



A Service of The City of Cincinnati

GREATER CINCINNATI
WATER WORKS

LAWS, ORDINANCES, RULES AND REGULATIONS



How to use this document:

This document consists of three sections. The first section contains the Cincinnati Municipal Code, Chapter 401- Water Works. This is the code of ordinances passed by Cincinnati City Council which governs the operation of the Greater Cincinnati Water Works. The second section contains the Rules and Regulations of the Greater Cincinnati Water Works. The Rules and Regulations are promulgated by the Greater Cincinnati Water Works with the approval of the Cincinnati City Manager and provide specific requirements pertaining to the various subsections of Chapter 401 in order to effectively implement those sections. The final section of this document contains the Appendix, which includes sections of the Charter of the City of Cincinnati and Administrative Code that provide further context for Chapter 401 and the Rules and Regulations.

This document contains all Divisions and Sections of Chapter 401 – Water Works of the Cincinnati Municipal Code (CMC) effective as of 07/01/2022. It also includes the specific Rules and Regulations pertaining to each Section. Although this document is revised regularly it may not include the latest revisions of the CMC, which can be found at <https://www.cincinnati-oh.gov/council/references-resources/municipal-code/>

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CINCINNATI MUNICIPAL CODE

DIVISION A: GENERAL

Sec. 401-1. General Regulation.

The Cincinnati Water Works shall be governed by Chapter 401 and any other applicable ordinances, together with explanatory Rules and Regulations promulgated by the Superintendent with the approval of the City Manager.

Sec. 401-2. Definitions.

For the purpose of this chapter the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them, unless a different meaning is clearly indicated by the context.

Sec. 401-2-D. Director.

"Director" shall mean the superintendent of water works as created by Article IV, Section 9 of the charter of the city of Cincinnati. The director may also be designated as "superintendent" in this chapter.

Sec. 401-2-D1. Department.

"Department" shall mean the Greater Cincinnati Water Works.

Sec. 401-2-L. Lead Service Line.

A "Lead Service Line" means a Service Line in which the wetted surfaces of the pipes are not Lead-Free.

Sec. 401-2-L1. Lead-Free.

"Lead-Free" shall have the same meaning as defined in Ohio Revised Code § 6109.10, which currently defines lead-free as being made of not more than a weighted average of twenty-five-hundredths percent lead.

Sec. 401-2-R. Rules and Regulations.

"Rules and Regulations" shall mean the rules and regulations promulgated by the Director with the approval of the City Manager for the purpose of implementing Chapter 401 of the Cincinnati Municipal Code, as well as the requirements in the Department's Standard Drawings.

Sec. 401-2-S. Superintendent.

"Superintendent" shall mean the Superintendent of Water Works as created by Article IV, Section 9 of the charter of the City of Cincinnati. The Superintendent may also be designated as "Director" in this chapter.

Sec. 401-2-S1. Service Branch.

"Service Branch" shall mean the pipe from the Service Connection to the water meter.

Sec. 401-2-S2. Service Connection.

"Service Connection" shall mean the location and connecting equipment where a Service Branch is physically connected to a water main.

Sec. 401-2-S3. Service Line.

"Service Line" shall have the same meaning as "Service Branch" as defined in this chapter, except when the water meter is outside of the building or structure being served by the Service Branch, in which case the service line shall be defined to also include the pipe from the water meter to the first shutoff valve within the building or structure.

Sec. 401-2-U. Utility; Water Works; Department.

"Utility," "Water Works," and "department," as used in this chapter, shall mean the Cincinnati Water Works, also known as the Department of Water Works of the City of Cincinnati or Greater Cincinnati Water Works.

Sec. 401-2-W. Water Service.

"Water service" shall mean the readiness to supply or actual supplying of water to premises in which a water service connection has been installed.

Sec. 401-2-W1. Water Service Connection.

"Water service connection" shall mean the physical connection of a service branch with a water main.

Sec. 401-3. Committing Nuisance on Water Works Grounds.

No person shall swim in any of the reservoirs set apart for use of the Water Works or

throw objects into or recover objects from any such reservoirs, or deposit filth, or trespass, or commit a nuisance of any kind in such reservoirs or upon grounds set apart for the use of the Water Works.

Sec. 401-4. Hunting and Fishing on Water Works Grounds Prohibited.

No person shall hunt or shoot, or otherwise kill, any bird or animal on any of the grounds or reservoirs of the water works, or fish in any of the reservoirs, or mutilate, or in any way injure, any tree or shrub upon such grounds or upon any property set apart for the use of the Water Works, or in any way injure any property on such grounds or reservoirs. This shall not apply to extermination of harmful animals, trees or shrubs by utility forces or authorized contractors.

Sec. 401-6. Wasting Water.

No person shall leave open any hydrant or faucet connected with the city Water Works so as to allow water to flow from the same when such water is not being used.

Sec. 401-7. Fixed Pressure Not Guaranteed.

The department does not guarantee consumers full volume, fixed pressure or an effective, continuous supply of water, such matters being subject to the varying conditions which may affect the operation and maintenance of the mains, services, pumping stations, reservoirs and other parts of the Water Works system.

Sec. 401-8. Inspections.

Authorized employees of the department shall have the right, at any reasonable time, to enter the premises for the purpose of inspecting any water service branch or fire protection service and any or all piping or equipment connected thereto.

Sec. 401-10. Adherence to Ordinances, Rules and Regulations Requisite to Continued Service.

The Superintendent shall be authorized to discontinue service for failure to comply with any portion of Chapter 401 of the Cincinnati Municipal Code or the Rules and Regulations authorized there under.

**DIVISION B:
WATER MAIN
INSTALLATIONS**

Sec. 401-11. New Water Main Extensions, General.

Except as specifically provided by ordinance, all construction of water main extensions and water tap service in streets and ways not already supplied with water shall be in accordance with one of the plans set forth in Section 401-12 to 401-16, inclusive.

Sec. 401-12. Plan 1, Payment of Entire Cost in Advance.

Any one or more property owners may request the Superintendent to determine the feasibility and the estimated cost of the construction of a proposed water main extension to serve their premises. If the Superintendent approves the proposed extension and determines the estimated construction cost, such property owners may deposit with the department a sum equal to such estimated cost and the Superintendent shall thereupon proceed with the construction. Any surplus in the deposit amount over and above the construction cost shall be refunded to the owner or owners or their agent. Should the construction cost exceed the deposit amount, the owner or owners shall pay this excess amount and no water taps shall be installed or water service rendered from the extension until the cost is paid in full.

Sec. 401-13. Plan 2, Construction by Owner.

The Superintendent may permit the owner or owners of property to be served to arrange for the laying of water main extensions by private contract. In such cases, the plan for the water main must be approved by the Superintendent and the political subdivisions and planning commissions having jurisdiction. Before starting a project, the contractor shall furnish a bond as guarantee for each project or section thereof and obtain all required street opening permits.

All material used must have been inspected by a Water Works representative. All work shall be done in accordance with Water Works specifications. Charges for inspection of materials and construction shall be established by the superintendent and paid by the contractor.

Sec. 401-14. Plan 3, Construction by Owner with Water Works Participation.

When the development of a subdivision requires the owner to lay water mains in existing dedicated streets or highways, the Water Works will participate in the cost of supplying materials not to exceed those stipulated here below.

The superintendent will determine the abutting front footage, not owned by the developer, but likely to be developed in the future and which can be assessed.

When the new main is to be 8-inch, the Water Works will furnish:

- a. half as many lineal feet of water main as the amount above determined;
- b. all of the valves to be installed in the existing street except those the developer would be required to install if there had been a main in the existing street in front of his property; and
- c. when the property to be served is a corner lot or the new main must pass a corner lot, or lots, to reach the property to be served, the Water Works will furnish enough lineal feet of pipe, in no case to exceed 150 feet, to reach from the existing or proposed main on one street past the second side of the corner lot, or lots, to the back property line thereof, and any valves required to make the connection at the intersection of the mains.

When the Water Works directs the owner to install a new 12- or 16-inch main under the provisions of Section 401-18 in any political subdivision, the Water Works will furnish, in cash, the amount required for participation by the Hamilton County contract. The Water Works will also furnish, as determined by the Superintendent, either pipe or valves or cash of the same monetary value as would have been furnished had the main been 8 inch.

Plan 3 is subject to all the requirements of Plan 2 unless specifically excepted in this section.

When a main is installed by Plan 3, charges shall be assessed against owners other than the participating developer at any amount per lineal abutting foot of their property fixed by the Superintendent as the average cost per lineal foot of laying 8-inch water mains in the City of Cincinnati during the preceding calendar year.

When a water main has been constructed in accordance with Plan 3 water tap connections to such extension shall be permitted only to serve premises for which the front foot charge was collected at the time of filing the petition, provided that the owners of other property may be permitted to make connections upon payment of sums respectively equal to the price per lineal foot fixed by the Superintendent plus 10 percent times the front footage of the abutting premises owned by them.

Where service is granted from a water main by virtue of an easement as provided in Section 401-32, or by an ownership of a small frontage serving a larger tract, the Plan 3 or Plan 4 assessment shall be not less than 50 feet for parcels or lots comprising not more than one-half acre, not less than 75 feet for areas between one-half and one acre, not less than 100 feet for areas between one and two acres, and not less than 150 feet for areas between two and three acres. For areas in excess of three acres the Superintendent shall be authorized to promulgate an assessment based upon benefits to be derived. If such bill is not paid within 90 days after the date of rendition, an additional charge of 10 per cent thereof shall be added thereto. No connecting tap shall be permitted to be made in any such extension, whether located in or outside the city, until the owner of the property requesting the tap shall have paid the charges specified herein or obligated himself to do so.

Sec. 401-15. Plan 4. Construction without Petition.

Whenever the Director determines it is in the best interests of the water distribution system to construct a water main extension, either within the city or outside of the city, in instances where in the Director's opinion an owner or developer cannot be required to construct the extension, the Director is authorized, with the approval of the City Manager, to construct such extension without the filing of any petition therefore or the making of any advance payment or deposit. After the completion of any such extension, the Director shall cause each premises abutting the street or road in which such extension is laid to be charged a deferred tap-in charge in an amount equal to that which it would have been charged under Plan 3, Section 401-14, except premises not likely to be subdivided and already served from a different water main. Owners of abutting premises for which a Section 401-32 water main agreement has been executed shall be required to pay their portion of the cost of construction. Owners of abutting premises may be permitted to make connections to Plan 4 water mains upon payment of the deferred tap-in charge, if any, in the manner provided under Plan 3, Section 401-14.

Sec. 401-16. Plan 5, Assessment in Accordance With Revised Code.

The owners of property to be served by a proposed water main extension may petition for the construction of such extension and the assessment of the cost thereof in accordance with the provisions of the Revised Code of Ohio.

Sec. 401-17. Property Owners not to be Relieved from Payment.

No construction of water main extensions shall be proceeded with by the Superintendent

under Section 401-14 until the advance payments or deposits required by such section have been paid in full to the water department. If in any case, by reason of inadvertence or oversight, construction shall have been made without compliance with advance payment requirements, such inadvertence or oversight shall not relieve the benefited property owner from the obligation to pay the amount due. In such cases, no water tap connection shall be made or water service rendered unless and until the required payments or deposits are made.

Sec. 401-18. Size of Mains.

The size of the mains to be used in the construction of extensions as provided for in Section 401-11 to 401-16, inclusive, shall in every case be determined by the Superintendent.

When a developer or owner is installing a distribution main under any one of the above numbered plans, the Superintendent may direct that the size be increased to 12-inch or 16-inch, if such would improve the system. The Water Works, in these cases, will pay a portion of the cost of installation, as follows:

1. Should a 12-inch water main be required, the water works' portion of the cost will be 40 percent of the reasonable and proper cost, as determined by the Superintendent.
2. Should a 16-inch water main be required, the Water Works' portion of the cost will be 51 percent of the reasonable and proper cost, as determined by the Superintendent.

Sec. 401-19. Mains in Private Property or Easements.

No water main extension shall be constructed in private property or easements except:

- (a) When the planning commission or such other appropriate authority having jurisdiction approves plans for the construction of garden apartments, condominiums, and/or planned unit developments with access to the houses by means other than a dedicated street, a water main may be laid and maintained in an easement provided it first meets the requirements of the Director.
- (b) Where the planning commission or such other appropriate public

authority having jurisdiction has approved plans for a shopping center, a water main may be laid and maintained in an easement provided that it first meets the requirements of the Director.

- (c) Where the planning commission or such other appropriate public authority having jurisdiction has approved plans for a residential subdivision with small frontages serving panhandle lots, a water main may be laid and maintained in an easement provided it first meets the requirements of the director.

As used herein, the term "panhandle lot" shall mean a lot which utilizes a strip of ground, not a building site, to provide access to or legal frontage on a public street.

In addition to such other requirements as may be imposed or promulgated by the director from time to time by rule or regulation of the Water Works regarding water mains in panhandle lots, the minimum number of lots to be served, and the length and location of the water main shall be reviewed and determined by the Director.

Installation under these exceptions must comply with all the regulations of Plan 2, Construction by Owner, Section 401-13.

Sec. 401-20. Mains in Unimproved Streets.

No water main extension shall be laid in any unimproved street, whose profile is such that in case of the improvement of the street, it would be necessary to relay the main to conform to the established grade.

Sec. 401-21. Use of Plan 3 Prohibited Where Territory Not Capable of Development.

No water main extension shall be constructed under the provisions of Plan 3 where, owing to the topography of territory abutting the street, or to other conditions, further property development along such street is precluded or is unlikely.

Sec. 401-22. Record of Outstanding Charges to be Filed with the County Auditor.

The Superintendent shall maintain a record of all charges outstanding against premises abutting streets improved with water main extensions in accordance with Plan 3 or Plan 4. Such record shall be suitably indexed as to streets and parts of streets and shall at all times be available for public inspection. With the consent of the County Auditor of Hamilton County, a duplicate copy of such record shall be kept on file in the Office of

the County Auditor for the convenience of title examiners and prospective purchasers of real estate. As charges are paid or as new charges are imposed, the necessary notations shall be made in the record by way of amendment or supplement.

Such notations by way of amendment or supplement shall be copied into the county auditor's duplicate record at intervals of not more than 30 days. The record shall at all times be accompanied by a statement from the superintendent indicating the date to which the record has been carried.

Sec. 401-23. Cases of Inadvertence or Oversight.

In the case of water main extensions completed on or after January 1, 1928, in accordance with rules and regulations of the department heretofore in effect, paralleling the provision of Plan 3 as provided for by Section 401-14, where, by inadvertence or oversight, water tap connections have been made to a building without the previous collection of the amounts chargeable in accordance with said plan, the Superintendent shall bill the owner of such premises for the amounts due and payable. If the amount of such charges shall not be paid at or before the next regular water payment date occurring not less than 30 days after the date of such billing, the water supply for such premises shall be shut off as in the case of unpaid water bills and shall not be turned on again until the amount of such bill shall be paid or provided for. In the case of amounts in excess of \$25, the Superintendent shall be authorized, on application of the property owner, to allow payment to be made in not more than four quarterly payments, no payment, however, except the final one, to be less than \$10.

Sec. 401-24. Owner Requested Replacement of Existing Water Mains.

When one or more owners propose redevelopment of properties along existing water mains located in public rights-of-way or easements, such owner or owners may request that the director evaluate the sufficiency and capacity of the existing water mains to provide adequate water service to the proposed redevelopment as described in plans provided to the department. If the director determines that an existing water main of 6" or less in diameter cannot meet the requirements for the redevelopment based on review of current requirements, including, without limitation Chapter 401, the rules and regulations, and applicable building code and fire protection standards, the director may authorize the main to be replaced in accordance with rules and regulations promulgated by the director to implement this section, which may specify allocation of the replacement cost and performance between the department and the owner.

DIVISION C: SERVICE BRANCHES

Sec. 401-31. Application for Water Service Connection.

Application for water service branches and water meter service may be made by any property owner or by his authorized agent, or by any certified person as defined in Section 401-41. Application for the service branch and the meter service must be made concurrently except as in (a), (b), and (c) below.

- (a) When it is necessary to install a water service branch to vacant property in order to precede the paving of a highway, the owner, the owner's agent, the political subdivision paving the street, or its agent, may make application for a water service branch only.
- (b) Where water service branches are to be installed to lots within a subdivision, prior to paving the proposed streets, or to lots within a proposed approved subdivision fronting on an existing street or roadway, applications may be made for service branches only, by the owner, the owner's agent, or the contractor.
- (c) Where a water service branch is to provide fire protection service only, the application for such service branch must be made by a certified person.

By making application for water service branches, or by using or permitting the use of such branches, the owner and any other person using his service branch agree to be bound by all the provisions of this chapter and all lawful rules and regulations of the department.

Sec. 401-32. Property Served Must Abut Roadway.

