent therefor.

1113.03 - Obstructing, using or defacing fire hydrants; permits, fees and charges.

(A)(1) No person shall in any manner, obstruct or cause to be obstructed, any fire hydrant in the city, nor place or cause to be placed, in or upon any public place or thoroughfare of the city, within ten (10) feet of

any fire hydrant any articles, things, materials, dirt, snow or other substances so as to obstruct such hydrant.

(2) No person other than employees of the City of Columbus, Division of Fire or Division of ~~Power and Water~~, shall connect any hose with or draw any water from, nor in any way molest or interfere with any of the fire hydrants of the city, without a permit approved by the fire official and the administrator of the Division of ~~Power and Water~~, or their designees.

(3) The Fire Official and the Director of the Department of Public Utilities shall have authority as may be necessary in the interest of public safety, health and general welfare to promulgate rules and regulations, to interpret and implement the provisions of this chapter, to secure the intent thereof, to establish permit fees and to designate requirements applicable because of climatic or other conditions.

(4) No person authorized to use a fire hydrant under a permit issued pursuant to (A)(2) above shall violate any of the conditions of the permit or any of the rules or regulations pertaining to said permit.

(5) Except when authorized by a permit issued pursuant to (A)(2) above, no person shall paint, decorate, deface, or in any manner destroy any fire hydrant in the city.

(B) Whoever violates Section 1113.03(A)(4), including any prescribed rule or regulation authorized by this chapter, shall be charged for unauthorized use of water through a fire hydrant in the amount of three hundred dollars (\$300.00) per occurrence plus the cost of repair for any damage to the fire hydrant.

1113.04 - Injuring, obstructing water system fixtures.

No person shall place or deposit any dirt or material in any fire hydrant or in any valve box or stopcock box, or commit any act tending to obstruct the use thereof or injure in any manner any fixture connected with the system of the Division of ~~Power and Water~~.

1113.05 - Destruction of property.

No person shall commit any act tending to deface, damage or obstruct in any manner any building, machinery, pipe, apparatus or other fixture of the Division of ~~Power and Water~~.

1113.06 - Liability of certain persons for acts of others.

In all cases where any servant, employee, apprentice or minor shall be guilty of any violation of the provisions of this chapter or any ordinance for the management and protection of the Division of ~~Power and Water~~ or any of the prescribed rules and regulations of the Division of ~~Power and Water~~, the master, mistress, employer, parent or guardian of such person shall be held responsible for such violation as well as the persons committing the offense.

SECTION 8. To amend Chapter 1115 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1115 - WELLFIELD PROTECTION

1115.11 - Reporting requirements.

(A) Reports Generally.

(1) Applicability. Any person, facility, or activity located within a wellfield protection area (WPI or WPPI) shall be in compliance with all provisions of paragraph (A)(2) of this section within one hundred and eighty (180) days of the effective date of this section except:

(a) Owners and occupants of single or duplex residences are expressly excluded from the reporting requirements of paragraph (A)(2) of this section if such use and occupants are otherwise in compliance with the provisions of this chapter;

(b) As provided under paragraph (E) of Section 1115.08.

(2) Reports. Any owner or occupant of any land within a wellfield protection area shall file applicable reports with the Director within one hundred and eighty (180) days of the effective date of this section, except as provided in (A)(1) of this section.

(a) The report filed by the owner or occupant shall contain information deemed necessary by the director for determination of compliance with this chapter, other city ordinances and Ohio and federal laws and regulations. Such information shall be provided by completion of an environmental audit and, when required, an environmental assessment of estimated effect. The scope of information for these reports shall be designed and supplied by the director.

(b) Information contained in any submittal and designated by person or activity as confidential shall only be considered confidential to the extent allowable under the Ohio Public Records Law and other applicable federal and State laws.

(c) A person who owns, operates or occupies more than one facility in a wellfield protection area must make separate information submittals for each facility.

(d) Operators of industrial mineral mining facilities who are users of regulated substances shall comply with these reporting requirements, as well as the provisions of Section 1115.10

(3) Falsifying information. No person shall make any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or falsify, tamper with, or render inaccurate any monitoring device or method required under this section.

(4) Retention of records. Any reports or records compiled or submitted pursuant to this section shall be maintained by the user for a minimum of six (6) years or so long as enforcement or judicial proceedings are being pursued, whichever is longer.

(B) Reporting of Spills, Leaks or Discharges.

(1) Any person with direct knowledge of a spill, leak or discharge of a regulated substance within a wellfield protection area shall, if such spill, leak or discharge escapes containment, contacts a nonimpervious ground surface and is not immediately and completely remediated, give notice to the administrator of the Division of ~~Power and~~ Water by telephone. The notification shall be made within three (3) hours of the incident and shall include at a minimum, the location of the incident, name and telephone number, date and time thereof, type of substance(s), concentration and volume, and control or corrective action taken. Such notification shall in no way alleviate other local, state, and federal reporting obligations as required by law.

