City of Columbus

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

Legislation Report
File Number: 0329-2019

30-Day

File ID: 0329-2019 **Type:** Ordinance **Status:** Passed

Version: 1 ***Committee:** Rules & Reference Committee

File Name: Public Utilities Code Change **File Created:** 01/23/2019

Final Action: 02/13/2019

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.: Jon Lee/5-7820

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 various sections of Title 11 of the Columbus City Codes to add definitions of rate classes, to clarify service charges during water shut-offs, to authorize the Director of Public Utilities to replace water meters, and to enact new sections relating to charges during termination.

Sponsors: Michael Stinziano

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Attachments: City Purchasing Code Revisions 1-2-18 FOR ORDINANCE.docx

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	1/24/2019	Melinda Cunningham	Approved	1/28/2019
1	2	1/24/2019	Bob Arnold	Approved	1/28/2019
1	3	1/24/2019	Tim Huffman	Approved	1/28/2019
1	4	1/24/2019	Brian Haemmerle	Approved	1/28/2019
1	5	1/25/2019	Rick Westerfield	Approved	1/28/2019
1	6	1/25/2019	Jonathan Lee	Approved	1/29/2019
1	7	1/31/2019	ATTORNEY APPROVER	Approved	1/29/2019

Notes: wsb

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	02/04/2019	Read for the First Time				
1	Columbus City Council	02/11/2019	Approved				Pass
1	COUNCIL PRESIDENT	02/11/2019	Signed				
1	MAYOR	02/12/2019	Signed				
1	CITY CLERK	02/13/2019	Attest				

ODI: Following the review and approval, when required, the Office of Diversity and Inclusion certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City

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Attorney's Office as
to its form and legality only.

Explanation

The purpose of this ordinance is to amend Title 11 of the Water, Sewer, and Electricity Code to add definitions of rate classes, to clarify service charges during water or sewer shut offs, and insert language clarifying the replacement of water meters.

Currently a water rate class known as "Consecutive" is being charged to apartments and multi-family units however this rate class is not defined. Furthermore, a water service charge and commodity charge is being charged to customers but this charge is also not defined. These definitions will help clarify the purpose and justification of these charges.

Also, a sewer billing charge and commodity charge is being charged to customers but this charge is also not defined. The new definitions will help clarify the purpose and justification for these charges.

When a customer's water is turned off at the property due to nonpayment of charges due, water service charges and sewer billing charges, if applicable, will continue to accrue on the account and are due before water service is resumed or the customer has been put on a suitable payment plan. The City Code currently does not state that water service charges and sewer billing charges, if applicable, will continue to be charged during the period water service is terminated. This change will clarify the purpose and justification for this change.

Currently City code only states that the Director of Public Utilities is authorized to install, read and maintain metering systems to any and all properties served with water by the Division of Water. City code does not authorize replacement of metering systems. Though the Department does currently replace meters, this code change will formally codify that practice.

Title

To amend various sections of Title 11 of the Columbus City Codes to add definitions of rate classes, to

clarify service charges during water shut-offs, to authorize the Director of Public Utilities to replace water meters, and to enact new sections relating to charges during termination.

Body

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WHEREAS, it is necessary to amend City Code Section 1105.01 to insert definitions of the current charge for the Consecutive rate class, water commodity charge, and water service charges that are currently being charge but are not formally defined; and

WHEREAS, it is necessary to amend City Code Section 1105.038 to authorize the Director of Public Utilities to replace metering systems in addition to currently installing, reading, and maintaining metering systems; and

WHEREAS, it is necessary to amend City Code Section 1105.12 to clarify that water service charges are currently being charged during the period water service is terminated; and

WHEREAS, it is necessary to amend City Code Section 1147.01 to add definitions of the current sewer billing charge and sewer commodity charge are currently being charged but are not formally defined; and

WHEREAS, it is necessary to add City Code Section 1105.23 to authorize water service charges during water termination; and

WHEREAS, it is necessary to add City Code Section 1147.25 to authorize sewer billing charges during water termination; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to amend the various sections listed above for the public health, safety and welfare; now, therefore,

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

SECTION 1. That section 1105.01 of the Columbus City Codes is hereby amended as follows:

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 man shall not be considered as part of the available frontage.