It is the obligation of the owner desiring service to install distribution mains across all of the owner's abutting frontage, and, if necessary, to extend a distribution main to that frontage from an existing main.

No service branch shall be installed to serve any premises unless the premises abut a street or road in which a distribution main has been installed. And no service branch shall be installed to serve any premises if distribution mains have not been installed across all frontages of the premises abutting streets or roads, unless the owner of such premises has paid the owner's portion of the cost, as determined by the director, of extending a distribution main across the entire abutting frontage of the premises. Provided, however, if the owner executes the agreement required and described below,

and:

(a) If the premises to be served abuts no street or road, then the Director may permit the premises to be served by a service branch laid in a permanent easement satisfactory to the Director permitting installation and maintenance of the branch, running from the premises to a street or road in which a distribution main has been installed; or

(b) If the premises to be served abuts a street or road in which distribution mains have been installed across part of but not the entire frontage of the premises; and, in the opinion of the Director, it is not then feasible, or not in the best interests of the water distribution system, to extend water mains across the remaining abutting frontage of such premises, then the Director may permit the premises to be served by a service branch from the main in the abutting frontage; or

(c) If the premises to be served abuts a street or road in which distribution mains have not been installed across any frontage of the premises, and, in the opinion of the Director, it is not then feasible, or not in the best interests of the water distribution system, to extend distribution mains across any part of the frontage of the premises, then the Director may permit the premises to be served by a service branch laid in a permanent easement satisfactory to the director, permitting installation and maintenance of the branch, running from the premises to a street or road in which a distribution main has been installed.

In each instance provided in (a), (b) and (c) above, the owner of the premises shall execute an agreement on behalf of himself, his or her heirs, successors and assigns, in the form prescribed by the Director, which shall be recorded at the expense of the owner in the recorder's office of Hamilton County, and which shall provide:

- (1) That the owner shall within a reasonable time (no greater than 90 days) following written request of the Director, construct a distribution main in all streets or roads upon which the premises abuts at the date of the agreement (or thereafter abuts, if there is no then existing abutting frontage), or pay his or her portion of the cost of such construction, as determined by the Director, or, if sufficient in the view of the director, upon request of the proper governmental authority join in a petition for construction of such water main on an assessment basis; and that if such petition is requested but construction does not result there from in a

reasonable period of time (no greater than 180 days), then the Director may require the owner to construct or pay for the construction of the required distribution mains;

- (2) That a failure of the owner of the premises to observe the terms of the agreement shall be grounds for the termination of water service; and
- (3) That in any instance where the owner is permitted service by a service branch laid in a permanent easement, if at some future time a distribution main is installed across abutting frontage of the premises, the owner shall at the owner's expense relocate the water meter and service branch to that abutting frontage in a manner approved by the Director, within 90 days of notice by the Director.

As used in this section, "frontage" includes all frontages of premises abutting any street or road, including a limited access highway; an easement for ingress and egress or for utilities does not constitute "frontage" on a street or road.

Sec. 401-33. Installation of Service Branch.

When a service branch is installed, the tap connection to the water main and so much of the branch as is within the highway to its property line shall be installed in accordance with (a) and (b) below:

- a. The department shall install a service branch, except under (b) hereof, and the service branch shall remain the property of the department.
- b. It shall be the obligation of every developer or subdivider whose development includes the extension of the Cincinnati Water Works system to provide a separate water branch for every lot or facility abutting proposed streets or rights-of-way within the development, which water service branch shall be installed from the water main to the right-of-way or property line and shall become the property of the department upon acceptance.

Any such developer or subdivider shall be responsible for the proper installation, altering or repairing of such service branches in accordance with the ordinances of the City of Cincinnati and the rules and regulations of the Superintendent of Water Works, and shall furnish a bond indemnifying the City of Cincinnati for any loss it might sustain through the fault of the developer, the developer's agents or contractors, or for the failure of the developer, the developer's agents or contractors, to properly install, alter, repair, or connect

such water service branches, or for failure to perform any other act in accordance with the ordinances of the City of Cincinnati and the Rules and Regulations of the Superintendent of Water Works. The bond shall be in a form prescribed by the City Solicitor and shall be signed by the developer and a corporate surety authorized to do business in the State of Ohio.

The bond shall be set in an amount to be determined by the Director of the Greater Cincinnati Water Works ("Director") or his or her designee. Such determination shall be based on costs for construction and materials related to water service branch installation, alteration or repair, and other factors that may be determined relevant by the Director. The determination of the amount of the bond will be left to the discretion of the Director and will be final.

No water service branch shall be used for water supply purposes without a water meter. Branches intended for fire protection purposes shall be subject to Division K of this chapter and any Rules and Regulations conformable thereto as may be promulgated by the superintendent.

Sec. 401-34. Building Permits Not to be Approved Unless City Water is Available. No permit for the erection of a building intended for human occupancy shall be approved by the building commissioner until the Water Works has certified the availability of city water, or the commissioner of health has approved some other source.

Sec. 401-35. Requirements of Service Branches and Meters.

The Superintendent shall establish minimum requirements for service branches and meters. Applications for water service must include full information as to the size, occupancy, and commercial or manufacturing processes to be served, except in the case of branches to vacant property preceding highway improvements.

Sec. 401-36. Water Branches Not to be Laid in Sewer Trenches.

No water service branch shall at any time be laid in the same trench with a sewer connection. In extreme cases, shelving will be permitted, in which cases; the shelf will be 18 inches wide, and the water service pipe so staked as to prevent its slipping into the sewer trench.

Sec. 401-37. Interconnected Service Branches.

When city water is supplied through two or more interconnecting service branches, each branch shall be separately metered, and each branch shall be equipped with a

check valve which is installed to prevent the water from flowing back into the city mains. If the interconnected services are for fire protection only, each branch shall be equipped with a separate detector check assembly. If a fire protection service is interconnected with a branch supplying domestic or commercial water, each service shall be fully metered and equipped with an approved check valve.

Where an area is supplied with water obtained from a source other than that provided by the Cincinnati Water Works, the two supplies may not be interconnected unless the method of connection has been approved by the Cincinnati Water Works and the Ohio Environmental Protection Agency.

Sec. 401-38. Replacement and Repair of Service Branches. Where a service branch is installed, the department shall repair and maintain it or replace it with a branch of the same size, without charge, from the main to and including:

- (a) The valve, where the valve is not beneath the street paving or the street curb.
- (b) To a point behind the curb or beyond the edge of the street paving where the valve is in the paving.
- (c) To a point on the private property side of a retaining wall where such retaining wall has been installed by a public entity as part of a highway improvement.

A property owner desiring a service branch of a size different from the existing branch shall make application and pay for it in the same manner as for any other new water service connection.

Sec. 401-39. Maintenance of Service Branch by Property Owner.

That portion of a water branch from points described in (a), (b), and (c) of Section 401-38 into the premises served, shall be maintained in proper condition by the owner. Failure to repair a leak or leaks in the time allotted on notice shall be sufficient cause to justify the department in discontinuing the service. When service has been discontinued for failure to repair leaks, it will not be restored until the department has been notified and is satisfied, after inspection, that repairs have been properly completed. In the case of a Lead Service Line as defined in this chapter, the owner shall comply with the requirements of 401-130 and shall temporarily repair and then permanently replace leaking or damaged Lead Service Lines.

Sec. 401-40. Disconnection of Service Branch by Department.

The Department is authorized to disconnect a service branch from the water main and remove the water meter:

- (a) Upon application by the owner or authorized agent when use of the service branch is no longer required;
- (b) When a water bill is delinquent and records indicate that the service branch has been unused for at least one year;
- (c) When after shut-off of water service by the department for nonpayment of a water bill or other authorized reason, the water service is recommenced by private action without authorization from the department, for the benefit of the property served;
- (d) When a fire protection service branch has no piping or equipment connected thereto which could make its use possible, and has been unused for at least one year;
- (e) When conditions render impractical any future use of an existing unused service branch;
- (f) When a non-copper service branch installed before 1928 has never been used; or
- (g) When the Director determines that disconnection is otherwise necessary physically to protect the water system or prevent theft or unauthorized use of water.

Disconnections in the instances specified in paragraphs (b) through (g), above, shall only be made after giving the owner at least seven days advance written notice, and if the property is known to be occupied by other than the owner and owner's family, after posting notice conspicuously upon the property of the department's intent to disconnect, at least seven days in advance of disconnection.

Cost of disconnection shall be charged to the owner, in accordance with department rules and regulations, only in the instance specified in paragraph (c), above, or when disconnection is otherwise necessary to prevent theft or unauthorized use of water.

Water service may be re-established for a service branch disconnected or ordered to be disconnected only upon conformance with all current regulations and specifications for new service, including modifications to the branch if necessary, and including payment of charges for a new branch. Provided, that for a service branch ordered to be disconnected but not yet physically disconnected, otherwise conforming to all regulations and specifications, the service branch may be re-established upon payment of one-half of the charge for a new branch.

**DIVISION D:
CONNECTIONS, PLUMBERS'
REGULATIONS**

Sec. 401-41. Only Certified Persons to Install Service Branch from Property Line to and Including Meter.

No person other than a person holding a current certificate of competency issued by the Superintendent of Water Works as hereinafter provided, or a person in the employ or working under the supervision of such a certified person shall install, alter, repair, or make any connection with any water service branch or water supply pipe, or operate any curb cock or install any water meter.

Any person desiring a certificate of competency shall apply therefore to the Superintendent of Water Works on a form furnished by the superintendent, and shall be examined by the Superintendent of Water Works, or a designated representative, to determine whether said person is competent to:

- (a) Install the service branch from the property line to, and including the water meter, or
- (b) Install fire protective systems from the property line to and including all necessary appurtenances.

Persons may qualify in either, or both, of these categories.

Part of such examination for (a) above must include the holding of a master plumber's license for any political subdivision in which the applicant desires to do business, if such political subdivision requires a license for such work.

If upon such examination the person is determined to be competent, a certificate of competency shall, upon furnishing the bond hereinafter required, be issued in the name of the Superintendent, which certificate shall be good until revoked or voluntarily surrendered.

Before any certificate of competency is issued to any person pursuant to this section, such person shall furnish to the Superintendent of Water Works a bond in the penal sum of \$1,000.00 indemnifying the City of Cincinnati for any loss it might sustain through the fault of the person to be certified, or such person, agent or employee in installing or repairing any water service branch or meter. The bond shall be in a form prescribed by the City Solicitor and shall be signed by the applicant and a corporate surety authorized to do business in the State of Ohio.

Nothing contained in this section shall be construed to authorize any person to whom a certificate of competency is issued to perform any other plumbing work in any part of Hamilton County, including the City of Cincinnati, without first complying with the governmental regulations, if any, in effect in such part of the county.

A certificate of competency issued to any person pursuant to this section may be revoked if such person or any of such person's employees or agents violates any of the provisions of this chapter, any provision of the rules and regulations of the Superintendent of Water Works, or fails to repair or restore, or pay for the repair or restoration of any damage done to or defective work done on the Cincinnati Water Works system by such person or such person's agents or employees in the carrying out of any work for which a certificate of competency is required. Where a certificate of competency has been revoked, a new one shall not be reissued for 90 days, and, if the cause for revocation included the failure of the certified person to correct or repair any damages to or defective work on the system, a new certificate shall not be issued until such damages or defective work is repaired.

Sec. 401-42. Unauthorized Water Connection Prohibited.

No person other than an employee or other authorized agent of the department shall open any street, lane, alley or other public place for water supply purposes, tap any pipe, or make attachments to any water pipe under the control of the Cincinnati Water Works.

No person shall obtain water from a fire hydrant except:

- (a) Public employees doing so for purposes specifically provided in this code, and
- (b) Persons having obtained a permit for temporary use as specified in Section 401-61 of this code.

Sec. 401-43. Buildings to Have Separate Meters.

No person shall connect water into more than one building from one meter, except where such installation is determined to be for a single purpose in the best interests of the system, and where such exceptions are clearly defined in the rules promulgated by the superintendent.

Sec. 401-44 Connecting Unused Pipes or Altering Existing Pipes.

No plumber or other person shall make any attachments to an old pipe or other fixture which has been shut off by the rules of the Water Works, or which is out of use, without having first obtained a permit to do so, nor shall any plumber or other person make any alteration in any way of the conduit pipes or other fixtures attached to the Water Works, so as to conduct water into adjoining premises, without a written permit to do so, signed by the proper officer of the Water Works.

**DIVISION E:
METER**

Sec. 401-51. Meters Required.

All water service branches shall be metered.

Sec. 401-52. Number of Meters.

The supply of water from the service connection may be by one or more meters. When more than one meter is used, they shall be set in an area not under the control of any tenant or owner and accessible to the water works at all times. The service charge for each meter shall be based on the size of each meter, as provided for in this chapter, except that in all cases, the meter or meters must satisfy the minimum requirements for service branches and meters, as provided for by Section 401-35, herein, and each separate service shall be subject to the same rules and regulations as a service where one branch serves a single meter.

Sec. 401-53. Application for Meter.

When it is necessary to install a meter or meters on an existing service branch which has never been metered the application must be made by a certified person. All meters shall remain the property of the department. After a meter has been installed and placed in service, it shall be fully maintained in proper condition by the department without charge, except that in the case of damage by freezing, hot water, or other neglect, a charge as determined by the superintendent shall be made.

Sec. 401-54. Setting of Meters.

Meters shall be installed on water service branches as soon as practical after installation of the branch, and in every case prior to the final inspection required by the building code having jurisdiction. Meters shall be properly set in accordance with the specifications of the superintendent in a convenient location readily accessible for reading and maintenance and shall be properly protected from damage.

Sec. 401-55. Distance from Highway.

Where meters are authorized to be set outside, the meters shall be set as close to the property line as practical in a frost-proof pit or box of approved type. The water works shall determine whether the location is appropriate.

Sec. 401-56. Unlawful Removal of Meter.

No person except an authorized Water Works employee shall remove a water meter without the permission of the Superintendent. Where a meter is found to have been unlawfully removed, the water shall be shut off forthwith and proper charges made for estimated amount of water used. The water shall not be turned on again until the meter is reinstalled or a payment equal to the cost of the meter, testing, and installation is paid to the Cincinnati Water Works.

Sec. 401-57. Department to Have Access to Meter.

Authorized employees of the department shall have the right, at any reasonable time, to enter any premises where a meter is installed, for the purpose of reading, examining or testing the same on the premises, or for the purpose of removing the same from the premises for examination, testing, repair or replacement.

Sec. 401-58. Inspection of Meters.

The superintendent shall be authorized to fix reasonable charges for the removal, testing, and reinstallation of water meters upon application of consumers.

Sec. 401-59. Installation of Electronic Meter Reading Systems on Existing Services.

The Superintendent shall, at the request of any consumer and upon payment by such a consumer of the prescribed charge, install an Electronic Meter Reading System (includes the water meter, Meter Interface Unit (MIU), transmitter, wiring, telephone connections, direct reading remote unit, and touchpad) which will permit the reading of the consumer's water meter without entering the building in which the meter is located. The location of the Electronic Meter Reading System shall be subject to the approval of the superintendent in order to insure safe and reasonable access for verification of readings or maintenance purpose.

Sec. 401-60. Charges.

The superintendent is hereby authorized to fix reasonable charges, subject to approval of the City Manager, for pipe, cocks, meters, metering devices, fittings, remote meter registers and appurtenances to be furnished for water service installations and to establish standard specifications therefor.

**DIVISION F:
WATER FOR TEMPORARY USES**

Sec. 401-61. Water for Temporary Use.

Where water is required for temporary use on premises not supplied, or insufficiently supplied, with metered water, application shall be made to the water works for a special permit to use water from a fire hydrant or other available source. All arrangements for such use require the approval of an authorized officer of the Water Works. The Director is authorized to require temporary meters for such use, and to establish charges for such temporary meters and charges for permits issued for temporary use. Such charges shall be published periodically.

Sec. 401-62. Use of Water Without a Permit.

It shall be prima facie unlawful to use, or be connected to use, water from a fire hydrant or other available source unless a properly authorized temporary use permit is securely attached to the connection in a conspicuous place near the point of connection. This shall not apply to service branches for new construction.

No person shall remove, obliterate, deface or obscure a temporary use permit, except the permittee at the completion of use; nor shall any person place a permit upon a connection for which said permit was not issued.

Each day's violation of any part of this section shall constitute a separate offense under Section 401-999.

The superintendent shall be authorized to remove and confiscate any unlawful hose, connection or permit found attached to a fire hydrant or other available source of water. When such is done, or when water is used without a permit, the superintendent shall be authorized to double the charges provided by Section 401-63 and the violator shall be required to pay them.

Sec. 401-63. Charge for Unmetered Water.

Unmetered water shall be paid for on the basis of meter rates, according to the estimated amount used or to be used. The superintendent of water works shall be authorized to provide by rule for the method of fixing charges in the case of particular types of unmetered uses.