(2) Any entity or person who spills, leaks or discharges a regulated substance(s) shall be liable for the reasonable expense, loss or damage incurred by the city in response to such an incident, in addition to the amount of any fines imposed on account thereof under local, state and federal laws; said person shall document and maintain sufficient records so as to reflect accurately the circumstances related to any such incident and develop and implement procedures to substantially eliminate the likelihood of reoccurrence of such spills, leaks or discharges as soon as practicable following the incident, but not later than one hundred eighty (180) days after the incident and submit a complete report for the director's approval incorporating a detailed history of the spill, corrective actions taken and a plan for prevention of such incidents.

(3) Any person or activity located in a wellfield protection area shall provide spill prevention control and other pollution abatement methods or facilities sufficient to adequately minimize or eliminate the accidental discharge of spills of any regulated substances. Such control and abatement methods and facilities shall be provided and maintained at said person's cost and expense. Detailed plans showing facilities and operating procedures sufficient to provide this protection shall be submitted to the director as a component of the environmental assessment of estimated effect report for review and approval by the director prior to the construction of facilities. Review and approval by the director of said plans and operating procedures shall not relieve the user from the responsibility to modify the facility as necessary to meet the requirements of this chapter.

(4) Signs shall be permanently posted in conspicuous places on the premises in locations where regulated substances are, or may be used, advising employees whom to call in the event of a spill or accidental discharge. All persons who may cause or discover such an incident shall be trained in emergency procedures by the owner or operator.

(5) The city shall post signs in conspicuous places advising transporters of regulated substances whom to call in the event of a spill or accidental discharge.

SECTION 9. To amend Chapter 1147 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1147 - SEWER CHARGES

1147.14 - Measurement of water, determination and payment of charges.

A proportionate charge shall be made to all users that discharge wastewater, either directly or indirectly, into the city sewerage system. Such charges shall be based on the quantity of water used as measured by a water meter or through the use of a sewage flow meter and the users wastewater strength classification as determined in accordance with this chapter. All water and sewage flow meters and their installation shall meet the acceptability of the Director.

(a) In the event a lot, parcel of land, building premises, municipal corporation or other political subdivision, discharging sanitary sewage, industrial wastes, water or other liquids into the city sewerage system, either directly or indirectly, is a user of water supplied by the Division of ~~Power and~~ Water of the city, and the quantity of water used is measured by a water meter acceptable to the city's Director of Public Utilities, then, in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge as provided in this chapter.

(b) In the event a lot, parcel of land, building, premises, municipal corporation or other political subdivision discharging sanitary sewage, industrial wastes, water or other liquids into the city sewerage system, either directly or indirectly, is a user of water supplied by the Division of ~~Power and~~ Water of the city, and the quantity of water used is not measured by a water meter or is measured by a water meter not acceptable to the Director of Public Utilities, then, in each such case, the owner or other interested party shall, at his or its own expense, install and maintain a water meter acceptable to the Director and the quantity of water used, as measured by said meter, shall be used to determine the sewer charge as provided in this chapter.

(c) In the event a lot, parcel of land, building, premises, municipal corporation or other political subdivision, discharging sanitary sewage, industrial wastes, water or other liquids into the city sewerage system, either directly or indirectly, is not a user of water supplied by the Division of ~~Power and~~ Water of the city, and the water used thereon or therein is not measured by a water meter or is measured by a water meter not acceptable to the Director of Public Utilities, then, in each such case, the owner or other interested party shall, at his or its own expense, install and maintain a water meter acceptable to the Director and the quantity of water used, as measured by said meter shall be used to determine the sewer charge as provided in this chapter.

(d) In the event a lot, parcel of land, building, premises, municipal corporation or other political subdivision, discharging sanitary sewage, industrial wastes, water or other liquids into the city sewerage system, either directly or indirectly, is a user of the water supplied by the Division of ~~Power and~~ Water of the city, and, in addition, uses water from another source which is not measured by a water meter or is measured by a water meter not acceptable to the Director of Public Utilities, then, in each case, the owner or other interested party shall, at his or its own expense, install and maintain water meters satisfactory to the Director on all supplies and the quantity of water used to determine the sewer charge shall be the sum of the quantities of water measured by the several meters.

(e) In the event a lot, parcel of land, building, premises, municipal corporation or other political subdivision, discharges sanitary sewage, industrial wastes, water or other liquids into the city sewerage system, either directly or indirectly, and it can be shown by such party, to the satisfaction of the Director of Public Utilities, that a portion of the water as measured by the water meter or meters does not and cannot enter the sewerage system, then the Director of Public Utilities may determine in such manner and by such method as he may find practicable the percentage of metered water entering the sewerage system, and the quantity of water used to determine the sewer charge shall be that percentage, so determined, of the quantity of water measured by the water meter or meters, or, the Director of Public Utilities may require or permit the installation of acceptable additional meters at such party's expense and in such a manner as to determine the quantity of water actually entering the sewerage system, in which case the quantity of water used to determine the sewer charge shall be the quantity of water actually entering the sewerage system as so determined. In the event such additional meters are installed, an additional charge of two dollars (\$2.00) shall be made to cover the cost of reading and computing the flow of each such meter and such additional charge shall be added to each sewer charge bill rendered as otherwise herein provided and described.

(f) The sewer charge provided in this section shall be payable at the office of the city treasurer and, at the option of the Director of Public Utilities, shall be made payable at the same time as the water bill for the lot, parcel of land, building, premises, municipal corporation or other political subdivision, payable.