"Commodity charge" shall mean a water use charge that varies in amount with the level of water the customer actually uses. This charge recovers the operating and maintenance costs associated with treating water to drinking water standards, providing the distribution network to provide water to customers, and recovers the cost of system capital improvements.

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"Consecutive" shall mean the purchase of bulk water that is distributed to principally residential consumers including but not limited to apartment and condominium complexes, planned unit developments, and manufactured homes.

"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 customers" means any customer who:
(1) Is receiving service by means of a single meter to a single-family residence;
(2) Is personally responsible for payment of the bill as head of household; and
(3) Is sixty (60) years of age or older having a total income of less than one hundred fifty (150) percent of the poverty level as published by the U.S. Department of Commerce, Bureau of 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 charge" shall mean a fixed charge to recover the costs incurred to provide service whether or not any consumption is used. These costs may include meter repair and replacement expenses, meter reading expenses, the costs of producing and mailing utility bills, applying payment as it is received, providing customer support and service, and other related water system costs.

"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 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.

(Ord. 478-92; Ord. 728-99 § 1 (part); Ord. 1804-03 § 1; Ord. 422-06 § 2 (part); Ord. 1132-2008 Attach. (part); Ord. No. 0139-2011, § 1, 3-7-2011; Ord. No. 2398-2012, § 4, 12-3-2012; Ord. No. 2635-2015, §§ 1, 6, 12-7-2015, eff. 2-1-2016)

SECTION 2. That section 1105.038 of the Columbus City Codes is hereby amended as follows:
1105.038 - Water metering systems.

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

B. The Director of Public Utilities or the director's appointed agents are authorized to enter all properties served with water by the Division of Water for the purpose of installing, reading, ~~and~~ maintaining, and replacing 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, or replacing the metering systems pursuant to the provisions of city code Section 1101.03 . Service charges will continue to be charged during the period water service is terminated pursuant to Section 1105.23.

D. The property owner shall pay the appropriate service termination and resumption charges as specified in Section1105.09 for denying access to the Director of Public Utilities or the director's agents for the purpose of installing, reading, ~~and~~ maintaining, and replacing 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 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.

(Ord. 478-92; Ord. 422-06 § 2 (part); Ord. No. 2398-2012, § 4, 12-3-2012)

SECTION 3. That section 1105.12 of the Columbus City Codes is hereby amended as follows:

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-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 1105.10are 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 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. Service fees will continue to be charged during the period water service is terminated pursuant to Section 1105.23.

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 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).

(Ord. 2805-91: Ord. 422-06 § 2 (part); Ord. No. 0139-2011, § 1, 3-7-2011; Ord. No. 2398-2012, § 4, 12-3-2012)

SECTION 4. That new section 1105.23 of the Columbus City Codes is hereby enacted as follows:

1105.23 - Charges during termination.

Water service charges will continue to be charged during the period that water service is terminated.

SECTION 5. That section 1147.01 of the Columbus City Codes is hereby amended as follows:
1147.01 - Definitions.
For the purpose of this chapter, the meaning of the following terms shall be defined in this section:
(a) "Approved laboratory procedures" means the measurements, tests, and analyses of the characteristics of water and wastes in accordance with analytical procedures determined acceptable by Federal Guidelines as established in Title 40, Code of Federal Regulations, Part 136, or as approved by the Regional Administrator, U.S. Environmental Protection Agency.
(b) “Billing Charge” shall mean a fixed charge to recover the costs incurred to provide service whether or not any consumption is used. These may include the costs of producing and mailing utility bills, applying payment as it is received, providing customer support and service, and other related sewer system costs.
(c) “Commodity Charge” shall mean a sewer use charge that varies in the amount with the level of water the customer actually uses. This charge recovers the operating and maintenance costs associated with treating wastewater to clean water standards, providing the collection system to convey wastewater, and recovers the cost of system capital improvements. The charge includes an Operating and Maintenance

charge, a Capital charge, Sewer Maintenance charge, and Industry Specific charge.