Sec. 401-65. Special Meters.

In the case of a large construction project, the Superintendent shall be authorized to require the use of a special meter to register water consumed. The meter will in such cases be furnished by the department without charge; provided that the permittee shall be chargeable for the cost of repairs in case the meter shall be damaged, and for the cost of the meter itself if it is not returned promptly after discontinuance of its use.

Sec. 401-67. Cisterns on Streets Having Water Mains.

No permit shall be issued to fill any cistern from a fire hydrant or a private water service branch when such cistern is located on premises which abut a street containing a water main available for service connections.

Sec. 401-69. Resale of Water Prohibited.

No person shall sell, or otherwise furnish to another, water obtained from the Cincinnati Water Works, except persons specifically permitted to do so by an authorized officer in accordance with the rules and regulations of the department.

**DIVISION G:
APPLICATIONS FOR WATER
SERVICE**

Sec. 401-71. Service Contract to be Made by Owner.

Inasmuch as water service is a substantial and valuable benefit to land, a written water service contract for any water service, which for the purposes of this section includes fire protection service, shall be entered into by the owner of any real estate upon original establishment of an account or promptly upon obtaining title to the real estate or upon transfer of an existing account to a different account holder or customer. Failure to sign and return the contract to the Cincinnati Water Works within 30 calendar days thereafter may be cause for refusal or termination of water service to the premises.

If service has been terminated under the provisions of this section, a reconnection charge must be paid prior to restoration of water service. Service can then only be restored by an authorized employee of the Cincinnati Water Works after the written service contract has been duly filed at the department office. The Cincinnati Water Works shall not be responsible for any inaccuracy in the water service contract due to wrongful information given, or errors in receiving such information by telephone.

The account holder for each water supply service shall be the owner. For each water supply service, the owner shall state the name and address to which statements of account shall be mailed for payment. The party to whom the statements are mailed shall be known as the "customer."

Sec. 401-73. Customer to be Free of Indebtedness for Services Billed by the Department.

No application for water service shall be allowed and no water shall be supplied to any applicant, customer or consumer, where it is apparent that the applicant, customer or consumer is indebted for services, materials, damages, fines, penalties or other charges billed by the department, whether such services were performed and delivered by the Water Works or through any other City of Cincinnati department with jurisdiction and for whom the Water Works provides billing and collection services. This section shall apply whether the indebtedness for services, materials, damages, fines, penalties or other charges was incurred at the premises served or at any other premises billed by the Water Works within or without the city limits.

DIVISION H: WATER RATES

Sec. 401-75. Water Rates.

The Director of Water Works shall fix the charges for water used by consumers within the City of Cincinnati, for consumers in Hamilton County outside the Cincinnati city limits, and for consumers in Butler, Clermont, and Warren counties, at rates sufficient to pay the expenses of the water works in accordance with Article IV, Section 9, of the City Charter.

The Director shall also fix the charges for water supplied to political subdivisions at master meters for redistribution by them through their own water mains, and for standby water service to political subdivisions.

The water rates shall not be in force until approved by ordinance of council.

Sec. 401-76. Service Charges.

Each water supply service shall be subject to a service charge. The service charge shall be based on the size of the water meter.

This section shall apply to each water meter used but shall not apply to water supply services subject to Section 401-81 or Section 401-82.

For the availability of water service, the service charge applicable to accounts inside the City of Cincinnati for each year from 2022 through 2026 shall be as follows:

Meter Size (inches)	2021	2022	2023	2024	2025	2026
5/8	6.54	6.79	7.16	7.56	7.98	8.42
3/4	7.82	8.11	8.56	9.04	9.54	10.07
1	9.64	10.00	10.56	11.14	11.76	12.41
1½	24.33	25.24	26.64	28.12	29.68	31.33
2	31.03	32.19	33.98	35.87	37.86	39.96
3	68.03	70.58	74.50	78.63	83.00	87.60
4	130.32	135.21	142.71	150.63	158.99	167.82
6	261.24	271.04	286.08	301.96	318.71	336.40
8	381.46	395.76	417.73	440.91	465.38	491.21
10	533.73	553.74	584.48	616.92	651.16	687.29
12	638.22	662.15	698.90	737.69	778.63	821.85

Division H: Water Rates

The service charges in the above table shall be effective from January 1 through December 31 of each of the above listed years.

The service charges for accounts outside of the City of Cincinnati shall be established pursuant to Section 401-75.

Sec. 401-77. Water Commodity Charges

For water used, the water commodity charge rates per 100 cubic feet (CCF) used shall be as follows:

		2021	2022	2023	2024	2025	2026
First	20	3.00	3.11	3.29	3.47	3.66	3.86
CCF/month							
Next	580	2.52	2.61	2.76	2.91	3.07	3.25
CCF/month							
Over	600	2.25	2.33	2.46	2.60	2.75	2.90
CCF/month							

The water commodity charges in the above table shall be effective from January 1 through December 31 of each of the above listed years.

The water commodity charges for accounts outside of the City of Cincinnati shall be established pursuant to Section 401-75.

Effective January 1, 2012, for water used through a temporary meter as set forth in Section 401-61 of the Municipal Code, the water commodity charge rate per 100 cubic feet (CCF) used shall be 150% of the water commodity charge listed in the table above for the first 20 CCF per month.

Sec. 401-78. Charges for Fire Protection Services.

Each fire protection service serving private premises shall be subject to a service charge based on the size of the service branch at the water main. This section shall not apply to fire protection services subject to Sections 401-82 and 401-83.

The fire protection service charge rates per month and per quarter shall be as follows:

Branch Size (inches)	2021	2022	2023	2024	2025	2026
2" & Under	18.58	19.28	20.35	21.48	22.67	23.93
3"	23.84	24.73	26.11	27.56	29.09	30.70
4"	28.20	29.26	30.88	32.60	34.40	36.31
6"	65.08	67.52	71.27	75.22	79.40	83.80
8"	91.90	95.35	100.64	106.22	112.12	118.34

Division H: Water Rates

10"	110.89	115.05	121.43	128.17	135.29	142.80
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The fire protection service charges in the above table shall be effective from January 1 through December 31 of each of the above listed years.

The fire protection service charges for accounts outside of the City of Cincinnati shall be established pursuant to Section 401-75.

Sec. 401-79. Welfare Institutions.

Welfare institutions defined in Section 401-85 and subsections thereto which have both applied for welfare rates and received water service on or before July 2, 1983, shall pay a service charge and shall pay for water supplied at the commodity rate prescribed herein as set forth in Section 401-76. All such institutions taking service thereafter shall not be entitled to special rates under this section.

The commodity rate per 100 cubic feet of water supplied shall be established as follows:

For the period January 1, 2002, through June 30, 2002 the rate will be fixed at \$0.76 per CCF used. After June 30, 2002, the rate will be set at 80% of the 3rd block inside City rate set to the closest 1 cent.

The water rates for Welfare Institutions shall not be in force until approved by ordinance of council.

Sec. 401-80 [Repealed].

Sec. 401-81. Charges to Political Subdivisions.

The water commodity charge rates per hundred cubic feet for water used by political subdivisions, other than those whose contracts with the City of Cincinnati specify rates, shall be as follows:

	2021	2022	2023	2024	2025	2026
Winter	3.15	3.27	3.45	3.64	3.84	4.06
Summer	3.75	3.89	4.11	4.33	4.58	4.83

The charges to political subdivisions in the above table shall be effective from January 1 through December 31 of each of the above listed years. The Winter rate shall apply during the months of January—April and November—December of the listed year. The Summer rate shall apply during the months of May—October of the listed year.

There shall be no service charges for water used under this section.

Sec. 401-82. Exemptions from Charges.

If no water is consumed in a billing period, then no water supply services shall be billed for the following:

- a. Unused service branches installed for vacant unimproved property in connection with highway improvements, which have not been extended beyond the curb stop.
- b. New service branches installed for new construction, prior to the installation and inspection of the water meter, or prior to being used for the purpose intended, or prior to the occupancy of the premises served, whichever occurs first. Billing shall be at the rates specified in Sections 401-76 and 401-77 upon the first regular billing after one of the above conditions is met.

Sec. 401-83. Exemptions from Charges for Fire Protection Services.

Fire protection services supplying educational institutions as defined in Section 401-85-E and charitable institutions as defined in Section 401-85-C, shall not be billed, and no charge shall be made to these institutions for fire protection services, provided that these institutions have applied for, and received, the approval of the city manager or director of water works for the welfare institution water rate as provided for by Section 401-85 prior to July 2, 1983.

Sec. 401-85. Welfare Institutions Defined.

For water rate purposes, the term "welfare institutions" shall include only the classes defined in the sections hereunder and every such class shall be subject to the restrictions set forth in the definition. The term shall under no circumstances include an institution operated for profit or an institution organized directly for the benefit of its supporting members. Applications for classification as welfare institutions shall be filed with the city manager or superintendent of water works. Upon approval of the application, a copy shall be kept on file with the superintendent with a notation of such approval and the authorization of the use of welfare institution rates. The City Manager or the Superintendent of Water Works shall from time to time reexamine the right of any such institution to continue to be classified as a welfare institution.

Where a welfare institution operates a commercial business in connection with its work, it shall not be entitled to welfare rates unless the water supplied to such business is separately metered and paid for at regular rates.

Sec. 401-85-C. Charitable Institution.

"Charitable institution" shall mean an institution, essentially eleemosynary, caring for orphaned, defective, or delinquent children, or for the ill, aged, or infirm, not substantially supported by revenues derived from its inmates.

Sec. 401-85-E. Educational.

"Educational" shall mean a public school district, parochial school, institution of university or senior college rank, school of art or music, or any other educational institution where the same is operated primarily for education.

Sec. 401-85-G [Repealed].

Sec. 401-85-H [Repealed].

Sec. 401-85-S. Semi-Charitable Institution.

"Semi-charitable institution" shall mean an institution definitely recognized as rendering important welfare service in the community, supported partly by endowments and contributions and partly by fees collected from those served by it.

Sec. 401-86. Boundary Line Consumers.

Where real estate premises supplied with city water are located partly within and partly without City of Cincinnati corporation limits, the applicable water rates shall be determined as follows:

- (a) Commercial, industrial and institutional users shall pay the rate applicable to the place where the water is used. Where the consumption or use is partly within and partly without the city, the city service and the outside service shall be separately metered and separately paid for.
- (b) Residential users shall pay the rate applicable to the political subdivision in which the residence is taxed on Hamilton county real

property tax duplicate.

Sec. 401-87. Unified Service Areas.

Where real estate premises constituting a unified service area are supplied with water through two or more meters, upon application of the owner or his authorized agent, the director shall provide for the consolidation of the consumption readings at the several meters.

Sec. 401-88. Municipal Purposes.

No charge of any kind shall be made for water service furnished for municipal purposes to the city of Cincinnati or to any of its municipal institutions including the Cincinnati Zoo, Music Hall, the Cincinnati Art Museum, the Cincinnati Museum Center, Playhouse in the Park and other non-profit arts and cultural institutions located within city-owned facilities. This provision shall not apply to city of Cincinnati golf courses which shall be charged at regular city rates, nor to concessionaires or other private persons using city property for commercial uses or other nonmunicipal purposes.

Such water service as is provided herein is subject to periodic inspection and monitoring by the Cincinnati Water Works Department to assure that there shall be a reasonable usage of water; and in the event the Cincinnati Water Works believes there is an unreasonable usage of water, the director of water works shall notify the city manager, who may impose a charge for excessive use.

Sec. 401-89. Fire Hydrant Repair and Replacement Charges.

Each water supply service within the City of Cincinnati shall be subject to a fire hydrant repair and replacement charge, which shall be based on the size of the water meter.

The monthly fire hydrant repair and replacement charges shall be as follows:

Meter Size (inches)	2021	2022	2023	2024	2025	2026
$\frac{5}{8}$	0.65	0.67	0.71	0.75	0.79	0.84
$\frac{3}{4}$	0.98	1.02	1.07	1.13	1.20	1.26
1	1.43	1.48	1.57	1.65	1.74	1.84
1½	2.74	2.84	3.00	3.17	3.34	3.53
2	4.04	4.19	4.42	4.67	4.93	5.20

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3	9.79	10.16	10.72	11.32	11.94	12.61
4	16.31	16.92	17.86	18.85	19.90	21.00
6	32.63	33.85	35.73	37.72	39.81	42.02
8	48.93	50.76	53.58	56.56	59.70	63.01
10	65.24	67.69	71.44	75.41	79.59	84.01
12	75.03	77.84	82.16	86.72	91.54	96.62

The fire hydrant repair and replacement charges in the above table shall be effective from January 1 through December 31 of each of the above listed years.

DIVISION I: PAYMENT OF BILLS

DIVISION I - PAYMENT OF BILLS

Sec. 401-90. Contract Services Authorized to be Provided by Water Works.

- a. The director may enter into agreements with other political subdivisions or public agencies to provide customer service, billing and payment collection activities for the provision of public services. Such services may include, but not be limited to, sanitary sewerage service, stormwater drainage and collection service, solid waste collection and yard waste collection. Charges for such services may be issued on a unified utility statement.
- b. The director may enter into agreements with public water agencies and other water agencies, that directly or indirectly receive water from the City of Cincinnati, to provide water quality analysis and lab services. There shall be a charge, as determined by the director. The director shall periodically review the costs and adjust the charge if necessary.
- c. The director may enter into agreements with public water agencies and other water agencies, that directly or indirectly receive water from the City of Cincinnati, to provide fire hydrant repair and replacement services and electrical and mechanical maintenance services. There shall be a charge, as determined by the director. The director shall periodically review the costs and adjust the charge if necessary.
- d. The director may enter into agreements with public or private entities that directly or indirectly receive water from the City of Cincinnati to operate and maintain internal water treatment and distributions systems, and/or to provide related services such as water quality sampling, monitoring, analyzing and reporting.
 1. The director shall determine the charge for these services, which shall be sufficient to cover all costs of providing the services. During the term of these agreements, no funds other than the revenues received as payment for these services shall be used to pay for the services provided.
 2. Any agreement authorized by this subsection shall require any public or private entity with which the city contracts to name the city as an additional insured party on the entity's insurance policy to cover any claims or actions, including liability claims, involving personal injuries or death, associated with the water system.
 3. Any agreement authorized by this subsection shall require any private entity

to indemnify, defend and save the city, its agents and employees, harmless from and against any and all losses, damages, settlements, costs, charges, professional fees, or other expense or liabilities of every kind and character arising out of or relating to the water system, except for willful misconduct on the part of the City or its agents and employees.

Sec. 401-91. Unlawful Taking of Water.

No person, firm, corporation or political subdivision shall take water from any connection to the water supply system of the Cincinnati Water Works unless a proper water service connection is installed according to law and water bills are paid, except as otherwise provided for temporary use or municipal use of water.

Sec. 401-92. Payment Requirements.

Charges shall be payable monthly or quarterly as determined by the Director. Payment shall be made on or before the payment dates specified on the bill. In cases of temporary hardship or circumstances beyond the control of the property owner, the director or authorized representative may grant an extension of time for payment, not to extend beyond the end of the next billing period or may enter into a written agreement with the property owner, the property owner's authorized agent, representative or tenant as provided under Section 401-93-A (e), for extended term payments.

Partial payment may be accepted but charges shall be paid in full by the payment dates specified on the bill or by the expiration date of any extension granted. Failure to pay the balance due, inclusive of all charges billed by the department, shall result in termination of water service and/or other penalties.

Sec. 401-93. Service Charge for Non-Payment.

Bills shall be due and payable when mailed. If a bill is not paid by the earliest payment date specified on the bill, a service charge shall be assessed. The amount of the service charge shall be determined by the director based on earnings lost on overdue amounts and the cost of delinquent account services.

At the time a delinquent account service charge is due, or as soon thereafter as is practical, a final notice for all indebtedness on the account shall be mailed to the name and mailing address in which the account is carried.

A delinquent account service charge shall be canceled or waived when the charge was the

result of a Cincinnati Water Works error, or may be canceled or waived when the cost of collection exceeds the amount of the service charge.

Sec 401-93 A. Involuntary Disconnection.