(g) The Director of Public Utilities may require, as a condition to any sewerage agreements entered into as hereinabove provided, that the city shall be furnished with information and data as to all sources of water supply, other than the Columbus' Division of ~~Power and Water~~, which may be in existence or may later be developed within the confines of the premises covered in such agreement, such data and information, in the case of wells, to include the location, size, capacity and depth thereof.

SECTION 10. To amend Chapter 1153 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1153 - SEWER AND WATER ADVISORY BOARD

1153.01 - Sewer and water advisory board.

There shall be a sewer and water advisory board consisting of the city auditor or his representative; the Director of Public Utilities or his/her representative; the director of finance and management or his representative; six (6) citizens of the City of Columbus, one (1) of whom is knowledgeable and representative of residential customers, one (1) of whom is knowledgeable and representative of low-income residential customers, and one (1) of whom is knowledgeable and representative of senior citizen residential customers, and one (1) citizen of a political subdivision other than Columbus which is a customer of the Columbus Division of ~~Power and Water~~ and the Columbus Division of Sewerage and Drainage, appointed by the mayor with the concurrence of city council in accordance with Section 61 of the Charter of the city to serve for a term of four (4) years; the four (4) appointed members of the board currently serving four (4) year terms shall serve those terms to conclusion; the three (3) new members of the board shall initially be appointed as follows: one (1) for a term of two (2) years, one (1) for a term of three (3) years, and one (1) for a term of four (4) years, all subsequent appointments, except those to fill vacancies for the unexpired term, shall be for a full term of four (4) years.

The board shall select one (1) of its members as chairman, and a rate clerk of the Department of Public Utilities shall act as secretary, but shall have no vote. The board shall meet upon call of the chairman or any three (3) members upon at least seventy-two (72) hours written notice to each member or at such time as may be set by the board at any regularly called meeting.

The sewer and water advisory board shall review at least annually the operation of the Division of Sewerage and Drainage and the Division of ~~Power and Water~~ for the purpose of reviewing the adequacy of the rates established for and charged by said divisions and recommending to council such changes in rates, if any, as in the opinion of the board are necessary. In making such review and recommendations, the board shall be guided by Sections 118 through 124 of the Charter of the City of Columbus and the projected needs, and plans of the division, and the past and projected expenses and revenues of the division.

On or before the last Monday of October of each year, or at such other times as requested by council, the sewer and water advisory board shall prepare a report to council with the board's recommendations as to whether a rate change is required in either the Division of Sewerage and Drainage or the Division of ~~Power and Water~~, and if so, the recommended rates that should be established for each such division together with such detailed information and data, and in such form, as the board deems necessary.

SECTION 11. To amend Chapter 1160 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1160 - ADMINISTRATION

1160.02 - Effectiveness of rules.

Any rules and regulations issued by the Director of Public Utilities are made effective on all consumers of electricity from the system of the Division of ~~Power and Water~~, both within and without the corporate limits.

1160.03 - Termination of electricity service.

(a) After fourteen (14) days' notice, the Director may terminate electricity services to any person or real estate using city electricity in violation of this chapter for any of the following conditions:

- (1) Nonpayment of accounts pursuant to City Code Section 1163.21
- (2) Violation of any rule and regulation promulgated pursuant to City Code Section 1160.01
- (3) Violation of City Code Section 1163.025
- (4) Violation of City Code Chapter 1167

(b) The notice shall indicate the basis upon which service is being terminated and date after which service will be terminated if the violations are not corrected, or applicable payment or payment agreements are not received by the Division of Power and Water pursuant to City Code Section 1163.21. The notice shall also indicate the hearing rights afforded to any person affected by the termination notice by which the person may contest the electricity service termination. The notice shall be mailed or hand delivered to the address of the customer of record and to the service address.

(c) Any affected person desiring a hearing concerning a termination of electricity service under this section or billing dispute under City Code Section 1163.21(D) must request a hearing with the director by submitting a written and signed request to the Division of Power and Water no later than ten (10) days after receipt of a termination notice, or ten (10) days after the due date of the bill in question, whichever date is later. Failure of an affected person to file a request for hearing within the allotted ten (10) day period shall constitute a waiver by that person of their right to a hearing under this section. A request for hearing shall include as a minimum: name, address and telephone number of affected person; date; a statement requesting a hearing; and a description of the nature of the dispute, including the location of the affected property. The director or his designee shall convene a hearing on the matter within ten (10) days of receiving the request for hearing. If a hearing cannot be scheduled within this ten (10) day period, then the electricity service termination shall be automatically stayed, pending the holding of a hearing on this matter. The director shall adopt regulations establishing procedures by which hearings will be conducted pursuant to this section. For the purposes of this section the meaning of "affected person" shall include, but is not limited to, an owner, occupant, resident or tenant of the affected property.

(d) This section is not applicable to voluntary termination of electricity services pursuant to City Code Section 1160.06 or disruption of electricity service due to routine or scheduled maintenance of the electrical system or emergency circumstances.