~~(b)~~(d) "Biochemical Oxygen Demand" (BOD 5) means the quantity of oxygen utilized in the biochemical oxidation of organic matter as determined by approved laboratory procedures.

~~(c)~~(e) "Chemical Oxygen Demand" (COD) means the amount of oxygen consumed from a chemical oxidant as determined by approved laboratory procedures.

~~(d)~~(f) "Contracted reserve capacity" means that portion of the unused system design capacity which has been retained by contract for future use by a user.

~~(e)~~(g) "Cooling water" means the clean wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling or refrigeration.

(Ord. 2616-87.)

~~(f)~~(h) "Director" means the director of public utilities, City of Columbus.

(Ord. 478-92.)

~~(g)~~(i) "Discharge" means the disposal of sewage, water or any liquid from any sewer user into the Columbus sewerage system.

~~(h)~~(j) "Domestic waste" means any discharge to the sewer system that has strength characteristics which do not exceed 250 mg/l of BOD, 300 mg/l of suspended solids and 40 mg/l of TKN.

~~(i)~~(k) "Industrial process" means any activity where materials are received and are altered by one or more internal operations and then dispatched in the altered form.

~~(j)~~(l) "Industrial user" means any nongovernmental user of the Columbus sewerage system identified in the Standard Industrial Classification Manual, 1972 edition, classified in Division A, B, D, E or I, that discharges wastewater from an industrial process, and the total wastewater discharged is not primarily non-process domestic waste.

~~(k)~~(m) "Maintenance" means keeping the treatment works in a state of repair and shall include expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.

~~(l)~~(n) "Major contributor" means any wastewater contributor identified in the Standard Industrial Classification Manual (SIC) in any of Division A, B, D, E and I that:

(1) Has a discharge flow of 50,000 gallons or more per average work day (if seasonal, the average shall be computed on the period of use); or

(2) Has a flow or pollutant loading greater than five percent of the design capacity of the treatment works; or

(3) Has in its wastes toxic pollutants in toxic amounts as defined in the standards issued under Section 307(a) of the Federal Water Pollution Control Act Amendments of 1972; or

(4) Is found by the director to have significant impact, either singly or in combination with other contributing industries, on the treatment works or upon the quality of effluent from the treatment works.

~~(m)~~(o) "Phosphorus" means total phosphorus content in wastewater as determined by approved laboratory procedures.
~~(n)~~(p) "Primarily non-process domestic waste" means that at least ninety (90) percent of all wastewater contributed is attributable to sanitary conveniences.
~~(o)~~(q) "Proportionate" means that each unit has the same relationship to the total with respect to magnitude, quantity and degree.
~~(p)~~(r) "Replacement" means those expenditures made for obtaining and installing equipment, accessories and/or appurtenances during the useful life of the treatment works which are necessary to maintain the capacity and performance of the treatment works for which they were designed and constructed.
~~(q)~~(s) "Sewerage charge" means the aggregate of the appropriate user charges and local capital cost charges.
~~(r)~~(t) "Sewerage system" means all of the facilities required to transport sewage from the premises of the source to a sewage treatment facility and shall include the treatment and disposal facility. All such facilities of the City of Columbus shall be considered to be one such sewerage system.
~~(s)~~(u) "Significant user" means a user who contributes ten (10) percent or greater of the system design flow or system design for pollutant loadings.

~~(t)~~(v) "Standard Industrial Classification" means a coded classification of industries based upon economic activity developed by the U.S. Department of Commerce as published in the current Standard Industrial Classification Manual published by the U.S. Government Printing Office.
~~(u)~~(w) "Standard Strength" means sewage having concentrations of one hundred fifty (150) milligrams per liter BOD, two hundred (200) milligrams per liter suspended solids and twenty-five (25) milligrams per liter TKN.
~~(v)~~(x) "Suspended solids (total nonfilterable) residue" means total nonfilterable residue that are removable by filtering using approved laboratory procedures.
~~(w)~~(y) "System design capacity" means the design capacity for normal domestic wastewater as established by accepted engineering standards.
~~(x)~~(z) "Total organic carbon" (TOC) means the total of all organic compounds expressed in milligrams per liter as determined by the combustion-infrared method prescribed by approved laboratory procedures.
~~(y)~~(aa) "Service load" means total billed load as determined by calculating the non-extra strength billed flows times standard strength pounds plus established extra strength flow and loadings.
~~(z)~~(ab) "Treatment parameter" means a fundamental characteristic of sewage around which treatment is designed, such as, but not limited to flow, BOD, suspended solids and phosphorus.
~~(aa)~~(ac) "User" means any person, lot, parcel of land, building, premises, municipal corporation or other political subdivision that discharges, causes or permits the discharge of wastewater into the city sewerage system.
~~(ab)~~(ad) "Scavenger wastes" means liquid waste materials such as wastes from septic tanks, portable toilets, sewage holding tanks, and industrial processes which are usually collected at the source by tank