- a. The Cincinnati Water Works shall provide at least seven (7) calendar day's prior written notice of service disconnection to a customer in default for failure to make payment or for violation of any sections herein, whether or not such customer be a landlord, owner, or others.
- b. At least seven (7) calendar days prior to disconnection of water service to any user(s) not responsible for the payment of charges for services billed, a notice of the intent to disconnect water service shall be posted or affixed upon the premises in a conspicuous location and/or personally served upon the user(s), owner or agent. Such notice shall include the rights and obligations as set forth in paragraphs (d) and (e) of this section.
- c. When account records show the premises is a single-family residence and the billing has been directed to such premises, it shall not be necessary to post a notice of disconnection upon the premises or otherwise serve notice of disconnection.
- d. Any person or entity responsible for the payment of charges for services billed who causes the disconnection of water service by failure to pay the charges for the past service or through any other violation of applicable law, the provisions of this chapter and Cincinnati Water Works Rules and Regulations, or who willingly causes the water service to be disconnected, except while repairs are in progress or during temporary emergencies, shall be liable for compensatory damages to all other persons or entities denied the benefits of water service so disconnected.
- e. If a tenant makes arrangements to the satisfaction of the Cincinnati Water Works for the arrearage of the customer who is in default in order to avoid disconnection of water service for nonpayment, or to cause reconnection of service so disconnected, the tenant shall have the right to deduct the amount of such payment(s) from any future payment of rent.
- f. When a notice of disconnection is posted at the premises or personally served upon the owner, user(s) or agent as a result of nonpayment of charges for services billed or failure to comply with the provisions of this chapter and Cincinnati Water Works Rules and Regulations, there shall be a charge, determined by the director, to the customer responsible for payment of the statement. The Director shall periodically review the costs and adjust the charge if necessary. This

charge is in addition to the delinquent charge specified in Section 401-93.

- g. When a water service disconnection trip is made to premises as a result of nonpayment of charges for services billed or failure to comply with the provisions of this chapter and Cincinnati Water Works Rules and Regulations, there shall be a charge, determined by the Director, to the customer responsible for the payment of the statement. The Director shall periodically review the costs and adjust the charge specified in Section 401-93.

Sec. 401-93-B. Reconnection of Water Service Charge

(a) When water service has been terminated as a result of nonpayment of a water bill or failure to comply with the Cincinnati Water Works Rules and Regulations, there shall be a service charge levied against the account of the customer for the reconnection of water service. The amount of the service charge shall be based on the cost of providing the service and shall be set by the Director of Water Works with the approval of the City Manager.

(b) No service charge shall be levied against an account for the reconnection of water service when water service is being restored and/or reconnected to a customer not responsible for the termination of the service.

Sec. 401-94. Assessing Charges.

The Superintendent shall assess and collect proper charges for water, material supplied, and work done. Any owner of real estate premises installing or maintaining water service connections shall be considered as accepting the provisions of all lawful rules and regulations of the department and as agreeing, in particular, to be liable for all water and service charges for such premises, whether the accounts for such premises are carried in the name of such owner or in the name of tenants or other persons.

Sec. 401-95. Owner's Responsibility.

The maintenance of water service connections being a substantial and valuable benefit to land, any owner of real estate premises maintaining such water service connections shall assume responsibility for the total of all water charges levied against the premises during such ownership in the same manner as the person who actually incurred the charges. This assumption of responsibility shall be a necessary condition to the continuance of water services to the premises and the failure to pay such charges when billed in accordance with the provisions of this division of the Cincinnati Municipal Code

shall constitute grounds for the superintendent to refuse water service to the premises.

Sec. 401-96. Adjustment of Charges for Leaks.

No reduction in water charges shall be made for leaks except for those water charges resulting from leaks which meet the criteria of the leak adjustment program as set forth by the director and approved by the city manager.

Sec. 401-97. Bad Checks, Service Charge.

Whoever shall tender in payment of any bill or bills issued by the Cincinnati Water Works a check or other commercial paper which fails to clear through the banks and is returned to the water works shall be assessed a service charge, the amount to be determined by the Director of Water Works, based on the costs to the city of processing and collecting on such dishonored instrument, for each time such check or instrument is returned. This charge shall be chargeable against the premises served, if the maker of the check or instrument maintains water service connections, in the same manner as charges for water. Assessment of this service charge shall not relieve a maker of any criminal or civil liability provided by law.

Sec. 401-98. Bankruptcy.

Where premises in arrears for payment of water bills become subject to a bankruptcy or insolvency court, the superintendent may permit the supply of water to such premises to be continued or restored without previous payment of the water bill accrued under the bankrupt or insolvent owner.

Sec. 401-101. Bills for Material or Service.

Charges for water main installations, service branches, meters, temporary use of water, fire protection services, work done, material furnished, other service by utility forces or damages to utility property shall be payable as stated on bills or invoices rendered. If not paid as stated thereon, the charges shall be chargeable against the customers' premises or any premises for which the charges are made, as in the case of charges for water.

Sec. 401-102. Additional Charges for Services.

For services including, but not limited to, return trips necessitated by failure of the customer to provide reasonable access, or by failure to comply with Cincinnati Water

Works Rules and Regulations, there shall be a charge, determined by the director, to the customer responsible for the payment of the statement. The Director shall periodically review the costs and adjust the charge if necessary.

Sec. 401-103. Failure to Receive Bills.

All bills shall be mailed to the premises served or other address known to the utility. Any property owner or the owner's authorized agent may list a mailing address with the utility for use in mailing bills. Failure to request such listing or to receive any bill, invoice or notice does not relieve the property owner from responsibility for payment as required. Duplicate bills may be obtained upon application.

Sec. 401-106. Collection of Water Bills by Division of City Treasury.

There is hereby established a charge per water bill collected by the division of city treasury for the water works department through the facilities of the division of city treasury maintained at City Hall for the receipt of cash payments of water bills. The amount of the charge is to be negotiated by the division of city treasury and the Water Works Department, with final authority resting with the City Manager, and is to be based on the actual costs to the treasury division of its collection activity.

DIVISION J: FIRE HYDRANTS

Sec. 401-111. Fire Hydrant Leads.

The leads for public fire hydrants will be considered part of the water distribution mains. When new mains are laid, the necessary leads will be installed concurrently with the main and paid for in the same manner. Where a new fire hydrant is required on an existing main or an existing fire hydrant must be relocated for new development, or to accommodate the abutting owner, the owner of such abutting property must pay the cost of the new or altered hydrant lead.

Sec 401-112. Fire Hydrants within the City Limits.

Within the city limits, the Water Works will provide all necessary public fire hydrants in dedicated streets.

Sec. 401-113. Fire Hydrants Outside City Limits.

Fire hydrants installed outside city limits shall be furnished and maintained by the political subdivision which has contracted for water in that area unless otherwise provided for by contract. The material used and the installation shall conform to standard Cincinnati Specifications and shall be subject to inspection and approval by the superintendent.

Sec. 1231-15. License Fee for Use of Fire Hydrant.

Application for license to use a city fire hydrant shall be made to the water works. If the proposed use is not inconsistent with water works rules and regulations and rules of the fire division or contrary to law the water works shall grant a license and assess charges for the proper license fee. The license fee shall be set by the director and published periodically.

When a license is granted, the water works will furnish a fire hydrant spanner wrench if required. Failure to return this wrench at the completion of the fire hydrant use will result in a replacement charge.

**DIVISION K:
FIRE PROTECTION SERVICE**

Sec. 401-117. Fire Protection Services for Private Premises.

A quarterly or monthly charge shall be made for each fire service branch serving private premises based on the size of the branch at the main, as provided for by Section 401-78.

A fire service branch from the main shall not be used for other than firefighting purposes, except when a dual service has been approved by the Superintendent.

Where a fire service branch has outlets such as fire hydrants or hose outlets and was installed prior to the regulations requiring detector check meters, the Superintendent shall seal each outlet. The seal shall not be broken except when necessary for firefighting.

It shall be the responsibility of the owners of the property served, or their agents, to obtain permission from the Superintendent in advance of using water from a fire protection service for any purpose, including fire drills and pressure testing of a fire protection system. The Superintendent, upon granting permission to use water from a fire protection service, shall arrange to have an inspector visit the premises for the purpose of resealing outlets, reading detector check meter, and estimating the amount of water used, to be billed by the department.

The Superintendent may order a fire service branch metered and converted to a domestic account to be billed at the monthly or quarterly rates for general consumers provided for by Section 401- 76 and 401-77 for any of the following reasons:

- a. Use of water for other than firefighting purposes. Flushing of debris, clean up or flushing of spillage, watering of dumps and other dry areas shall not be considered as firefighting purposes.
- b. Failure to repair a leak or leaks on the fire service branch or fire protection system.
- c. Use of water to control or extinguish self-made fires.
- d. Unauthorized breaking of a seal or seals on outlets of a fire protection system.
- e. Registration on a detector check meter indicating unauthorized use of water.

Sec. 401-118. Combination of Services.

The Director of the Water Works may authorize the installation of a common line to be used to carry water for all purposes where the Water Works is able to provide metering devices which will satisfy the demands for both fire protection and domestic, commercial or industrial requirements.

Where such installation is made, the charges for combined water, sewage service, and fire protection, shall be the same as for water supply service alone.

**DIVISION L:
CROSS-CONNECTION CONTROL
AND WATER QUALITY
PROTECTION**

Division L – Cross-Connection Control and Water Quality Protection

Sec. 401-125. Backflow Protection.

If, in the judgment of the Water Works Superintendent, the integrity of the public water system is, or can be, endangered by backflow from an actual or a potential cross-connection within the plumbing system of a water consumer, the Superintendent may order the installation of an approved backflow prevention method or device consisting of either an air-gap, double sanitary check valve assembly, vacuum breaker, reduced pressure principle backflow preventer or any combination thereof at the water service connection to the premise.

The water consumer shall install the designated device or method at the consumer's own expense, and failure, refusal or inability to install the device or method immediately shall constitute a ground for discontinuing water service to the premise until such device or method has been installed and approved by the superintendent.

The use of the approved backflow preventer at the water service connection does not in any way affect or eliminate the need for individual fixture devices or air-gaps as required by the Ohio Building Code.

All necessary permits shall be obtained from the political subdivision having jurisdiction.

Sec. 401-126. Notification, Payment of Fees for Containment and Isolation Backflow Preventers; Consequences of Failure.

The Cincinnati Water Works shall issue notices to the customer or the owner, the agent or the person in charge of the premises wherein a containment or isolation backflow device is located of the need to perform an annual containment and/or isolation device backflow test. The Cincinnati Water Works may charge a fee for said notice. Failure to have the containment or isolation backflow test done or failure to provide results to the Cincinnati Water Works will result in the immediate termination of water service. The failure to pay the required fees or charge may result in the Cincinnati Water Works terminating water service.

The termination of water service for failure to pay required fees or charges shall comport with those sections of this chapter and Cincinnati Water Works Rules and Regulations regarding termination of service for non-payment of a billing statement.

**DIVISION M:
LEAD SERVICE LINE REPLACEMENT
PROGRAM**

Division M – Lead Service Line Replacement Program

Sec. 401-127. Legislative Findings Related to Lead Service Lines.

- a. City Council of the City of Cincinnati hereby determines that the public health and safety is endangered by the ingestion of drinking water that contains lead.
- b. The use of a Lead Service Line to deliver drinking water from a water main to a residence, business, school, or other building or structure, increases the risk of lead content in the water.
- c. The continued use of Lead Service Lines for an indefinite period of time, without a systematic plan for replacing those lead lines, should therefore be considered a threat to the health and safety of the residents, occupants, and visitors to the City.
- d. Repair or replacement of only part of a Lead Service Line, leaving some but not all of the Lead Service Line in service, poses a higher risk of releasing lead into the drinking water on the property being served than when the whole existing Lead Service Line is left undisturbed, and this risk should be reduced to the extent practically possible.
- e. City Council finds that the complete replacement of Lead Service Lines is essential to protect the public safety and health. Council has determined to adopt a sanitary regulation, as authorized under Ohio Revised Code § 729.06, to eliminate the public health risk caused by the use of Lead Service Lines.
- f. Council also finds that the public, particularly tenants, should have the right to know before signing a lease whether the residence, business, or other location which the tenant intends to rent is served by a Lead Service Line.

Sec. 401-128. Lead Service Lines Prohibited

- a. The Director shall not approve the installation of any new service line or the replacement of any existing service line with pipe that is not Lead-Free.
- b. Existing Lead Service Lines shall be prohibited as of the effective date of this ordinance.
- c. There shall be a grace period for owners of property containing Lead Service Lines before any enforcement action is taken. The Department will not take action until the owner is provided written notice of the need to replace the Lead Service Line with a minimum of thirty days to take corrective action.

Division M – Lead Service Line Replacement Program

- d. All Lead Service Lines shall be replaced with Lead-Free pipe that complies with the Rules and Regulations.

Sec. 401-129. Lead Service Line Replacement Responsibilities of Owner and Department

- a. The Department shall be responsible for replacement of the portion of a Lead Service Line between the service connection and the private property line, which shall be referred to herein as the "public" portion of a Lead Service Line.
- b. The property owner shall be responsible for the cost of replacement of the portion of a Lead Service Line on the private property, which shall be referred to herein as the "private" portion of a Lead Service Line.
- c. The division of responsibilities between the Department and a property owner in this section shall apply only to replacement of Lead Service Lines. Repair and replacement of service branches in all other circumstances shall be governed by Sections 401-38 and 401-39 of this chapter.

Sec. 401-130. - Repair of Private Lead Service Lines

- a. An owner who has a leaking private Lead Service Line shall:
 - 1. Cause a certified person to temporarily repair the leaking private Lead Service Line within the time for repair provided in the notice from the Department; and
 - 2. Cause the private Lead Service Line to be replaced with a new Lead-Free Service Line or allow the Department to replace the private Lead Service Line, in accordance with this chapter, within the time for replacement provided in the notice from the Department.
- b. All materials and work shall be in compliance with this chapter and with any applicable Rules and Regulations of the Department or other applicable requirements in the Cincinnati Municipal Code.

Division M – Lead Service Line Replacement Program

Sec. 401-131. - Disturbance of Private Lead Service Lines

- a. When an owner causes disturbance to the private Lead Service Line or the meter setting, including, without limitation, through renovation, demolition and rebuild, or other construction work, the owner shall:
 1. Cause a certified person to replace the private Lead Service Line with a new Lead-Free Service Line within the time provided in a written notice from the Department; and
 2. Contact the Department so that: (i) replacement of the private Lead Service Line can be inspected to ensure that it conforms to the Department's Rules and Regulations, and (ii) if the public Service Line is lead, the Department may coordinate replacement of the public Lead Service Line in conjunction with the owner's replacement of the private Lead Service Line.
- b. All materials and work shall be in compliance with this chapter and with any applicable Rules and Regulations of the Department or other applicable requirements in the Cincinnati Municipal Code.

Sec. 401-132. - Authorizing Lead Service Line Replacement Program

- a. The Department is authorized to expend funds for the costs of replacing Lead Service Lines through the systematic program authorized under this chapter.
- b. As a part of the Lead Service Line replacement program, the Department is authorized to replace private Lead Service Lines in the City in order to reduce the risk of releasing lead into drinking water.
- c. When the Department replaces a private Lead Service Line as part of the Lead Service Line replacement program, the property owner's cost responsibility will be communicated to the property owner prior to the work and will be made clear in the Department's contract for the work.
- d. The replacement program may include replacement of Lead Service Lines in conjunction with water main replacement, targeted neighborhood replacement of Lead Service Lines without water main replacement, or replacement of individual Lead Service Lines.

Division M – Lead Service Line Replacement Program

- e. The Department shall have discretion to prioritize replacement of Lead Service Lines based on public health risk and economic considerations, including the ability to prioritize replacement of Lead Service Lines that provide water to any school, child care provider, or other business or activity frequented by children.

Sec. 401-133. - Procedure for Requiring Private Lead Service Line Replacement

- a. When the Department intends to replace a Lead Service Line as part of the Lead Service Line replacement program, the Department shall serve written notice upon the owner of the parcel(s) of real property in which the Lead Service Line is situated advising that the private Lead Service Lines must be replaced.
 - 1. The written notice shall be served in the same manner as a service of summons in civil cases: by certified mail addressed to the owner's last known address or tax mailing address, or as otherwise provided in Ohio Revised Code § 729.06.
 - 2. The notice shall provide the owner no less than thirty days from the date of service to cause the private Lead Service Line to be replaced by a certified person as defined in Section 401-127 of this chapter.
 - 3. The notice shall state that if the private Lead Service Line is not replaced within the allotted time in the notice, the Department may: (i) complete the work; (ii) bill the construction costs of the work to the owner; and (iii) certify any amounts unpaid as assessments against the property as provided in this chapter.
- b. Upon receiving notice as specified in this section, an owner may request verification by the Department of whether a service line is in fact a Lead Service Line and/or may request verification of the cost calculation of the Lead Service Line. The notice shall include a website and phone number by which an owner may contact the Department to verify either of these issues of fact.
- c. If the owner chooses to replace the private portion of the Lead Service Line prior to the allotted time in the Department's notice, the owner shall:
 - 1. Do so at his or her own expense; and

Division M – Lead Service Line Replacement Program

2. Ensure that the replacement is performed by a certified person as defined in Section 401-41, "Only Certified Persons to Install Service Branch from Property Line to and Including Meter," and in accordance with Section 401-134, "Inspection and Certification of Lead Service Line Replacement," and all other applicable requirements of this chapter and the Department's Rules and Regulations.
- d. If the private Lead Service Line replacement has not been completed by the end of the allotted time indicated in the Department's notice as defined in this section, the Department is authorized to complete the work.