SECTION 12. To amend Chapter 1161 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1161 - DIVISION OF POWER ~~AND WATER~~; ELECTRICITY FUNDS

1161.03 - Deposits for electric service.

(a) Moneys received by the City Treasurer as a deposit guaranteeing payment for electric service furnished by the Division of Power and Water, shall be temporarily entered in the City Auditor's account designated sinking fund suspense trust (Electric Service).

(b) All moneys transferred to the Sinking Fund in accordance with C.C. 1161.05 shall be thereafter retained until either returned to the depositor or claimed by the lawful owner. If not claimed within a period of five years after termination of the services for which the deposit was made, such money shall revert to the Electricity System Revenue Fund of the Division of Power and Water.

1161.04 - Investment generally; return.

Upon receipt of a properly executed voucher, approved by the Director of Public Utilities, the City Auditor is authorized and directed to transfer moneys accumulated in the sinking fund suspense trust (Electric Service), to the trustees of the sinking fund for investment purposes; and vice-versa, upon receipt of a properly executed order from the Division of Power and Water approved by the Director of Public Utilities, the trustees of the sinking fund shall return to the City Treasurer sufficient moneys to reimburse him for any refunds that have been advanced by him, on request from the Division of Power and Water. Ord. 478-92: Ord. 422-06 § 2 (part.)

1161.05 - Authority of trustees of sinking fund.

The trustees of the sinking fund are authorized and directed to invest any or all of the guarantee deposit moneys, originating from the operations of the Division of Power ~~and Water~~ in the provision of electricity service, transferred to them, according to their discretion and deemed to be to the best interest of the city and the depositors according to law. Such funds so invested shall be accounted for, by the trustees of the sinking fund, as to total only and shall not be required to be segregated from other funds in the hands of the trustees of the sinking fund. The amount received from deposits may be commingled with other funds in the hands of the sinking fund trustees and can be invested with such other funds.

1161.06 - Disposition of interest and other income.

(a) All interest and other income earned by the trustees of the sinking fund, due to investing the guarantee deposit moneys transferred to them, shall accrue to this account and shall be credited thereto at the end of each calendar year. Such credit shall be made on the basis of the average percentage earned from investments made by the trustees of the sinking fund during the twelve month period preceding the end of the calendar year for which the credit is to be made.

(b) All interest earned on said deposits in excess of the four percent per annum refunded to the depositor as set forth in Section 1161.07 shall revert to the Electricity System Operating Revenue Fund for the Division of Power ~~and Water~~.

1161.07 - Return of interest upon refund.

In making refunds to any depositor, the Division of Power ~~and Water~~ is authorized and directed to refund the principal amount plus interest at the rate of four percent per annum, calculated on a calendar month basis (fractions of a calendar month to be disregarded), less any outstanding charges against the account.

1161.08 - Procedure where earnings insufficient to pay interest; transfer.

In the event the earnings from the deposited funds, invested by the trustees of the sinking fund, shall be insufficient to pay the interest due to the depositor, then such difference shall be paid into the sinking fund from the operating funds of the Division of Power and Water. Except for the purpose of liquidating delinquent bills for electric service to the depositors ~~and Water~~ and for the purpose of refunding such deposits none of the funds deposited hereunder shall be transferred out of the fund.

SECTION 13. To amend Chapter 1162 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1162 - ELECTRICITY SYSTEM

1162.01 - Illegal use of electricity; information; posting.

(a) It shall be unlawful for any person to take electricity or in any way use electricity for private use which is furnished by the Division of Power ~~and Water~~, unless such person shall have first received permission from the Director of Public Utilities. Any person not employed by the city, or any ex-employees of the city, who furnishes information to the Division of Power ~~and Water~~ of any such illegal use of electricity, may receive as his compensation for such information, not to exceed twenty-five (25) percent of any amount received by the Division of Power ~~and Water~~ as a result of such information for such illegal use of electricity, and the amounts to be paid to such informant under twenty-five (25) percent, to be left to the discretion of the administrator of the Division of Power ~~and Water~~. The administrator is authorized to make such payments out of the amount so recovered.

(b) The administrator of the Division of Power ~~and Water~~ shall have printed and cause the same to be posted in as many public places in the city as he deems necessary, copies of (a) above.

1162.02 - Connecting to electricity system.

No person other than the properly authorized employees of the Division of Power ~~and Water~~ acting under the direction of the Director of Public Utilities or a person or firm authorized by the Director of Public Utilities shall be permitted to make any connections with the electricity system of the Division of Power ~~and Water~~.

SECTION 14. To amend Chapter 1163 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1163 - MUNICIPAL ELECTRIC RATES

1163.02 - Rates established.

For each metered service, or location, rate schedules for electric energy and service furnished by the Division of Power ~~and Water~~, Department of Public Utilities, to the various classes of users and consumers, shall be established and fixed as set forth in this chapter.

The Director of Public Utilities or designee shall determine the applicable rate schedule and permitted use at the time the service contract is entered into. Such determination shall be reviewed periodically and any change in the applicable rate schedule or permitted use determined necessary for the proper serving of the consumer and the protection of the electric energy supply of the city, shall become effective as of the date of the next succeeding billing.

1163.025 - Electricity metering systems.