truck for disposal elsewhere.
~~(ac)~~(ae) "Industrial wastes" means any discharge to the sewer system that has strength characteristics which equal or exceed two hundred fifty (250) mg/l of BOD, three hundred (300) mg/l of suspended solids or forty (40) mg/l of TKN.
~~(ad)~~(af) "NPDES Permit" means the conditions and limits set forth by the NPDES on the City of Columbus, division of sewerage and drainage for discharging treatment plant effluent into public waters.
~~(ae)~~(ag) "Debt service charge" means the portion of a user's bill that is used to offset the principal and interest payments on outstanding debt of the division of sewerage and drainage. ~~(af)~~(ah) "Operations and Maintenance (O&M)" means the organized procedure for causing a piece of equipment, a treatment plant, or other facility or system to perform its intended function and to keep these units in such condition that it is able to continually and reliably perform its intended function.
~~(ag)~~(ai) "Residential user class" means all users who discharge sewage from a structure of human occupancy.
~~(ah)~~(aj) "Commercial user class" means all users who discharge sewage from a non-industrial business establishment.
~~(ai)~~(ak) "Governmental user class" means all users who discharge sewage from a property owned by a local, state or federal governmental entity.
~~(aj)~~(al) "Institutional user class" means all users who discharge sewage from a school, church or hospital.
~~(ak)~~(am) "User charges" means the operation, maintenance and replacement cost of the division of sewerage and drainage.
~~(al)~~(an) "Total Kjeldahl Nitrogen" (TKN) means total ammonia and organic nitrogen content in wastewater as determined by approved laboratory procedures.
~~(am)~~(ao) "Sewer service outside the city" means sewer service furnished to consumers in contract areas or sewer authorized by the Director of Public Utilities for consumers in non-contract areas.
~~(an)~~(ap) "Non-contract areas" means areas outside the city provided with sewer service by the city where no contract exists with a political subdivision.
~~(ao)~~(aq) "Wet Weather Charge" - A charge based upon the Equivalent Residential Unit to recover costs of construction of projects necessary to meet the requirements of consent orders that mandate elimination

of wet weather flow from Combined Sewer Overflows and Sanitary Sewer Overflows. This charge recovers debt service costs and other expense of all projects related to correcting wet weather overflows.
~~(ap)~~(ar) "Equivalent Residential Unit" (ERU) - Each ERU is based on two thousand (2,000) square feet of impervious surface area. Residential customers are assigned one (1) ERU per residence. All other customers are charged based on measured impervious area divided by two thousand (2,000) square feet to determine an ERU equivalent. The maximum per customer charge based on calculated ERUs is one thousand (1,000).
~~(aq)~~(as) "Eligible senior customers" means any customer who (a) is receiving service by means of a single meter to a single-family residence; (b) is personally responsible for payment of the bill as head of

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household; and (c) is sixty (60) years of age or older having a total income of less than one hundred fifty (150) percent of the poverty level as published by the U.S. Department of Commerce, Bureau of Census. (Ord. 2616-87; Ord. No. 1595-2009, §§ 2, 5, 2-1-2010; Ord. No. 2635-2014, § 5, 12-7-2015, eff. 2-1-2016)

SECTION 6. That new section 1147.25 of the Columbus City Codes is hereby enacted as follows:

1147.25 - Charges during termination.

Sewer billing charges will continue to be charged during the period that water service is terminated.