Sec. 401-134. - Inspection and Certification of Lead Service Line Replacement

- a. When the property owner causes a Lead Service Line to be replaced, the owner and the certified person performing the replacement shall be responsible to ensure each of the following:
 1. The work is performed by a certified person as defined in Section 401-41, "Only Certified Persons to Install Service Branch from Property Line to and Including Meter";
 2. The replacement service line replaces the entire private portion of the prior service line with Lead-Free pipe;
 3. The Department is informed of timing of the work and provided access for inspection of the replacement service line; and
 4. The work and the replacement service line comply with all of the Department's technical and functional specifications and requirements in the Rules and Regulations.
- b. The new service line shall not be used and water service shall not be restored until a departmental inspector inspects and approves it.

Sec. 401-135. - Assessment to Recover Cost of Lead Service Line Replacement

- a. When the Department has incurred costs for replacement of the private Lead Service Line, the Department shall send a final bill to the owner of the property served by the replaced service line.

Division M – Lead Service Line Replacement Program

- b. The bill shall clearly state the following:
 - 1. The amount owed to the Department for the cost of replacing the private Lead Service Line;
 - 2. The owner's options to pay the bill or have any unpaid amount assessed to the real property tax bill semi-annually over either five or ten years;
 - 3. Department contact information for payment and verification of amount; and
 - 4. Procedures for appealing the amount of the bill.
- c. Prior to the date indicated on the bill, the owner may: (i) pay the amount owed directly to the Department, in part or in full, and/or (ii) notify the Department if the owner desires unpaid amounts to be assessed to the property over five years or ten years.
- d. Any unpaid amount shall be assessed against the property. If the owner does not select the number of years of the assessment term on the form provided by the Department, the assessment shall occur over ten years.
- e. If the owner disputes the amount owed, he or she should contact the Department no later than twenty-one days after the date of the bill specified in paragraph (b) of this section to verify that the amount is correct. The Department shall respond with a written decision to such a request for verification of the amount owed.
- f. If the owner does not agree with the Department's decision specified in paragraph (e), the owner has the right to appeal the amount demanded before a neutral decision-maker at the Office of Administrative Hearings ("OAH"). The owner must file such appeal by filing a written notice of appeal with OAH within ten days of receiving the Department's decision as specified in paragraph (e) of this section.
- g. Following determination of the final amount owed, either after the owner does not timely appeal the billed amount or after OAH has issued a decision on the owner's appeal, the Department shall certify any unpaid balance of such amount in an affidavit to the City Treasurer. The affidavit shall include the following information:

Division M – Lead Service Line Replacement Program

1. the unpaid balance;
 2. the tax years over which the amount shall be collected;
 3. the amounts to be assessed each in semi-annual assessment;
 4. the date(s) the costs were incurred;
 5. the address and parcel number(s) of the property served by the replaced service line; and
 6. the name of the property owner of record at the time the costs were incurred.
- h. The City Manager shall thereafter submit an ordinance for Council approval with the amount(s) owed by owners to the Department for the cost of Lead Service Line replacement, and Council shall approve the assessment of such costs against the relevant properties in accordance with the Department's affidavit.
- i. After approval of the assessment by ordinance, the Clerk of Council shall certify the assessment to the Hamilton County Auditor stating the amounts and number of years of payment to be placed as a charge on the tax list and duplicate of the relevant property. The costs shall be a lien upon such real estate from and after the date the costs were incurred and collected as other taxes and returned to the City of Cincinnati in accordance with Ohio Revised Code §§ 729.06, 727.30, 727.301, 727.33, and 727.331.
- j. All proceeds from assessments pursuant to this section and the Lead Service Line replacement program under this chapter shall be placed into the appropriate departmental account for the private Lead Service Line replacement program to repay the cost of the private Lead Service Line replacements.

Sec. 871-12. - Lead Service Line Notification to Tenant.

Landlords shall inform any prospective tenant in writing prior to the prospective tenant's execution of a lease if the rental unit is serviced by a Lead Service Line. Records of service line material composition may be accessed at the Greater

Division M – Lead Service Line Replacement Program

Cincinnati Water Works webpage at <http://www.cincinnati-oh.gov/water/lead-information/>.

DIVISION N: PENALTIES

Sec. 401-999. Penalties.

Whoever violates any provision of this chapter for which another penalty is not specifically provided shall be fined not more than two hundred dollars \$200.

Sec. 401-999A. Violation of Section 401-3, 401-4, or 401-6.

Whoever violates any provision of Sections 401-3, 401-4, or 401-6 shall be fined not more than \$50.

Punishment under this section shall not relieve an offender of civil liability for any damage caused by the offender's unlawful acts.

GREATER CINCINNATI WATER WORKS RULES AND REGULATIONS

DIVISION B - WATER MAIN INSTALLATIONS

Sec. 401-11. New Water Main Extensions, General.

401-11:R1 - Any water main or main extension intended primarily to serve properties or premises abutting the street, road or way in which it is laid, shall be known as a distribution main.

401-11:R2 - Any water main, 12-inches in diameter and larger, intended primarily to carry water for the supply of distribution mains shall be known as a transmission main. Service branches will not be permitted from transmission mains.

401-11:R3 - Water mains, 12-inches and 16-inches in diameter, may be installed for the dual purpose of transmission and distribution. The determination as to whether this size main is dual, or solely for transmission, will depend upon the intent when it was installed.

Sec. 401-12. Plan 1, Payment of Entire Cost in Advance.

401-12:R1 - No extension of water main will be approved for less than the entire frontage of the applicant, and the necessary length from an existing main to that frontage.

Sec. 401-13. Plan 2, Construction by Owner.

401-13:R1 - Plans for subdivisions must include complete circulation within the area, and between the area and the existing system, except in short cul-de-sacs. Subdivisions with more than ninety (90) single family residences, or the equivalent, shall require more than one (1) connection to the existing system.

401-13:R2 - Valves, for all installations by contractors for the owners must be purchased from Water Works stock.

401-13:R3 - The charges applicable for all ductile or gray iron pipe and fittings inspected by Water Works representatives shall be at a rate established by and published periodically by the Department. If the inspection must be made outside the Cincinnati Water Works service area, lodging per diem and traveling expenses encountered by the Water Works for

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material inspection will be included in the total inspection charges, as well as the per hour salary of the Water Works representative while traveling to and from the inspection site.

401-13:R4 - Construction inspection will be charged at the rate per hour established and published periodically by the Director.

401-13:R5 - The contractor will furnish a bond in the amount of ten thousand dollars (\$10,000.00) as a guarantee for each project.

401-13:R6 - When the project is covered by a proper bond in favor of the political subdivision having jurisdiction, no additional bond will be required.

401-13:R7 - Plans for all water main extensions within the Cincinnati System must be prepared by the owner's engineer and submitted to the Cincinnati Water Works for review and approval.

The cost of plan review performed by the Department shall be at a rate per hour established and published periodically by the Department and shall be borne by the person submitting the plan.

401-13:R8 - Disinfection and testing of new water mains will be charged at the rate per foot set by the Director with the approval of the City Manager and published periodically. These charges shall be paid to the Water Works by the contractor who installs the water main.

401-13:R9 – The cost of all OEPA administrative service fees as required per Ohio Administrative Code Section 3745 shall be at a rate established and published periodically by the Department and shall be borne by the person submitting the plan.

Sec. 401-14. Plan 3, Construction by Owner with Water Works Participation.

401-14:R1 - Applicants for assistance under Plan 3 must submit a copy of the County Auditor's Plat, indicating ownership of all property affected by proposed mains.

401-14:R2 - The applicant must note on the plat any options, or proposals of change of ownership of which he is aware. The signature of the applicant must appear on the plat.

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- 401-14:R3** - Corner property served from another street or road will not be considered assessable unless frontage on new main exceeds one hundred and fifty (150) feet, and can be sold as frontage on road where new main is to be installed.
- 401-14:R4** - Public and semi-public property will not be considered assessable under paragraph two of Sec. 401-14.
- 401-14:R5** - Property where topography prevents development will not be considered assessable. However, where this is a questionable decision, the Superintendent may give credit for a part of such frontage.
- 401-14:R6** - All property not owned by the sub divider shall be placed on the deferred assessment list, regardless of whether it was used for credit or not.
- 401-14:R7** - After an application is filed and the credit determined, such determination may not be altered unless the conditions establishing the determination are altered.
- 401-14:R8** - Owners of other property may be permitted to make connections to Plan 3 mains constructed prior to February 28, 1953 upon payment of \$1.10 per lineal foot of frontage.
- 401-14:R9** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between March 1, 1953 and August 2, 1957 upon payment of \$2.10 per lineal foot of frontage.
- 401-14:R10** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between August 3, 1957 and September 15, 1959 upon payment of \$4.40 per lineal foot of frontage.
- 401-14:R11** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between September 16, 1959 and January 1, 1961 upon payment of \$5.50 per lineal foot of frontage.
- 401-14:R12** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between January 1, 1961 and January 1, 1973 upon payment of \$6.60 per lineal foot of frontage.

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401-14:R13 - Owners of other property may be permitted to make connections to Plan

3 mains constructed between January 1, 1973 and January 1, 1976 upon payment of \$7.70 per lineal foot of frontage.

401-14:R14 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between January 1, 1976 and May 1, 1978 upon payment of \$8.80 per lineal foot of frontage.

401-14:R15 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between May 1, 1978 and May 1, 1980 upon payment of \$13.20 per lineal foot of frontage.

401-14:R16 - Owners of other property may be permitted to make connections to Plan3 mains constructed between May 1, 1980 and July 1, 1981, upon payment of \$15.00 per lineal foot of frontage.

401-14:R17 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between July 1, 1981 and September 1, 1982 upon payment of \$18.70 per lineal foot of frontage.

401-14:R18 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between September 1, 1982 and January 1, 1986 upon payment of \$19.80 per lineal foot of frontage.

401-14:R19 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between January 1, 1986 and August 1, 1987 upon payment of \$22.00 per lineal foot of frontage.

401-14:R20 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between August 1, 1987 and November 1, 1989 upon payment of \$24.20 per lineal foot of frontage.

401-14:R21 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between November 1, 1989 and April 1, 1991 upon payment of \$28.60 per lineal foot of frontage.

401-14:R22 - Owners of other property may be permitted to make connections to Plan 3 mains constructed between April 1, 1991 and April 1, 1993 upon payment of \$29.70 per lineal foot of frontage.

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- 401-14:R23** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between April 1, 1993 and June 1, 1994 upon payment of \$33.00 per lineal foot of frontage.
- 401-14:R24** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between June 1, 1994 and August 1, 1998 upon payment of \$35.20 per lineal foot of frontage.
- 401-14:R25** - Owners of other property may be permitted to make connections to Plan 3 mains constructed between August 1, 1998 and January 1, 2006 upon payment of \$39.60 per lineal foot of frontage.
- 401-14:R26** – Owners of other property may be permitted to make connections to Plan 3 mains planned after January 1, 2006 upon payment of \$40.00 per lineal foot of frontage. A 10% penalty will be added if payment is not received within ninety (90) days of notification.

Sec. 401-15. Plan 4. Construction without Petition.

- 401-15:R1** -Charges and billing shall be the same outside city limits.
- 401-15:R2** -Charges to be paid for Plan 4 mains constructed prior to February 28, 1953 shall be \$1.10 per lineal foot of frontage.
- 401-15:R3** - Charges to be paid for Plan 4 mains constructed between March 1, 1953 and August 2, 1957 shall be \$2.10 per lineal foot of frontage.
- 401-15:R4** -Charges to be paid for Plan 4 mains constructed between August 3, 1957 and September 15, 1959 shall be \$4.40 per lineal foot of frontage.
- 401-15:R5** -Charges to be paid for Plan 4 mains constructed between September 16, 1959 and January 1, 1961 shall be \$5.50 per lineal foot of frontage.
- 401-15:R6** -Charges to be paid for Plan 4 mains constructed between January 1, 1961 and January 1, 1973 shall be \$6.60 per lineal foot of frontage.
- 401-15:R7** -Charges to be paid for Plan 4 mains constructed between January 1, 1973 and January 1, 1976 shall be \$7.70 per lineal foot of frontage.
- 401-15:R8** -Charges to be paid for Plan 4 mains constructed between January

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1, 1976 and May 1, 1978 shall be \$8.80 per lineal foot of frontage.

401-15:R9 -Charges to be paid for Plan 4 mains constructed between May 1, 1978 and May 1, 1980 shall be \$13.30 per lineal foot of frontage.

401-15:R10 - Charges to be paid for Plan 4 mains constructed between May 1, 1980 and July 1, 1981 shall be \$15.00 per lineal foot of frontage.

401-15:R11 - Charges to be paid for Plan 4 mains constructed between July 1, 1981 and September 1, 1982 shall be \$18.70 per lineal foot of frontage.

401-15:R12 - Charges to be paid for Plan 4 mains constructed between September 1, 1982 and January 1, 1986 shall be \$19.80 per lineal foot of frontage.

401-15:R13 - Charges to be paid for Plan 4 mains constructed between January 1, 1986 and August 1, 1987 shall be \$22.00 per lineal foot of frontage.

401-15:R14 - Charges to be paid for Plan 4 mains constructed between August 1, 1987 and November 1, 1989 shall be \$24.20 per lineal foot of frontage.

401-15:R15 - Charges to be paid for Plan 4 mains constructed between November 1, 1989 and April 1, 1991 shall be \$28.60 per lineal foot of frontage.

401-15:R16 - Charges to be paid for Plan 4 mains constructed between April 1, 1991 and April 1, 1993 shall be \$29.70 per lineal foot of frontage.

401-15:R17 - Charges to be paid for Plan 4 mains constructed between April 1, 1993 and June 1, 1994 shall be \$33.00 per lineal foot of frontage.

401-15:R18 - Charges to be paid for Plan 4 mains constructed between June 1, 1994 and August 1, 1998 shall be \$35.20 per lineal foot of frontage.

401-15:R19 - Charges to be paid for Plan 4 mains constructed between August 1, 1998 and January 1, 2006 shall be \$39.60 per lineal foot of frontage.

401-15:R20 - Charges to be paid for Plan 4 mains after January 1, 2006 shall be \$40.00 per lineal foot of frontage. A 10% penalty will be added

if payment is not received within ninety (90) days of notification.

Sec. 401-18. Size of Mains.

401-18:R1 -All distribution mains shall be 8 inches or larger, except:

i. A 6-inch water main may be installed where the length of the water main is less than 400 feet and where the water main is supplying no more than one fire hydrant. This exception applies to single family residential development only.

ii. Where short extensions are installed, connecting dead-ends of existing 6-inch mains.

401-18:R2 - In situations where the Water Works is able to supply pipe and related materials, the value of which are equal to its proportional contribution under (a) and (b) above, the Director may agree with the developer to supply such materials in lieu of a cash payment thereby discharging the Water Works' obligations under this Section.

Sec. 401-19. Mains in Private Property or Easements.

401-19:R1 -The number of services required for garden apartments or shopping centers where a water main has been laid in an easement will be determined by the Superintendent.

DIVISION C - SERVICE BRANCHES

Sec. 401-31. Application for Water Service Connection.

401-31:R1- Application for meter service only, where a branch has been previously installed shall be accepted only from Certified Persons and shall be in accordance with current Standard Drawings and means for meter reading as required by the Director or authorized representative. Such application shall include the name and mailing address of the property owner responsible for payment of water bills.

401-31:R2 - Applications for service branch and meter service will not be accepted for more than one building at any one time when the applicant is other than a Certified Person. Additional applications will not be accepted from such person until the work is satisfactorily completed at the first location. When an owner or his agent applies for branch and meter service he must designate what Certified Person will perform the work before any work is done.

401-31:R3 - Applications for fire branches authorized by Section (c), above, must be accompanied by two (2) sets of plans or an approved digitized format illustrating the proposed fire protection system for initial review. Such applications must conform to rules under this section and under Section 401- 117, current Standard Drawings, and means of meter reading as determined by the Director or authorized representative. Six (6) sets of plans illustrating the proposed fire protection system, with the approved revisions shown, shall also be provided by the time of the complete financial transaction associated with the service branch application.

401-31:R4 - Applications for branches to serve both fire protection and other purposes must meet the requirements for both types of service.

401-31:R5 - Where, in the opinion of the Superintendent, a main is inadequately supported by other mains, applications for domestic service equal to the size of the main will not be accepted.

401-31:R6 - In all cases, applications for service branches four (4) inches in size, or larger, shall be accompanied by two (2) sets of initial plans or an approved digitized format for review and information relative to the probable demands and shall conform to current Standard Drawings and

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means of meter reading as determined by the Director or authorized representative. Six (6) sets of plans illustrating the proposed water use, with the approved revisions shown, shall also be provided by the time of the complete financial transaction associated with the service branch application.