A. The Director of Public Utilities is hereby authorized to install, read and maintain metering systems to any and all properties served with electricity by the Division of Power ~~and Water~~.

B. The Director of Public Utilities or ~~his~~ the director's appointed agents are authorized to enter all properties served with electricity by the Division of Power ~~and Water~~ for the purpose of installing, reading and maintaining the metering system.

C. Electricity service may be terminated for failure of a customer to provide access to the property for the purpose of installing, reading or maintaining the metering systems pursuant to the provisions of city code Section ~~1160.03~~

D. The property owner shall pay the appropriate service termination and resumption charges as specified in Section ~~1163.19~~ for denying access to the Director of Public Utilities or ~~his~~ the director's agents for the purpose of installing, reading and maintaining the metering system.

E. The customer is responsible for damage to the metering system resulting from negligence or vandalism and shall be charged for said damages to the meter according to Section ~~1163.19~~, except that said charge shall not be imposed when to the satisfaction of the director it is shown that the damage is the result of conditions beyond the control of the customer.

F. If the customer causes the obstruction of the metering system after its installation, or requests that the metering system be relocated, and the Division of Power ~~and Water~~ agrees to perform such relocation, the customer shall be responsible for the relocation trip charge as specified in Section ~~1163.19~~, plus the actual costs of relocating any part of the metering system. The customer shall be responsible for removing or relocating equipment not owned by the Division of Power and Water.

G. The Director of Public Utilities will determine the type of metering system to be installed for each customer and that if in the director's opinion an existing system is inadequate to meet the intent of Section ~~1163.025~~, the director shall cause it to be replaced with a system meeting said intent.

1163.04 - Residential electric service, Schedule "A" (Rate 10).

Availability:

Residences, Apartments and Dwelling Units providing domestic accommodations for an individual family.

Type of Service:

The service shall be supplied at ~~120~~/240 volts, single phase, ~~60~~ hertz, alternating current from the Division of Power's ~~and Water's~~ distribution system.

Permitted Use:

For lighting, heating, cooking, refrigeration, and miscellaneous appliances as commonly used in a domestic dwelling.

Rates:

Applicable to Each Separately Metered Service:

Customer charge: \$10.70

Energy charge: \$0.0873 per kWh

Seasonal Periods:

The winter period shall be the billing months of October through May and the summer period shall be the billing months of June through September.

Power Cost Reserve Adjustment:

The above schedule of charges shall be adjusted in accordance with the Power Cost Reserve Adjustment as set forth in this chapter.

Minimum Charge:

Minimum monthly charge per meter for service shall be the customer charge.

Senior Citizen Adjustment:

The total charges for all kilowatt-hours of energy supplied pursuant to this section to any eligible senior customer in the period covered by any bill shall be decreased by ten (10) percent. In no event shall the senior citizen adjustment reduce the bill below the minimum monthly charge.

1163.05 - Residential electric service, Schedule "A-I" (Small User, Rate 11).

Availability:

Residences, apartments and dwelling units providing domestic accommodations for an individual family. Any new customer or an existing customer who changes service location will be billed under Schedule "A" until the first billing month during the summer period, unless such customer establishes to the satisfaction of the Division of Power and Water that his the customer's usage would be within the limits provided in this schedule.

Type of Service:

The service shall be supplied at 120/240 volts, single phase, sixty (60) hertz, alternating current from the Division of Power's and Water's distribution system.

Permitted Use:

For lighting, heating, cooking, refrigeration, and miscellaneous appliances as commonly used in a domestic dwelling.

Rates:

Applicable to Each Separately Metered Service:

Customer charge: \$10.70

Energy charge: \$0.0724 per kWh

In any summer billing month if usage exceeds seven hundred (700) KWH, billing will be rendered that month under Schedule "A" and thereafter for all subsequent months through the four months of next summer period.

Seasonal Periods:

The winter period shall be the billing months of October through May and the summer period shall be the billing months of June through September.

Power Cost Reserve Adjustment:

The above schedule of charges shall be adjusted in accordance with the Power Cost Reserve Adjustment as set forth in this chapter.

Minimum Charge:

Minimum monthly charge per meter for service shall be the customer charge.

Senior Citizen Adjustment:

The total charges for all kilowatt-hours of energy supplied pursuant to this section to any eligible senior customer in the period covered by any bill shall be decreased by ten (10) percent. In no event shall the senior citizen adjustment reduce the bill below the minimum monthly charge.

1163.12 - Private area lighting (overhead).

Availability: Available for the lighting of private areas to customers of the Division of Power and Water.

Type of Service: Private Area Lighting which consists of a metal halide, mercury vapor, high pressure sodium or a low pressure sodium luminaire mounted with a six foot bracket on a wood utility pole served by overhead facilities.

Lighting from dusk to dawn, controlled by a photo-electric relay.

Rates: If the lamp is installed on an existing pole, the charge will be as follows:

* Not available for new installations.

HPS = High Pressure Sodium

MV = Mercury Vapor

FL HPS = Floodlight High Pressure Sodium
LPS = Low Pressure Sodium
FL LPS = Floodlight Low Pressure Sodium
MH = Metal Halide

When additional facilities are required, the customer will, in addition to the above charges, pay the following:

For each additional pole and a span of wire needed, the charge will be nine dollars and twenty-six cents (\$9.26) per month.