SECTION 7. That existing sections 1105.01, 1105.038, 1105.12, and 1147.01 of the Columbus City Codes is hereby repealed.

SECTION 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

- **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 man shall not be considered as part of the available frontage.

"Commodity charge" shall mean a water use charge that varies in amount with the level of water the customer actually uses. This charge recovers the operating and maintenance costs associated with treating water to drinking water standards, providing the distribution network to provide water to customers, and recovers the cost of system capital improvements.

"Consecutive" shall mean the purchase of bulk water that is distributed to principally residential consumers including but not limited to apartment and condominium complexes, planned unit developments, and manufactured homes.

"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 customers" means any customer who:

(1)
Is receiving service by means of a single meter to a single-family residence;

(2)
Is personally responsible for payment of the bill as head of household; and

(3)
Is sixty (60) years of age or older having a total income of less than one hundred fifty (150) percent of the poverty level as published by the U.S. Department of Commerce, Bureau of 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 charge" shall mean a fixed charge to recover the costs incurred to provide service whether or not any consumption is used. These costs may include meter repair and replacement expenses, meter reading expenses, the costs of producing and mailing utility bills, applying payment as it is received, providing customer support and service, and other related water system costs.

"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.

(Ord. 478-92; Ord. 728-99 § 1 (part); Ord. 1804-03 § 1; Ord. 422-06 § 2 (part); Ord. 1132-2008 Attach. (part); Ord. No. 0139-2011, § 1, 3-7-2011; Ord. No. 2398-2012, § 4, 12-3-2012; Ord. No. 2635-2015, §§ 1, 6, 12-7-2015, eff. 2-1-2016)

1105.038 - Water metering systems.

A.

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

B.

The Director of Public Utilities or the director's appointed agents are authorized to enter all properties served with water by the Division of Water for the purpose of installing, reading, ~~and~~ maintaining, and replacing 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, or replacing the metering systems pursuant to the provisions of city code Section 1101.03. Service charges will continue to be charged during the period water service is terminated.

D.

The property owner shall pay the appropriate service termination and resumption charges as specified in Section1105.09http://library.municode.com/HTML/16219/level2/TIT11WASEELCO_CH1105WARACH.html for denying access to the Director of Public Utilities or the director's agents for the purpose of installing, reading, ~~and~~ maintaining, and replacing 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 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.

(Ord. 478-92; Ord. 422-06 § 2 (part); Ord. No. 2398-2012, § 4, 12-3-2012)

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-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 1105.10are 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 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. Service fees will continue to be charged during the period water service is terminated.

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 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).

(Ord. 2805-91: Ord. 422-06 § 2 (part); Ord. No. 0139-2011, § 1, 3-7-2011; Ord. No. 2398-2012, § 4, 12-3-2012)

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-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 1105.10are 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 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. Service fees will continue to be charged during the period water service is terminated.

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 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).

(Ord. 2805-91: Ord. 422-06 § 2 (part); Ord. No. 0139-2011, § 1, 3-7-2011; Ord. No. 2398-2012, § 4, 12-3-2012)

1147.01 - Definitions.

For the purpose of this chapter, the meaning of the following terms shall be defined in this section:

(a) ~~(a)~~ "Approved laboratory procedures" means the measurements, tests, and analyses of the characteristics of water and wastes in accordance with analytical procedures determined acceptable by Federal Guidelines as established in Title 40, Code of Federal Regulations, Part 136, or as approved by the Regional Administrator, U.S. Environmental Protection Agency.

~~(a)~~(b) "Billing charge" shall mean a fixed charge to recover the costs incurred to provide service whether or not any consumption is used. These may include the costs of producing and mailing utility bills, applying payment as it is received, providing customer support and service, and other related sewer system costs.

(c) ~~(b)~~ "Biochemical Oxygen Demand" (BOD_5) means the quantity of oxygen utilized in the biochemical oxidation of organic matter as determined by approved laboratory procedures.

~~(b)~~(d) "Chemical Oxygen Demand" (COD) means the amount of oxygen consumed from a chemical oxidant as determined by approved laboratory procedures.