401-31:R7 - The exact location of a proposed service branch must be furnished by the applicant to the Water Works. When applying by mail, applications shall be accompanied by an accurate sketch. Measurements shall be taken from some permanent point in accordance with one of the approved methods for measurements for water service branches. To mark the exact location of a proposed service branch, the plumber must drive a stake (furnished by the Water Works) at the property line on the premises. If the inspector finds a discrepancy between the measurements, as given, and the stake, as driven, or if there is no stake on the premises, the installation will be postponed until the error is corrected.

401-31:R8 - Where the proposed installation is for commercial or industrial purposes and requires water for more than the necessary sanitary facilities for the occupants, the applicant must submit a complete set of plans, a statement of the industrial or commercial use intended, and the architect's recommendation for the size of branch and meter.

401-31:R9 - When applying for a service branch to a water main constructed in accordance with Plan 3 or Plan 4 (Sections 401-14 and 15), the applicant shall furnish the Water Works the correct lot and parcel number. Payment required for the main extension must be made before the application can be accepted.

401-31:R10 - A branch application, except as in A, B, and C, under Section 401-31, must be accompanied by payment for temporary use of water necessary in connection with construction of the building, in accordance with Division F of the Water Works Rules and Regulations.

401-31:R11 - Charges for a single branch installed by the Water Works, or authorized representatives and for blocks of branches in subdivisions will be published annually.

401-31:R12 - Failure to comply with the provisions of any of the rules covering applications for water service branches or proper site preparation for

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water service branch installation within 30 days of the date of application shall be just cause for cancellation of the application.

Regulations Specific to Branches in Subdivisions

401-31:R13 - Application for subdivision service branch installations must be made by the developer or a Certified Tapper.

401-31:R14 - The service branch performance and guarantee bond must have been posted before any service branch application will be accepted.

401-31:R15 - The applicant must submit three (3) prints of approved subdivision drawings, indicating the proposed lot layout and service branch location for each lot.

401-31:R16 - The applicant must submit duplicate copies of individual branch application forms indicating: (a) the lot number, (b) service branch size, (c) name of Certified Tapper (if known), and (d) approximate branch location. The installation of the branch at the proper location for each lot will remain the responsibility of the developer.

Sec. 401-32. Property Served Must Abut Roadway.

401-32:R1 – If any portion of any uncovered frontage and/or if no frontage exists for any parcel or lot, and it is not feasible for the actual physical extension of water mains as determined by the Water Works, the property owner desiring water service must pay at the time of branch application their entire uncovered abutting frontages, and/or no frontages (landlocked) calculated by the Water Works as a water main charge. Water main charges are based on the total frontages in feet on all streets or roads, or on an acreage basis described below, multiplied by the current abutting front foot charge described in Section 401-13, latest rule. All water main charges, including any other outstanding previously unpaid water main charges on all streets and roads, must be fully paid at the time of water service branch application. A property owner desiring water service must pay a water main charge based on a minimum of 50 feet for each water service branch application. Where there is no frontage and the total acreage is less than one-tenth of an acre, the water main charge will be based on a minimum of 25 feet.

- i. For total uncovered frontages on all streets or roads of 50 feet and

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more, the property owner must pay all water main charges based on Water Works determined actual total uncovered frontages with no maximum limit.

- ii. For total uncovered frontages on all streets or roads of 50 feet or where no abutting frontage exists (landlocked) to be served through an easement, the property owner must pay the water main charges based on Water Works determined acreage basis:
 1. Up to and including three (3) acres, the water main charge will be determined in accordance with Section 401-13.
 2. More than three (3) acres and up to and including six (6) acres, the property owner will be required to pay a water main charge based on 200 feet of frontage plus an additional 50 feet of frontage for each acre over three acres.
 3. More than six (6) acres, the property owner will be required to pay a water main charge based on 350 feet of frontage plus an additional 25 feet of frontage for each acre over six acres. The maximum water main charge for Rule 1, Section b on an acreage basis will be 500 feet.

Sec. 401-33. Installation of Service Branch.

401-33:R1 - Approved subdivisions may be developed, approved block or section at a time, and the requirements for branch installation refer to such approved block or section.

401-33:R2 - Not more than three months after submission of the contractor's performance bond and the letter of intent, required for the installation of the water main, the developer shall present a service branch performance and guarantee bond. The bond will assure the installation and maintenance of all the required service branches in the proposed subdivision, or approved block, in conformance with City of Cincinnati Specifications. The life of the bond shall be for two years from the installation of the last service branch.

401-33:R3 - In the event that a service branch has been installed inadvertently or where a service branch is found to be unnecessary, as a result of revised lot lines within a subdivision, it will be disconnected by the developer.

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- 401-33:R4** - The bond shall provide that if the developer fails to complete his obligation for branches, the Water Works will complete them at the expense of the bonding company.
- 401-33:R5** - All branches in a subdivision, or approved block, must be installed within six months of issue of permit.
- 401-33:R6** - No service installed may be put to use until all the branches between it and the source of water have been installed.
- 401-33:R7** - A person, or an organization, must be certified to install service branches in private developments. Certification will be based on the Tapper's equipment and proven ability and workmanship to install service branches in a water main under pressure. A Certified Tapper may be qualified for one or more tap sizes, dependent upon equipment. Certification will be immediately revoked if the Certified Tapper fails to perform satisfactory work.
- 401-33:R8** - A Certified Tapper is required to post a renewable one thousand dollar (\$1,000) bond guaranteeing workmanship and materials. This bond will be renewed the first of each calendar year and will cover all sizes of services the Tapper is certified to install.
- 401-33:R9** - Materials and workmanship must comply with City of Cincinnati Specification No. 4-12-76, or the latest revision thereof.
- 401-33:R10** - INSPECTION. All water service branches and water service pipes shall be inspected and approved by an authorized Water Works inspector, from the main to, and including, the meter setting, in addition to any other inspection required by the plumbing or building codes. Failure to request Water Works inspection shall be sufficient cause to justify the Water Works in refusing water service for the branch. No work shall be covered until approved by the Water Works. Water Works inspection shall not relieve the plumber of any responsibility under these rules or for improper work.
- 401-33:R11** - The service branch will be inspected from the property line to the meter setting, only after an application for the branch has been accepted.
- 401-33:R12** - That part of the service pipe beyond the curb stop and to the

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meter shall have a minimal number of fittings based on distance from the property line to the meter and the standard lengths of pipe available. Types of material, types of joints, and requirements for hydrostatic testing shall comply with Standard Drawings.

401-33:R13 - In situations where the developer of a proposed subdivision is required to install a new water main within an existing non-state controlled right-of-way to meet CWW water service requirements for proposed subdivision lots whose frontage is on said existing right-of-way, the developer's CWW certified tap contractor can install the CWW approved water taps with the following conditions:

- i. A separate developer's bond, in the same manner as described in part (b) above, must be posted by the developer for the installation of all CWW approved water taps for the proposed subdivision lots to be installed to the new water main in said existing right-of-way (street).
- ii. CWW subdivision approved water taps approved under this rule can be sold at current subdivision prices, subject to the developer meeting all CWW bonding requirements and the requirements of the public authority that control said existing right-of-way, including any guarantee and performance bonding requirements for the existing right-of-way (street) as required by the public authority.
- iii. The developer of the proposed subdivision shall have thirty (30) days from the date the new water main is placed into service and accepted by the CWW Engineering Inspection Section, to procure and obtain street opening permits for said water taps for all tap locations from the appropriate public authority that controls the existing right-of-way. The developer's CWW certified tap contractor shall install all taps with CWW inspection within thirty (30) days after the date of approval of the street opening permits from the public authority.

401-33:R14 - When a proposed water main is to be extended in an existing right-of-way, as described in 401-33, R13, the developer may install additional water taps, at the subdivision rate, subject to CWW approval, for existing lots or parcels that are not within the developer's proposed subdivision with the following conditions.

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- i. Only existing lots or parcels that are adjacent or connected to the proposed subdivision lots that have frontage on said proposed water main in the existing right-of-way are acceptable under this rule.
- ii. The developer shall meet all the requirements of Section 401-32 and must request and identify all lots or parcels where he desires to install water taps, during the CWW subdivision review process. As a result, CWW will determine and accept which water taps to say lots or parcels are to be installed by the developer's contractor under this rule prior to final approval of the water main extension (WSL) plans.
- iii. All CWW accepted water taps must be included on the developer's subdivision water tap plan. The developer must further meet the requirements pertaining to bonding as described in Section 401-33 (b) and 401-33, R13, prior to purchasing said water taps.
- iv. Any developer requested water taps on said proposed water main within an existing right-of-way that are not accepted by CWW, as stated above, will be installed by the Department as described under Section 401-33 (a).

401-33:R15 - In situations where the building to be served is in excess of 350 feet from the curb stop, the branch size is equal to or less than two (2) inches and an Electronic Meter Reading System meter is installed, the size of the service branch between the curb stop and the meter setting will be determined by the certified person for the purpose of minimizing friction loss. Materials shall comply with Water Works Standard Drawings. The branch size must be increased beyond the curb stop and within six (6) inches of the curb stop. The service branch size in this situation must decrease in size within four (4) inches of the meter setting inlet valve. The fittings used to increase or decrease the size of the service branch may be a "silver solder" or flair joint. Only complete rolls of copper pipe in the specific sizes are to be used. Partial rolls shall only be used to complete the final section of service branch from the last fitting to the meter setting.

- i. All couplings between the increased fitting, beyond the curb stop, and the meter setting must be silver solder or flared fitting. All flared

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fittings must comply with the brass material standards of AWWA C-800 and ASTM B- 62.

401-33:R16 - Meters must be set in outside settings conforming to Standard Drawings and current Rules and Regulations.

401-33:R17 - Meters set in outside meter settings in which the distance from the premises to the curb stop is greater than 350 feet shall be set within no less than 15 feet of the premises and no more than 50, and shall conform to Standard Drawings and Section 401-51.

401-33:R18 - For all water service branch installations as described under paragraph (b) of 401-33 above, a minimum \$10,000 developer's bond for the installation, altering or repairing of 50 or less water service branches is required. For each 1 to 10 additional service branch installations over 50, the required bond amount increases by \$2,000 over the minimum \$10,000 bond amount (i.e. for 51 to 60 water services, the bond amount would be \$12,000).

Sec. 401-34. Building Permits Not to be Approved Unless City Water is Available.

401-34:R1 - Water will be considered available when there is a main which the owner may legally tap in accordance with Section 401-32, or arrangements have been completed for the installation of a main under Sections 401-12, 401-13, 401-14, 401-15 and/or 401-16.

Sec. 401-35. Requirements of Service Branches and Meters.

401-35:R1 - For all water service branches, the applicant shall submit a completed Cross Connection Questionnaire (CCQ) and application along with a complete explanation of the water service branch's intended use. The probable maximum (peak), constant (continuous) and minimum water demand in gallons per minute (g.p.m.) as well as the number of family units if applicable must be shown on the CCQ. A Greater Cincinnati Water Works (GCWW) certified sprinkler contractor and/or plumber must complete the application and CCQ forms completely and to the satisfaction of GCWW, including identifying the needed water system pressure and flows for each domestic, fire and irrigation water demand at the meter.

GCWW may require probable water demand calculations (manual,

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spreadsheet or computer hydraulic model) based on the AWWA M22 Manual, “Sizing Water Service Lines and Meters” for domestic, fire, and irrigation demands. These water demand calculations must show the full flow range of designed water demands, including the minimum, continuous, low and high normal as well as peak water demands in order to properly size the water service branch and meter.

In addition, for all water service branches 4 inches and larger, GCWW requires water service branch, meter and back flow plans in accordance with GCWW requirements from the GCWW certified sprinkler contractor and/or plumber. Complete water demand calculations per AWWA M22 Manual must be furnished, including current water system flow tests results and any applicable recorded easements in accordance with the latest GCWW requirements. GCWW does not allow or sell 3-inch water service branch size.

401-35:R2 - Each water service branch application must be accompanied by a permit for the building, plumbing and/or sprinkler system from the political subdivision having jurisdiction. The permit must show the cubic content of the building.

401-35:R3 - All meters shall be sized so as to be the smallest meter that will provide the maximum peak demand in gallons per minute (g.p.m.) as well as meet the range of flows, water demand profile or usage pattern required at the meter as approved by the Director. Maximum peak water demand is the estimated amount of water needed within the peak one-minute period during any 24 consecutive hours and must be provided by the owner’s certified sprinkler contractor or plumber. The applicant must submit with the application and Cross Connection Questionnaire the expected water demand profile for the full range of flows, including minimum, low and high normal and maximum (peak) water demands. All meters shall generally be sized as shown in Table 6-1 of the AWWA M22 Manual and in compliance with GCWW requirements.

401-35:R4 - The table below lists the minimum branch and meter size requirements for residential buildings. In addition, for a 1 family building unit using an automatic irrigation system the minimum size branch shall be 1 inch and the minimum size meter shall be $\frac{3}{4}$ inch. If the available public water main pressure at the main is less than 50 psi, the applicant is advised to consider increasing the branch and meter size at least

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one size. The GCWW certified contractor or plumber shall individually size the branch and meter for family units larger than 500, based on expected water demand, hydraulic model, and fixture value calculations in accordance with AWWA M22 Manual and GCWW requirements.

Number of Family Units	Branch Size	Meter Size
1 family building	3/4-inch	5/8-inch
2 through 6 families	1-inch	3/4-inch
7 through 12 families	1-inch	1-inch
13 through 20 families	1-1/2-inch	1-inch
21 through 50 families	1-1/2-inch	1-1/2-inch
51 through 75 families	2-inch	1-1/2-inch
76 through 120 families	2-inch	2-inch
121 through 175 families	4-inch	3-inch
176 through 250 families	4-inch	4-inch
251 through 350 families	6-inch	4-inch
351 through 500 families	6-inch	6-inch

401-35:R5 - The following water demand table has been established for non-residential water service branch and meter sizing based on AWWA M22, Table 6.1 industry meter standards. The minimum and maximum flows in gallons per minute (g.p.m.) for the full range of water demand must be furnished with the application per GCWW requirements. GCWW shall review water demands near the lower and upper limits of these flow ranges for final determination of branch and/or meter size and type. Minimum and maximum flow ranges are shown below for positive displacement meters, size 5/8 inch through 2 inch; compound meters for 3 inch through 6 inch; and turbine class 2 meters for 8 inch through 12 inch.

Water Demand Range Min and Max Flows	Branch Size	Meter Size
0.25 to 20 g.p.m.	3/4 inch	5/8 inch
0.50 to 30 g.p.m.	3/4 inch	3/4 inch
0.50 to 30 g.p.m.	1 inch	3/4 inch
0.75 to 50 g.p.m.	1 inch	1 inch
0.75 to 50 g.p.m.	1.5 inch	1 inch
1.50 to 100 g.p.m.	1.5 inch	1.5 inch
1.50 to 100 g.p.m.	2 inch	1.5 inch
2.0 to 160 g.p.m.	2 inch	2 inch
0.50 to 320 g.p.m.	4 inch	3 inch
0.75 to 500 g.p.m.	4 inch	4 inch
0.75 to 500 g.p.m.	6 inch	4 inch

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1.50 to 1000 g.p.m.	6 inch	6 inch
1.50 to 1000 g.p.m.	8 inch	6 inch
50.0 to 2400 g.p.m.	8 inch	8 inch
75.0 to 3800 g.p.m.	10 inch	10 inch
120.0 to 5000 g.p.m.	12 inch	12 inch

401-35:R6 - The certified sprinkler contractor must determine the size of all fire protection branches and shall submit hydraulic model calculations for GCWW verification review along with plans and application in accordance with Section 401-35, Rule 1. All GCWW conditions and requested information for fire branch and meter sizing and type must be fully met by the certified sprinkler contractor, including determining that water available from the public water system generally meets expected needed fire flows and pressures, before GCWW final determination of fire branch and meter size and type can be approved. The table as shown in Section 401-35, Rule 5 can be used as a guide for sizing fire branches. All fire service branches for new construction must comply with Section 401-118, Rule 3. Combination fire and domestic service is not accepted for new construction. GCWW shall determine the size of any required detector check meter.

401-35:R7 - In all cases, any service branch shall not be larger than the water main supplying it nor smaller than the meter size.

Sec. 401-36. Water Branches Not to be Laid in Sewer Trenches.

401-36:R1 -The provisions of this section and applicable sections of the plumbing code shall apply to all water service branches and water service pipe.

401-36:R2 -The minimum horizontal distance between water branches and any other utility shall be 24 inches.

401-36:R3 -The minimum vertical distance between water branches and any other utility shall be 6 inches.

Sec. 401-38. Replacement and Repair of Service Branches.

401-38:R1 - In situations where the Department has permitted the use of an existing branch larger than that required for the size meter in use, maintenance or replacement will be performed on the basis of the size of the meter in use.