For each one hundred seventy-five (175) foot span of wire or part thereof, the charge will be two dollars and ninety-five cents (\$2.95) per month.

For mounting other than standard six foot bracket:

8 foot bracket	\$.55 per month
12 foot bracket	.95 per month
15 foot bracket	1.30 per month
20 foot bracket	2.30 per month

When served by underground facilities:

1. For each unit of underground circuit (consisting of twenty-five (25) feet or portion thereof) to a maximum of one hundred fifty (150) feet - one dollar (\$1.00) per month. Cost of underground circuit in excess of one hundred fifty (150) feet per fixture shall be paid for in advance by the customer.

2. Where rock or adverse soil conditions are encountered the customer shall pay that portion of the cost of trenching in excess of forty cents (\$.40) per foot of total trench length.

3. The Division may require the customer to pay or furnish duct under pavements should this be necessary for initial installation or due to paving over underground feed after placement.

Power Cost Reserve Adjustment: The above schedule of charges shall be adjusted in accordance with the operating adjustment clause as set forth in this chapter.

Operation and Maintenance: The city will supply electric service to operate lamps and will furnish, install and maintain lamps and fixtures. The customer shall promptly notify the city of outages.

Term of Contract. The term of contract for the area light service shall not be less than three (3) years.

Special Provisions: The determination of the method of supply and type of facilities rests solely within the city.

The customer shall provide such cleared rights-of-way, licenses, and permits as may be required to enable the city to supply the service applied for.

Service will not be provided hereunder if in the judgment of the city a danger or nuisance will be created thereby. Service will be terminated if after installation it proves to be a danger or nuisance.

Rates contained herein are based upon continuous use of facilities and are not applicable to seasonal usage.

1163.125 - Private area lighting (underground).

Availability: Available for the lighting of private areas to consumers of the Division of Power and Water served by the city's underground distribution facilities.

Type of Service: Private Area Lighting which consists of a metal halide, mercury vapor, or high pressure sodium luminaire mounted on a fourteen (14) foot post served from underground facilities.

Lighting from dusk to dawn, controlled by a photo-electric relay.

Rates: The charge per month, including twenty-five (25) feet or less of underground circuit measured from the base of the pole, is as follows:

*Not available for new installations.

When additional facilities are required, the customer will, in addition to the above charges, pay the following:

1. For each unit of underground circuit (consisting of twenty-five (25) feet or portion thereof) to a maximum of one hundred (100) feet - one dollar (\$1.00) per month. Cost of underground circuit in excess of one hundred (100) feet per fixture shall be paid for in advance by the customer.

2. Where rock or adverse soil conditions are encountered the customer shall pay that portion of the cost of trenching in excess of forty cents (\$.40) per foot of total trench length.

3. The Division may require the customer to pay for or furnish duct under pavements should this be necessary for initial installation or due to paving over underground feed after placement.

Power Cost Reserve Adjustment: The above schedule of charges shall be adjusted in accordance with the operating adjustment clause as set forth in this chapter.

Operation and Maintenance: The city will supply electric service to operate lamps and will furnish, install and maintain lamps and fixtures. The customer shall promptly notify the city of outages.

Term of Contract: The term of contract for the area light service shall not be less than three (3) years.

Special Provisions: The determination of the method of supply and type of facilities rests solely with the city.

The customer shall provide such cleared rights-of-way, licenses and permits as may be required to enable the city to supply the service applied for.

Service will not be provided hereunder if in the judgment of the city a danger or nuisance will be created thereby. Service will be terminated if after installation it proves to be a danger or nuisance.

Rates contained herein are based upon continuous use of facilities and are not applicable to seasonal usage.

1163.19 - Service charge.

The following charges shall be paid for the specified special services furnished by the Division of Power and Water:

A. Special meter reading at request of consumer, except for final bill or initial service:

During Regular Working Hours\$30.00

After Regular Working Hours\$30.00

B. Service charge for trip to discontinue or attempt to discontinue electricity service or to turn on the electricity service due to non-payment of account arrearages:

During Normal Business Hours:

Disconnect or Reconnect at Meter\$20.00

Disconnect or Reconnect at Pole\$145.00

Normal hours for reconnection are 6:45 a.m. to 4:45 p.m. all week days, excluding Holidays

Other Than Normal Business Hours:

Reconnect at Meter\$55.00

Reconnect at Pole\$285.00

C. Additional reconnection charges:

Reset Meter\$30.00

Remove Locking Device\$20.00

D. Service charge to turn on or off service at request of customer:

During Regular Working Hours:

At Meter\$20.00

At Pole\$145.00

Normal hours for reconnection are 6:45 a.m. to 4:45 p.m. all week days, excluding Holidays

After Regular Working Hours:

At Meter\$55.00

At Pole\$285.00

E. Service charge to replace meter damaged by customer abuse or tampering:

During Regular Working Hours:

Residential\$60.00

Small Commercial\$205.00

Large Commercial\$210.00

After Regular Working Hours:

Residential\$75.00

Small Commercial\$235.00

Large Commercial\$255.00

F. Service charge to investigate, notify or discontinue electricity service where fraud or illegal diversion has occurred, including unauthorized turn on or other violation of the rules and regulations of the Director of Public Utilities (plus estimated quantity of electricity used)\$20.00

To Remove Meter\$30.00

To Install Locking Device\$35.00

G. Testing of meter at request of customer:

(1) Where meter does not test within ninety-eight (98) percent and one hundred two (102) percent accuracyNone

(2) Where meter tests within ninety-eight (98) percent and one hundred two (102) percent accuracy\$40.00

H. Returned check processing charge\$25.00

I. Service charge for additional trip to inspect metering system\$25.00

J. Charges and fees for personnel services, administrative costs, indirect costs, labor and material supplied by the Division of Power and Water may be established by Rule and Regulation of the Director pursuant to **1160.01**

1163.20 - Collection of delinquent charges and owner responsibilities.

A. The division may collect unpaid City of Columbus electric charges by actions at law, in the name of the city, from an owner, tenant, or other person who is liable to pay the charges.

B. Notwithstanding section A, owners of real estate premises with electricity services will not be held liable for electric charges incurred by tenant's usage when the tenant is the Division of Power ~~and Water~~ customer of record.

Owners of real estate premises with electricity services shall, in good faith, cooperate with the Division of Power ~~and Water~~ in the division's efforts to collect revenue pertaining to delinquent tenant accounts.

C. The owner of real estate premises by installing or maintaining electricity service from the city is deemed to assent to all rules and regulations of the Division of Power ~~and Water~~ and ordinance of the city pertaining to electricity service and distribution.

1163.21 - Billing, meter reading-Terms of payment.

A. Billing. The city may render bills for electricity service on a monthly basis.

B. Electricity Bill Calculations. All meter readings and billings may be in units of kilowatt hours or kilowatt hours and demand and there shall be no proration of rates, except demand and customer charges and rates which may be prorated at the time of a rate change.

C. Termination for Nonpayment of Accounts. Electricity service may be terminated for nonpayment of any and all charges now and hereafter in force. Termination of electricity service for nonpayment of account shall be pursuant to the provisions of city code Section **1160.03** Electricity service will not be resumed until all service charges due and payable have been collected or a suitable payment agreement has been received from the customer of record.

D. Billing Disputes. Customers of record wishing to contest any service charges for which they have been billed shall contact the Division of Power and Water at the phone number and/or address provided on the bill, to discuss the matter with a division customer service representative. If the billing dispute is not resolved through discussion with division customer service representatives, the customer of record may file a request for a hearing on the matter with the director, pursuant to provisions set forth in city code Section **1160.03(C)**.

(A) If the Division of Power and Water has undercharged a customer for electricity service because of a malfunctioning metering system or billing error, the division may bill the customer for the portion of the unbilled electricity consumption used in the two (2) year period immediately prior to the date the division remedies the malfunctioning meter or billing error.

(C) This section does not apply to tampering with utility equipment or theft of the utility service as defined in Section **1163.025** of the Columbus City Code and Section 4933.18 and 4933.19 of the Ohio Revised Code, or where a physical act of a customer or its agent causes inaccurate or no recording of the meter reading, or inaccurate or no measurement of the electricity rendered.

[illegible]

Chapter 1165 - COMMERCIAL AND RESIDENTIAL DEVELOPMENT OF STREET LIGHTING

Any developer of commercial and residential development within the City of Columbus shall install street lights along public right of ways at locations to be determined by the Division of Power and Water.

1165.03 - Cost of installation.

The developer shall furnish and pay the entire cost and expense of installing, complete, in place a street lighting system including but not limited to control sights, excavations, trenching, installation of conduit, foundations, anchor bolts, standards, cable, luminaries and lamps. The Division of Power ~~and Water~~ shall provide inspection services.

1165.04 - Compliance with the Division of Power and Water specifications.

(a) All street lights shall be furnished and installed in compliance with plans, specifications and engineering standards established by the Division of Power ~~and Water~~.

(b) The system shall be designed to provide the average maintained illuminate value, on the street pavement, that is in compliance with Division of Power ~~and Water~~ standards. The Division standards are similar to those contained in the latest revision of publication American National Standard Practice for Roadway Lighting (ANSI/IES RP 8).

1165.05 - Agreements to erect street lights.

Upon receipt of information that a developer will cause the installation of street lights pursuant to this chapter, the Director of Public Utilities is authorized to enter into agreements, granting such right and privilege, and such agreements shall contain the following provisions and conditions.

(a) The City shall be held free and harmless from any and all claims for damages of every nature arising or growing out of the improvements so agreed to be made.

(b) The party requesting the installation of street lights shall pay the cost of inspection and shall deposit, with the City Treasurer through the administrator of the Division of Power ~~and Water~~, the sums of money estimated by the administrator of the Division of Power ~~and Water~~ to be necessary therefore, and in the event that such estimated amounts are to be insufficient shall deposit such additional amounts as are necessary upon demand. All unexpended monies so deposited shall be refunded.