(e) "Commodity Charge" shall mean a sewer use charge that varies in amount with the level of water the customer actually uses. This charge recovers the operating and maintenance costs associated with treating wastewater to clean water standards, providing the collection system to convey wastewater, and recovers the cost of system capital improvements. The charge includes an Operating and Maintenance charge, a Capital charge, Sewer Maintenance charge, and Industry Specific Charge.

~~(d)~~(f) "Contracted reserve capacity" means that portion of the unused system design capacity which has been retained by contract for future use by a user.

~~(e)~~(g) "Cooling water" means the clean wastewater discharged from any heat transfer system such as condensation, air conditioning, cooling or refrigeration.

(Ord. 2616-87.)

~~(f)~~(h) "Director" means the director of public utilities, City of Columbus.

(Ord. 478-92.)

~~(g)~~(i) "Discharge" means the disposal of sewage, water or any liquid from any sewer user into the Columbus sewerage system.

~~(h)~~(j) "Domestic waste" means any discharge to the sewer system that has strength characteristics which do not exceed 250 mg/l of BOD, 300 mg/l of suspended solids and 40 mg/l of TKN.

~~(i)~~(j) "Industrial process" means any activity where materials are received and are altered by one or more internal operations and then dispatched in the altered form.

~~(j)~~(k) "Industrial user" means any nongovernmental user of the Columbus sewerage system identified in the Standard Industrial Classification Manual, 1972 edition, classified in Division A, B, D, E or I, that discharges wastewater from an industrial process, and the total wastewater discharged is not primarily non-process domestic waste.

~~(k)~~(l) "Maintenance" means keeping the treatment works in a state of repair and shall include expenditures necessary to maintain the capacity (capability) for which said works were designed and constructed.

~~(l)~~(m) "Major contributor" means any wastewater contributor identified in the Standard Industrial Classification Manual (SIC) in any of Division A, B, D, E and I that:

(1) Has a discharge flow of 50,000 gallons or more per average work day (if seasonal, the average shall be computed on the period of use); or

(2) Has a flow or pollutant loading greater than five percent of the design capacity of the treatment works; or

(3) Has in its wastes toxic pollutants in toxic amounts as defined in the standards issued under Section 307(a) of the Federal Water Pollution Control Act Amendments of 1972; or

(4) Is found by the director to have significant impact, either singly or in combination with other contributing industries, on the treatment works or upon the quality of effluent from the treatment works.

~~(m)~~(n) "Phosphorus" means total phosphorus content in wastewater as determined by approved laboratory procedures.

~~(n)~~(o) "Primarily non-process domestic waste" means that at least ninety (90) percent of all wastewater contributed is attributable to sanitary conveniences.

~~(o)~~(p) "Proportionate" means that each unit has the same relationship to the total with respect to magnitude, quantity and degree.

~~(p)~~(q) "Replacement" means those expenditures made for obtaining and installing equipment, accessories and/or appurtenances during the useful life of the treatment works which are necessary to maintain the capacity and performance of the treatment works for which they were designed and constructed.

~~(q)~~(r) "Sewerage charge" means the aggregate of the appropriate user charges and local capital cost charges.

~~(r)~~(s) "Sewerage system" means all of the facilities required to transport sewage from the premises of the source to a sewage treatment facility and shall include the treatment and disposal facility. All such facilities of the City of Columbus shall be considered to be one such sewerage system.

~~(s)~~(t) "Significant user" means a user who contributes ten (10) percent or greater of the system design flow or system design for pollutant loadings.

~~(t)~~(u) "Standard Industrial Classification" means a coded classification of industries based upon economic activity developed by the U.S. Department of Commerce as published in the current Standard Industrial Classification Manual published by the U.S. Government Printing Office.

~~(u)~~(v) "Standard Strength" means sewage having concentrations of one hundred fifty (150) milligrams per liter BOD, two hundred (200) milligrams per liter suspended solids and twenty-five (25) milligrams per liter TKN.

~~(v)~~(w) "Suspended solids (total nonfilterable) residue" means total nonfilterable residue that are removable by filtering using approved laboratory procedures.

~~(w)~~(x) "System design capacity" means the design capacity for normal domestic wastewater as established by accepted engineering standards.