401-38:R2 - When an owner or tenant elects to use a water branch for service

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other than that for which the original installation was made, the Water Works will assume no responsibility for the amount of water obtained through the old branch. If, for any reason, the service proves inadequate, it shall be the responsibility of the owner to make application for a NEW service, of the proper size, in accordance with Water Works Rules and Regulations and subject to Water Works approval.

401-38:R3 - Where a reduction in the size of a meter had been authorized and a larger meter is now requested by the customer, all references to the meter shall be in accordance with Section 401-51 and Standard Drawings.

Sec. 401-39. Maintenance of Service Branch by Property Owner.

401-39:R1 - Notice to repair leaks, when served by the Cincinnati Water Works, will be left on the premises or delivered to the address listed with the Utility for use in mailing water bills for the premises served. Failure to receive a notice will not relieve property owners or their authorized agents from responsibility to make repairs in the time allotted.

401-39:R2 - Repeated breaks in the service pipe beyond the curb stop and to the meter will be sufficient cause to require its complete renewal in accordance with current Standard Drawings.

401-39:R3 - The Water Works will provide emergency service to thaw frozen service branches from the curb stop to the building, provided:

- i. Where the meter is inside the building, the owner shall have the water line disconnected just inside the building, immediately before the meter, so the electric current may not pass into the inside piping. The Water Works shall have access to the building to verify that the connection at the meter is broken, and any Electronic Meter Reading System appurtenances may be disconnected by the Water Works.
- ii. Where the meter is outside, the owner shall have the water line disconnected just inside the building so the electric current may not pass into the inside piping. The Water Works will be responsible for removal of the meter and any Electronic Meter Reading System appurtenances disconnected.
- iii. Failure to provide access to the inside of the building when the meter is inside shall be reason to cancel a thaw service request.

401-39:R4 - When a service branch has been thawed on two separate occasions within a three-year period, such condition will no longer be considered an emergency and this service will not be provided.

401-39:R5 - Application for such service must be in writing, signed by the owner or occupant of the premises.

401-39:R6 -The charge for thawing of all water service branches shall be at a rate established and published periodically by the Department.

401-39:R7 -Water Service Branch referred to in Section 401-39 and other references within Section 401 of the Cincinnati Municipal Code means the water service line from the corporation stop to the meter and all of the piping, valves, fittings, and meter housing required for the setting of the water meter and backflow preventer.

Sec. 401-40. Disconnection of Service Branch by Department.

401-40:R1 - When the use of a water service branch is no longer required, the owner of the premises served, or his authorized agent, may apply to the Commercial Services Division for its disconnection from the water main, without charge, but must provide access to the building for the Department to remove the water meter.

401-40:R2 - When an application for disconnection of a service branch is signed by the owner of the property or an authorized agent of the property owner, and access to the building for the Department to remove the water meter has been provided, and the meter removed, the billing of the account shall be suspended and the service branch shall no longer be available for water service.

401-40:R3 - If an owner of the property or an authorized agent of the property owner makes application for water service before the existing service branch is physically disconnected, the applicant may seek re-establishment of the existing service branch if the service branch meets current specifications and regulations. If the Director or authorized representative decides the existing water service branch does meet all current regulations and standards, the service branch may be re-established. Charges for re-establishment will be one-half (1/2) of the current charge for installation of a new service branch. Meters installed

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Division C – Service Branches

on branches that have been re-established as described above shall be installed by a Certified Person in accordance with current Standard Drawings and current means of meter reading as determined by the Director or authorized representative.

401-40:R4 - Re-establishment of any service branch after the authorization to disconnect has been signed, regardless of the existing service branch being physically disconnected, shall be denied if the service branch material is lead.

401-40:R5 - A service branch two (2) inches or smaller shall be renewed completely from the curb stop to the meter setting if more than 50 percent of the service pipe between those two points is being replaced or whenever any portion of a lead service branch is being replaced. An approved dielectric insulating coupling shall be used at the curb stop and be installed not more than six (6) inches from the curb stop on the property owner's side of the curb stop unless an approved lead to copper adapter is also used, in which case the lead to copper adapter shall be installed within six (6) inches of the curb stop on the property owner's side of the curb stop and the dielectric insulating coupling be installed immediately subsequent. An approved curb box shall also be installed.

401-40:R6 - A replacement branch must be renewed and inspected by the Water Works from the curb stop to the meter and be in accordance with current Standard Drawings. Such renewed service branch shall be installed by a Certified Person.

DIVISION D - CONNECTIONS, PLUMBERS' REGULATIONS

Sec. 401-41. Only Certified Persons to Install Service Branch from Property Line to and Including Meter.

401-41:R1 - Failure to correct violations shall result in suspension (rather than revocation) of this certificate of competency. Certified Persons under suspension will not be permitted to perform any of the work for which they have been certified other than correction of the work for which they are under suspension.

401-41:R2 - Certified Persons shall be required to correct violations promptly. Failure to correct violations will result in the notification of the Certified Person’s bonding company.

401-41:R3 - Repeated violations shall result in revocation of the certificate of competency as a Certified Person.

401-41:R4 - Certified persons holding a certificate of competency shall be authorized to turn water on or off at the curb stop and to remove or reinstall a water meter in the course of normal plumbing operations, provided such person who has turned water on or off, removed or reinstalled a meter, shall immediately notify the Water Works of such action, and report the meter reading.

401-41:R5 - Any certified person making application on behalf of or allowing work to be performed on service under the authority of the Water Works by a Certified Person under suspension may also be subject to suspension.

401-41:R6 - Any Certified Person known to have or having outstanding violations of other City agency Rules and Regulations may be denied Certified Persons’ privileges.

Sec. 401-43. Buildings to Have Separate Meters.

401-43:R1 - Where real estate premises constituting a unified service area are owned by a single property owner and all buildings are occupied by a single commercial or industrial endeavor, one meter may be used to serve the entire premises.

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Division D – Connections, Plumbers' Regulations

- 401-43:R2** - Where real estate premises are owned by a single property owner and include one dwelling occupied by that owner, and all other buildings are occupied by a single commercial or industrial endeavor, one meter may be used to serve the dwelling, with one additional meter serving the remaining buildings.
- 401-43:R3** - Where real estate premises are owned by a single property owner and constitute garden apartments approved by the Planning Commission and the political subdivision having jurisdiction, and where it is impractical to provide an easement for a water main within the area, as provided for in Section 401-19, and where the property cannot be divided for sale, the premises may be served by fewer meters than the number of buildings.
- 401-43:R4** - Where the Planning Commission and the political subdivision having jurisdiction have approved a shopping center, and where it is impractical to provide an easement for a water main within the area, as provided for in Sec. 401-19, the shopping center may be served by a single meter.

DIVISION E - METERS

Sec. 401-51. Meters Required. All water service branches shall be metered.

401-51:R1 - The Director or authorized representative shall determine the means of reading for all metered services including new as well as existing service.

401-51:R2 - All water meter service including new as well as existing service that has been determined to be read by telephone shall provide to the Water Works the current telephone number of the premises served, as well as provide access and permission for connection to the telephone wiring beyond the telephone companies' authority for the purpose of reading as a condition of service.

401-51:R3 - Electronic blocking by the property owner or tenant by the use of any telephone attribute for the purpose of blocking telephone access to the electronic meter reading unit shall result in termination of the water service.

401-51:R4 - All new meters required under Section 401-38, Rules 2 & 3, shall be electronic meter reading unit type meters of the current technology as determined by the Director or authorized representative.

401-51:R5 - Where a reduction in the size of a meter had been authorized and a larger meter is now requested by the property owner as stated in Section 401-38, Rule 3, the Department will permit the installation of a larger meter only after receipt of written request by the property owner or authorized agent, approval by the Director or authorized representative and the difference in the service charges between the existing meter and the proposed electronic meter reading unit meter has been paid. Charges will be based upon the rates in effect at the time of the proposed increase in size.

401-51:R6 - Failure to adhere to or comply with the requirements as described within Section 401-51 Rules R1, R2, & R5 shall require a special meter reading service and charge as described in Section 401-57, Rule R2. Failure to provide access for the special reading service may result in termination of water service. Such terminated water service shall remain off until access to the telephone system, the telephone number and permission to connect to the telephone wiring is provided.

Sec. 401-52. Number of Meters.

401-52:R1 - Meter readings shall be used to calculate charges. However, the Water Works shall be authorized to use other means to estimate usage when it is apparent that a meter, remote reading register, an electronic meter reading unit (EMR), or other such devices have not been operating properly, or have been removed. In the instance of a defectively slow or stopped outside reading device of a remote reading register, the inside meter register shall be used to determine actual water usage and charges whenever discrepancies are detected.

- i. The Water Works shall not charge its customers being served by a meter for water consumed in excess of water usage registered on a defectively slow or stopped meter beyond 12 months prior to the current billing period or beyond 12 months prior to the last meter reading where access to the said meter was precluded by acts of the customer, whichever is longer. Any charges levied for any billing period shall not be less than the charges otherwise applicable under these ordinances and regulations.
- ii. Notwithstanding the provisions of Rule 1 set forth herein above, in the instance of a defectively slow or stopped outside reading device of a remote reading register, the Water Works shall not charge for estimated usage for beyond 12 months prior to the current billing period or beyond 12 months prior to the last meter reading where access to the said meter was precluded by acts of the customer, whichever is longer. Any charge levied for any billing period shall not be less than the charges otherwise applicable under these ordinances and regulations.
- iii. A defectively slow or stopped meter, remote reading register, or EMR shall be defined as a meter, remote reading register or EMR which, as a result of ordinary wear and usage, fails to accurately measure the actual water usage at the premises, and registers as a result thereof a usage less than the actual water usage. Specifically excluded from this definition are meters, remote reading registers, or EMR which are slow or stopped resulting from damages originated or caused by the property owner or occupant of the premises being served or resulting from the negligence of the property owner or occupant or acts of vandalism not under the control of the Cincinnati Water Works.

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Division E – Meters

- 401-52:R2** - Meters set inside a building in manifold shall each be set in accordance with Water Works Standard Drawings. Each such meter shall have its own curb stop and curb box.
- 401-52:R3** - Meters set outside the building in manifold shall be set in individual frost-proof boxes in accordance with Water Works Standards.
- 401-52:R4** - Meters set outside a building in manifold shall each have the inlet valve equipped with padlock wings. Each such meter shall have its own curb stop and curb box.
- 401-52:R5** - Where a reduction in the size of a meter has been approved for a meter in manifold, the property owner will have a Certified Person make a no-charge application for the smaller meter service. The Certified Person will then install the smaller meter in accordance with current Standard Drawings, and means of reading as determined by the Director or authorized representative and return the larger meter, undamaged, to the Water Works.
- 401-52:R6** - Meters may not be placed in manifold unless the total of such meters satisfies the minimum requirements determined by the size of the service branch being utilized.
- 401-52:R7** - Once a meter has been placed in manifold it may not be removed unless the remaining meter, or meters, satisfies the minimum requirements for service branches and meters and a service charge must be paid on the removed meter, or meters, until such minimum requirements have been completely met.
- 401-52:R8** - All rules which apply to the billing and collecting regardless of the meter types and reading method for individual service shall apply to every meter in manifold.
- 401-52:R9** - An account served by a meter set in manifold shall be considered active until the authorization form to discontinue the account has been signed by the property owner or authorized agent and returned to the Water Works and the inlet valve removed and capped or the individual curb stop is turned to the off position, and the meter shall be returned to the Water Works, undamaged. Such accounts shall be reactivated when it has been determined that the meter was returned to the Water

Works or when a service charge for the meter, as in a new service, has been paid and all meters served by that branch have been installed in accordance with current Standard Drawings.

401-52:R10 - When a property owner desires to install a meter for private purposes, the Water Works may sell a meter at the current published price. Such meters shall carry no warranty.

Sec. 401-53. Application for Meter.

401-53:R1 - Application for meter service shall be made at the time application is made for the service branch, except as provided under Sections 401-31 and 401-51.

401-53:R2 - Minimum meter sizes will be in accordance with Section 401-35, Rules 4 and 7, except, where a one-family building is equipped with water-cooled air conditioning or refrigeration, the minimum meter size will be 3/4".

401-53:R3 - No application for meter service will be accepted unless the Certified Person presents a building permit and/or a plumbing permit which indicates the cubic content and proposed occupancy of the premises.

401-53:R4 - When the occupancy or use of a premises or service branch changes in a manner other than because of vacancy or nonuse, or the original installation was obviously too large, so that a smaller meter will suffice, the owner, or his agent, may apply for smaller meter service, but not smaller than 5/8". After obtaining authorization from the Water Works to use a smaller meter, the owner will have a Certified Person make a no-charge application for the smaller meter service. The Certified Person will then install the smaller meter in accordance with current specifications and return the larger meter, undamaged, to the Water Works.

401-53:R5 - Should it become necessary to increase the size of meter service, it shall be done in the same manner as new meter service, except that the owner, or his agent, must return the smaller meter to the Water Works. The owner will be credited with the cost of the smaller meter service less 10 per cent of such costs for each year, or part of a year, that the meter was in service.

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Division E – Meters

When the increase in the size of meter service involves the removing of meters in manifold, the credit will be computed on all meters removed except that in no case may the credit exceed the cost of the increased meter service.

401-53:R6 - The charge for new meter service will be published annually and furnished upon request.

401-53:R7 - Charges for meter and/or meter accessories (i.e. meter interface unit, antenna, etc.) replacement necessitated by freezing, hot water damage, vandalism or other neglect shall be based on the costs to the Cincinnati Water Works to replace the meter and/or meter accessory. It shall be the Water Works' discretion whether to replace or repair the meter and/or meter accessory. These costs shall be determined by the Director and published annually.

401-53:R8 - If it becomes necessary to install a new service branch into a building which is already being served, and the meter currently in use is the proper size for the proposed new use, it may be transferred to the new branch, provided, (1) an order is signed authorizing Water Works to disconnect the old service branch, and (2) the meter is returned to the Water Works so that it may be renovated, free of charge, and the number changed to correspond to that of the new service branch.

401-53:R9 - Maintenance of the water meter does not include maintenance of the setting or the box in which it is installed, which are the responsibility of the property owner.

Sec. 401-54. Setting of Meters.

401-54:R1 - Meters shall be installed in accordance with Water Works Standard Drawings. Additionally, meters larger in size than 2 inches shall be installed in accordance with specific requirements determined by the Water Works to meet individual circumstances. Further, all meter settings shall also comply with the requirements set out in Rule 5 below.

401-54:R2 - Meters shall be installed only by employees of the Water Works or by Certified Persons registered with the Water Works in accordance with Section 401-41.

401-54:R3 - Meters shall be set within ninety (90) days of the time the Certified Person calls for inspection of the service branch, or upon completion of

the plumbing work, whichever occurs first.

401-54:R4 - All meter installations must be approved by the Cincinnati Water Works for purposes of reading, inspecting, and maintenance operations. The Certified Person installing the meter shall be responsible for Cincinnati Water Works inspection and approval of the meter setting. The property owner shall be responsible for Cincinnati Water Works approval of any additions, alterations and adjustments to the area surrounding the meter. Certified Persons installing the meter will be expected to acquaint themselves with the plans of other trades at work on the premises, so that the meter location will not be obstructed later by the installation of pipes, valves, hot water heaters, furnaces, traps, partitions, sliding doors, shelves, etc.

401-54:R5 - Meters 2 inches in size, or smaller, installed inside, shall be set not less than 12 inches or more than 36 inches from the floor, measured to the bottom of the pipe entering and leaving the meter. Such meters shall have a minimum clearance of 6 inches from any wall or appurtenance to the meter. Meters larger than 2 inches shall be not less than 18 inches or more than 30 inches from the floor measured to the bottom of the pipe entering and leaving the meter. Such meters shall have a minimum clearance of 24 inches from any wall or appurtenance to the meter. All meter settings shall begin no more than 12 inches from the point of entry of the branch inside the premises. Meters larger than 2 inches in size, all dual services and fire protection services shall be installed in accordance with regulations governing pit settings whether or not the installation is made in a pit.

401-54:R6 - Any Certified Person installing a meter must immediately notify the Water Works of such installation by mailing the card furnished by the Water Works for that purpose.

401-54:R7 - Meters shall be installed in approved settings with approved valves in accordance with Water Works Standards.

401-54:R8 - In all meter settings, except manifold and yoke, the inlet meter valve must be the same size as the branch. The outlet valve may be the same size as the inside piping but in no case smaller than the meter.

401-54:R9 - There shall be no appurtenances installed on any service branch between the curb box and the meter. Any necessary controls, such as

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Division E – Meters

pressure regulators, or check valves, must be installed on the outlet, or house side of the meter, but may be installed between the meter and the outlet valve, if the regulator is at least as large as the service branch. When a 1-1/2", or larger, regulator is required, a 3/4" regulator must also be installed as a by-pass. A 4", or larger, regulator may necessitate more than one additional by-bass regulator.