(c) Such party shall furnish a surety bond or an irrevocable letter of credit issued by a bank and subject to the provisions of Chapter 1305 of the Ohio Revised Code satisfactory to the Director of Public Utilities, or a certified check upon a solvent bank of the City, in the sum of 100% of the estimated cost of the proposed improvement to guarantee the performance of the agreement and to warrant all work performed against and defective work or labor done, or defective material furnished for a period of one year following acceptance by the Division of Power ~~and Water~~.

(d) Any violations of the terms of the agreement or non-compliance therewith shall constitute a breach of contract and the administrator of the Division of Power ~~and Water~~ shall have the right and privilege to stop the work forthwith.

(e) Upon completion of the work in accordance with the plans and specifications therefore, the street lighting system shall become the property of the City at no cost to the City and without encumbrance of any nature.

SECTION 16. To amend Chapter 1167 of the Columbus City Codes, 1959 and to repeal the section(s) being amended as follows:

Chapter 1167 - OFFENSES PERTAINING TO ELECTRICITY SUPPLY

1167.01 - Protection of electricity system.

(A) The administrator of the Division of Power ~~and Water~~ or his/her duly authorized representative shall have the right to enter any property served by a connection to the city's electricity system for the purpose of inspecting the electricity system or systems thereof. On request, the owner, lessees or occupants of any property so served shall furnish to the administrator of the Division of Power ~~and Water~~ any information, which the administrator may deem necessary, regarding the electricity system or electricity use on such property. The refusal of such information or entry, when requested, shall, within the discretion of the administrator of the Division of Power ~~and Water~~, be deemed evidence of the presence of improper connections.

(B) The administrator of the Division of Power ~~and Water~~ shall be authorized to discontinue, after due notice to the occupants thereof, the electricity service to any property where any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he/she may deem necessary to eliminate any danger to the city's electricity distribution system. Electricity

service to such property shall not be restored until any such dangerous conditions have been eliminated or corrected in compliance with the provisions of this section.

(C) The Director of Public Utilities shall have the authority as may be necessary in the interest of public safety, health, and general welfare to promulgate rules and regulations, to interpret and implement the provisions of this section and to secure the intent therefore.

1167.02 - Destruction of property.

No person shall commit any act tending to deface, damage or obstruct in any manner any facility, machinery, poles, lines, meters, apparatus or other fixture of the Division of Power ~~and Water~~.

1167.03 - Liability of certain persons for acts of others.

In all cases where any servant, employee, apprentice or minor shall be guilty of any violation of the provisions of this chapter or any ordinance for the management and protection of the Division of Power ~~and Water~~ or any of the prescribed rules and regulations of the Division of Power ~~and Water~~, the master, mistress, employer, parent or guardian of such person shall be held responsible for such violation as well as the persons committing the offense.

SECTION 17. That the following code sections are hereby repealed and replaced as provided in Section 1 herein: 221.01; 221.04 and 221.06.

SECTION 18. That the following code sections are hereby repealed and replaced as provided in Section 2 herein 1101.02 and 1101.03.

SECTION 19. That the following code sections are hereby repealed and replaced as provided in Section 3 herein 1103.01; and 1103.03.

SECTION 20. That the following code sections are hereby repealed and replaced as provided in Section 4 herein 1105.01 ; 1105.038; 1105.045; 1105.06; 1105.07; 1105.08; 1105.09; 1105.10; 1105.12; 1105.13; 1105.15; 1105.18; 1105.19; and 1105.20.

SECTION 21. That the following code sections are hereby repealed and replaced as provided in Section 5 herein 1107.01; 1107.02; 1107.03; and 1107.05.

SECTION 22. That the following code sections are hereby repealed and replaced as provided in Section 6 herein 1109.02; 1109.05; 1109.07; and 1109.08.

SECTION 23. That the following code sections are hereby repealed and replaced as provided in Section 7 herein 1113.01; 1113.03; 1113.04; 1113.05; and 1113.06.

SECTION 24. That the following code sections are hereby repealed and replaced as provided in Section 8 herein 1115.11.

SECTION 25. That the following code sections are hereby repealed and replaced as provided in Section 9 herein 1147.14.

SECTION 26. That the following code sections are hereby repealed and replaced as provided in Section 10 herein 1153.0.

SECTION 27. That the following code sections are hereby repealed and replaced as provided in Section 11 herein 1160.02 and 1160.03.

SECTION 28. That the following code sections are hereby repealed and replaced as provided in Section 12 herein 1161.03; 1161.04; 1161.05; 1161.06; 1161.07; and 1161.08.

SECTION 29. That the following code sections are hereby repealed and replaced as provided in Section 13 herein 1162.01 and 1162.02.

SECTION 30. That the following code sections are hereby repealed and replaced as provided in Section 14 herein 1163.02; 1163.025; 1163.04; 1163.05; 1163.12; 1163.125; 1163.19; 1163.20; 1163.21; and 1163.23.

SECTION 31. That the following code sections are hereby repealed and replaced as provided in Section 15 herein 1165.01; 1165.03; 1165.04; and 1165.05.

SECTION 32. That the following code sections are hereby repealed and replaced as provided in Section 16 herein 1167.01; 1167.02; and 1167.03.

SECTION 33 That all other Code sections in these Chapters remain in effect unchanged.

SECTION 34. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.