~~(x)~~(y) "Total organic carbon" (TOC) means the total of all organic compounds expressed in milligrams per liter as determined by the combustion-infrared method prescribed by approved laboratory procedures.

~~(y)~~(z) "Service load" means total billed load as determined by calculating the non-extra strength billed flows times standard strength pounds plus established extra strength flow and loadings.

~~(z)~~(aa) "Treatment parameter" means a fundamental characteristic of sewage around which treatment is designed, such as, but not limited to flow, BOD, suspended solids and phosphorus.

~~(aa)~~(ab) "User" means any person, lot, parcel of land, building, premises, municipal corporation or other political subdivision that discharges, causes or permits the discharge of wastewater into the city sewerage system.

~~(ab)~~(ac) "Scavenger wastes" means liquid waste materials such as wastes from septic tanks, portable toilets, sewage holding tanks, and industrial processes which are usually collected at the source by tank truck for disposal elsewhere.

~~(ac)~~(ad) "Industrial wastes" means any discharge to the sewer system that has strength characteristics which equal or exceed two hundred fifty (250) mg/l of BOD, three hundred (300) mg/l of suspended solids or forty (40) mg/l of TKN.

~~(ad)~~(ae) "NPDES Permit" means the conditions and limits set forth by the NPDES on the City of Columbus, division of sewerage and drainage for discharging treatment plant effluent into public waters.

~~(ae)~~(af) "Debt service charge" means the portion of a user's bill that is used to offset the principal and interest payments on outstanding debt of the division of sewerage and drainage.

~~(af)~~(ag) "Operations and Maintenance (O&M)" means the organized procedure for causing a piece of equipment, a treatment plant, or other facility or system to perform its intended function and

to keep these units in such condition that it is able to continually and reliably perform its intended function.

~~(ag)~~(ah) "Residential user class" means all users who discharge sewage from a structure of human occupancy.

~~(ah)~~(ai) "Commercial user class" means all users who discharge sewage from a non-industrial business establishment.

~~(ai)~~(aj) "Governmental user class" means all users who discharge sewage from a property owned by a local, state or federal governmental entity.

~~(aj)~~(ak) "Institutional user class" means all users who discharge sewage from a school, church or hospital.

~~(ak)~~(al) "User charges" means the operation, maintenance and replacement cost of the division of sewerage and drainage.

~~(al)~~(am) "Total Kjeldahl Nitrogen" (TKN) means total ammonia and organic nitrogen content in wastewater as determined by approved laboratory procedures.

~~(am)~~(an) "Sewer service outside the city" means sewer service furnished to consumers in contract areas or sewer authorized by the Director of Public Utilities for consumers in non-contract areas.

~~(an)~~(ao) "Non-contract areas" means areas outside the city provided with sewer service by the city where no contract exists with a political subdivision.

~~(ao)~~(ap) "Wet Weather Charge" - A charge based upon the Equivalent Residential Unit to recover costs of construction of projects necessary to meet the requirements of consent orders that mandate elimination of wet weather flow from Combined Sewer Overflows and Sanitary Sewer Overflows. This charge recovers debt service costs and other expense of all projects related to correcting wet weather overflows.

~~(ap)~~(aq) "Equivalent Residential Unit" (ERU) - Each ERU is based on two thousand (2,000) square feet of impervious surface area. Residential customers are assigned one (1) ERU per residence. All other customers are charged based on measured impervious area divided by two thousand (2,000) square feet to determine an ERU equivalent. The maximum per customer charge based on calculated ERUs is one thousand (1,000).

~~(aq)~~(ar) "Eligible senior customers" means any customer who (a) is receiving service by means of a single meter to a single-family residence; (b) is personally responsible for payment of the bill as head of household; and (c) is sixty (60) years of age or older having a total income of less than one hundred fifty (150) percent of the poverty level as published by the U.S. Department of Commerce, Bureau of Census.

(Ord. 2616-87; Ord. No. 1595-2009, §§ 2, 5, 2-1-2010; Ord. No. 2635-2014 , § 5, 12-7-2015, eff. 2-1-2016)