401-54:R10- Water meters shall not be installed in any area subject to fumes, gases, noxious vapor, steam, or other agents which may impair the safety or health of meter readers or maintenance men.

401-54:R11- Any alteration to existing service branches or meter settings shall be done by Certified Persons only, and shall conform to specifications in effect at the time of the change. Certified Persons making alterations on service branch or meter settings must notify Water Works of alterations.

401-54:R12- Meters up to and including 2 inches in size, installed outside or in a manifold setting, shall be equipped with padlock wings on the inlet valve.

401-54:R13- Meters in meter boxes shall be installed at right angles to the water main or in a practical position as determined by the Department.

401-54:R14- When a meter is being used to measure greater volumes of water than its designed operating capacity, as evidenced by high readings, or frequent repairs, the owner will be required to pay for, and install, meter service large enough, according to Water Works Standards, to properly provide the necessary service.

401-54:R15- In areas determined by the Director to be suitable for telephone-read meters, such meters shall be installed in accordance with Water Works' Standard Drawings.

Sec. 401-55. Distance from Highway.

401-55:R1 - The pit or box in which a meter is set outside must be properly maintained by the owner and must be readily accessible for meter reading and meter maintenance.

Sec. 401-56. Unlawful Removal of Meter.

401-56:R1 - Any certified person may remove and reinstall a water meter in the course of normal plumbing operation, providing that he previously

notifies the Water Works of such action, giving the meter number, reading of the meter, and reason for removal.

401-56:R2 - If a seal is broken by a certified person in the course of normal plumbing operations, he must immediately notify the Water Works so that the seal may be replaced.

401-56:R3 - When a seal is found broken, the Water Works shall be authorized to remove and test the meter, and assess charges as provided by Section 401-58.

Sec. 401-57. Department to Have Access to Meter.

401-57:R1 - Ample clear space shall be provided and always kept available at every water meter for purposes of reading or maintenance. Inability of employees to readily enter and safely gain access to the meter or backflow device shall be sufficient cause for the Water Works to discontinue service.

401-57:R2 - Failure or refusal by a customer to make suitable arrangements for the water meter to be read at regularly scheduled meter reading times, regardless of the method by which the meter is read, shall be sufficient cause for the Water Works to discontinue service. Service will not be restored until a meter reading is obtained notwithstanding other applicable charges. A service charge to be determined by the Director to cover the Water Works' costs in obtaining such special reading will be levied and added to the next water bill.

401-57:R3 - Upon written application in hardship cases, the Director or authorized representative may authorize special meter readings to be taken at other than the regularly scheduled times. A service charge as determined in Section 401-57, R2, to cover the Water Works' costs in obtaining such special reading will be levied and added to the next water bill.

401-57:R4 - If the Water Works is unable to remove, repair, install or replace a meter due to defective valves, or plumbing, the property owner will be given 30 days in which to make the necessary corrections. Failure to replace defective material within the allotted time may result in the discontinuance of service.

401-57:R5 - If an accurate meter reading cannot be obtained due to

inaccessibility to the meter; or if the reliability of the meter, the meter reading, or the electronic record of the meter reading is in doubt; or if the meter is inoperable; or if conditions prevent the scheduled reading, charges may be calculated as an estimation based upon consumption history, current consumption trends or other conditions and circumstances as known to the department. The billing statement shall clearly state that charges have been estimated any time actual meter readings are not used to calculate charges.

Sec. 401-58. Inspection of Meters.

401-58:R1 - When requested by the owner or his agent, the Water Works will test a meter. If, upon testing, the meter is found to be registering more water than actually is passing through it and the difference is in excess of the tolerance permitted by the American Water Works Association standards, no charge shall be made. Otherwise, the owner or his agent shall pay a service charge as determined by the Director, based on current costs to the Water Works to test the meter.

Sec. 401-59. Installation of Electronic Meter Reading Systems on Existing Services.

401-59:R1 - Application for an electronic meter reading unit may be made by the property owner or authorized agent.

401-59:R2 - Electronic meter reading units will not be installed inside any enclosure which can be locked without approval of the Director or authorized representative.

401-59:R3 - Electronic meter reading units shall be installed by authorized employees of the Water Works, their authorized representatives or Certified Persons. The Water Works shall not be responsible for defacement or damage to the property caused by necessary holes, fastenings or other work required for proper installation of electronic meter reading units.

401-59:R4 - The Water Works will maintain electronic meter reading units under the same provisions as meters are maintained.

401-59:R5 - Electronic meter reading units may not be installed to relieve the property owner of the responsibility of placing the meter outside where required by regulations.

Sec. 401-60. Charges.

401-60:R1 - Charges for installation of electronic meter reading units, including all necessary parts and connections, shall be determined by the Director, subject to approval of the City Manager. Meters, electronic meter reading unit, registers, fastenings, connections and valve boxes shall remain the property of the Water Works and may not be moved from one setting to another. The feasibility of installation of the electronic meter reading unit shall be determined by the Water Works or authorized representatives.

401-60:R2 - A charge based on the current cost to the Water Works to repair or replace any electronic meter reading unit or connections thereto, necessitated by damage or neglect by the consumer or property owner, shall be determined by the Director, subject to approval of the City Manager. It shall be at the discretion of the Water Works whether to repair or replace an existing remote meter and outside reading device with an electronic meter reading unit but the charge for repair may not exceed the total cost of a new electronic meter reading unit and the installation of such. This charge shall be separate and in addition to any charge for meter repairs provided for in Section 401-53.

401-60:R3 - When requested by a property owner or his authorized agent, the Water Works will test an electronic meter reading unit for a charge based on the current cost which shall be determined by the Director, subject to approval of the City Manager. This will be in addition to any charge provided by Section 401-58 for testing the meter itself.

DIVISION F - WATER FOR TEMPORARY USES

Sec. 401-61. Water for Temporary Use.

401-61:R1 - An authorized representative of the Cincinnati Water Works shall determine the appropriate available source.

401-61:R2 - Permission to use a fire hydrant must be obtained from the public official having jurisdiction over the fire hydrant before consideration will be given by the Cincinnati Water Works to a request for temporary use permit. A temporary connection to any fire hydrant or other available source must be made in accordance with appropriate Cincinnati Water Works standard drawings.

401-61:R3 - An applicant for temporary use shall complete an application and provide security in certified check, bond or other form acceptable to the Director to ensure compliance with the conditions of the permit. Security will be refunded within a reasonable period of time after return of the meter less a charge for repair or replacement of the meter due to damage beyond normal wear and tear as determined by the Cincinnati Water Works, and/or less any other charges for failure to comply with the conditions of the permit.

401-61:R4 - If an applicant is indebted to the Cincinnati Water Works, no temporary use permit shall be granted until all such indebtedness is paid in full.

401-61:R5 - The source from which water for temporary use can be obtained shall be limited to those locations specified on the permit. The permit must be available at the job site and presented on demand to an authorized representative of the Cincinnati Water Works. When each use is completed, the meter(s) shall be returned to the Cincinnati Water Works.

401-61:R6 - No permit shall be issued and no temporary use of water shall be approved for the following purposes:

- i. Tree, lawn, garden or other spraying.
- ii. Irrigation or watering.

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- iii. Filling or testing swimming pools except the first fill after construction or major repair for purposes incident to the construction or repair.
- iv. Washing vehicles or other equipment.
- v. Filling of a cistern, tank or any other facility intended for storage of water located on premises which abut a street containing a distribution water main available for service connections.
- vi. Other purposes determined to be inappropriate by the Director.

401-61:R7 - Notwithstanding R6 above, in times of drought or other extreme conditions or circumstances the Director may approve a temporary use permit for irrigation and/or watering for commercial applications where water from the public source is the only viable option to protect the commercial interest from catastrophic loss. The commercial interest shall be required to first have systems in place or under construction for adequate irrigation and/or watering under normal conditions, as determined by the Director. Such applications shall include but not necessarily be limited to nurseries and golf courses, and shall specifically not include decorative landscaping or other optional uses. All other provisions of R1 through R5 shall apply.

401-61:R8 - Approval may be withheld or suspended if the Director determines that the temporary use would adversely impact the public supply to existing customers or public fire protection, and surcharges may be applied to cover any additional costs of increased system demands.

Sec. 401-62. Use of Water Without a Permit.

401-62:R1 - When disconnected from the fire hydrant or other source, the permit shall be kept on the job in a safe place, available for inspection.

401-62:R2 - Failure to shut off any hydrant or outlet when water is not being used, so as to allow water to flow from it, or an improper connection while the hydrant is being used, shall be ample cause for revocation of temporary use permit. The permit will not be re-issued until payment is made for twice the amount of water wasted, as estimated by the Utility.

Sec. 401-63. Charge for Unmetered Water.

401-63:R1 - For water used in construction of a building, charges as determined by the Water Works shall be paid by the owner, authorized representative or Certified Person at the time of branch application.

401-63:R2 - Charges for unmetered water to be used in connection with the construction of commercial or industrial development or a commercial or industrial building shall be based upon the cubic content of the building. When the cubic content of the building is used, each 1,000 cubic feet of building content will equal one billing unit. Charges shall be calculated by multiplying the highest tier commodity rate for the appropriate political subdivision times the number of billing units. Where an alternate source of water for construction is available, other than from the branch that was purchased for the project, the unmetered construction water charges, as described in R2, may be waived. Alternate sources of water may include an existing metered branch, an on-site temporary storage tank, a fire hydrant temporary use permit or other sources as approved by the Director or authorized representative. In all cases, where this option is exercised, the meter on the permanent service must be installed and sealed at the time the new service is turned on or upon occupancy, whichever occurs first. All water registered on this meter and any applicable service charges will be billed to the account through the normal account billing process. Breaking the meter seal or removal of the meter by anyone other than an authorized Water Works employee may result in assessment of charges as described in this section.

401-63:R3 - Charges for unmetered water to be used in connection with the construction of a residential building equal to or less than three (3) family units shall be based on the following: One (1) family unit construction shall be based on 50,000 cubic foot content. Two (2) family unit constructions shall be based on 75,000 cubic foot content. Three (3) family unit constructions shall be based on 87,500 cubic foot content.

401-63:R4 - For unmetered water used for other than construction purposes, written application including the purpose and estimated duration of service needed shall be made by the property owner or authorized representative. An account shall be established for each specific use or separate job, upon approval by the Director or authorized representative.

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Division F – Water for Temporary Uses

Payment shall be made at intervals to be determined by the Director or authorized representative. The permittee shall be required to report usage at intervals determined by the Director or authorized representative.

401-63:R5 - Charges for unmetered temporary use of water for other purposes shall be determined after calculating the estimated number of cubic feet of water required. Each particular type of use shall be estimated according to a table authorized by the Director. Every permit shall be subject to a minimum charge determined by service area.

401-63:R6 - No charge shall be made for temporary use of water by the City of Cincinnati or any of its municipal institutions for municipal purposes.

Sec. 401-65. Special Meters.

401-65:R1 - In these instances, a quarterly minimum service charge, determined by service area, will be levied and a temporary use permit issued. After the special meter is set, charges for water used will be as established in Section 401-77.

401-65:R2 - Where water service branches are installed for temporary use to supply special meters, the water service branch application procedure will be followed as under Section 401-31 and there will be an additional service branch withdrawal charge based on the current cost of removing a service branch.

Sec. 401-67. Cisterns on Streets Having Water Mains.

401-67:R1 - Holders of water hauling permits shall be governed in all cases by this section, which prohibits the servicing of any premises on a street containing a water distribution main.

Sec. 401-69. Resale of Water Prohibited.

401-69:R1 - Any person regularly engaged in the business of hauling water for resale or for use in performing service, which holds an approved, annual water hauling permit, is accepted. It shall be the policy of the Cincinnati Water Works to limit the number of permits for hauling of water for residential use to a minimum, as may be determined to be in the best

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interests of the public convenience or necessity.

401-69:R2 - While an owner's billing of tenants for water service at a profit is prohibited, the use of private water meters for the purpose of collecting each tenant's fair share of the total owner's bill is permitted. A nominal charge reflecting the actual cost associated with the reading of private meters and billing thereon is not a violation of this section.

DIVISION G - APPLICATIONS FOR WATER SERVICE

Sec. 401-71. Service Contract to be Made by Owner.

401-71:R1 - Applications for water service contracts may be made at the office of the Commercial Services Division in person, by U.S. mail, or by telephone request.

DIVISION H - WATER RATES

Sec. 401-76. Service Charges.

401-76:R1 - For water service covering a period of time more or less than a quarterly billing or a monthly billing, the service charge will be calculated on a per diem basis.

Sec. 401-82. Exemptions from Charges.

401-82:R1 - Where a meter installed on a branch is not of the same size as the branch, the charge shall be based on the size of the meter except in the case of fire protection service branches.

401-82:R2 - When a stand-by service is used in an emergency, the charge shall be based on the meter or meters normally used to supply the premises, disregarding any service charge which might be applicable to the stand-by meter.

Sec. 401-85-S. Semi-Charitable Institution.

401-85-S:R1 - A welfare institution must be organized "not for profit" as shown by a charter or other official records of the institution.

401-85-S:R2 - A welfare institution must provide benefits to persons other than its supporting members.

401-85-S:R3 - It shall be the duty of the responsible officers of any approved welfare institution to notify the City Manager or Director of Water Works in writing whenever the status of the institution changes in such manner that it can no longer continue to be classified as a welfare institution or whenever premises billed at welfare rates become subject to regular rates.

401-85-S:R4 - Welfare rates shall apply on the next regular billing after the date of approval of an application, for the entire period covered by the billing.

401-85-S:R5 - When approval of welfare institution classification is rescinded or discontinued by the City Manager or Director of Water Works, the next regular billing after the date of such action shall be at the regular rates,

for the entire period covered by the billing.

401-85-S:R6 - Manifold meter settings shall be used to separate water used for welfare purposes from water used for other purposes.

401-85-S:R7 - The disposition of income from a commercial business operated by a welfare institution does not change the requirement that the business must be separately metered, unless waived in writing by the Superintendent.

401-85-S:R8 - Premises used for worship or church purposes shall be separately metered.

401-85-S:R9 -Premises used for residence purposes shall be separately metered.

401-85-S:R10 - Where premises are used primarily for proper welfare purposes by an approved welfare institution, minor portions of the premises used for worship or residence purposes shall be considered part of the welfare institution and need not be separately metered.

401-85-S:R11 - It shall be the duty of the responsible officers in charge of any approved welfare institution to notify the Cincinnati Water Works in writing whenever additions or alterations are made in the plumbing system serving any premises supplied by water billed at the welfare institution rates.

Sec. 401-88. Municipal Purposes.

401-88:R1 - Does not include use of water as provided for by the City-County Water Contract or other contracts with political subdivisions.

DIVISION I - PAYMENT OF BILLS

Sec. 401-92. Payment Requirements.

401-92:R1 - The Director or his authorized representative shall determine the billing cycle and identifying number for each account. Bills for water, fire protection, and other services billed by the department shall be known as statements.

401-92:R2 - Certain employees of the Cincinnati Water Works and City Treasurer's Office are authorized to directly receive payments. Anyone who takes money for payment of any statement, other than an authorized employee of the Cincinnati Water Works or the City Treasurer's Office, except as specified in R3 of this section, is acting as the agent of the customer. The Cincinnati Water Works cooperates with the customers' agents but assumes no responsibility whatsoever for them.

401-92:R3 - When delinquent accounts are referred to the City's Law Department, City Treasurer's Office, or to private collection agents under contract with the City, the City's Law Department, City Treasurer's Office, or said collection agent is authorized to receive payments and enter into terms of payment in the best interests of the City.

401-92:R4 - Statements of accounts, applications, and invoices are payable at the Cashier's Office or night deposit box of the Cincinnati Water Works, the City Treasurer's Office, or through the U. S. Postal Service to either the payment locations specified by the Cincinnati Water Works or to the office of the Commercial Services Division at 4747 Spring Grove Avenue, Cincinnati, Ohio 45232-1986.

401-92:R5 - A check or money order shall be made payable to "Cincinnati Water Works" or "CWW", shall bear the account, application, or invoice number, and shall be accompanied by the proper cashier's coupon or payment stub.

401-92:R6 - The authorized cashier's stamp or perforation on a statement constitutes an official receipt. When payment is made by mail, a receipt will not be issued unless requested in writing and the entire statement and a self-addressed, stamped envelope accompanies the payment. Any

receipt is void if the check or money order submitted fails to clear the financial institution on which it is drawn.

401-92:R7 - The Director or his authorized representative may refuse to accept checks based upon previous receipt of dishonored checks or other credit information, with prior written notice given to the customer/account holder, where practical.

401-92:R8 - The property owner or his authorized representative may dispute charges through a formal dispute resolution process. The department shall provide for a formal dispute resolution process for all charges billed. This process is to be published with explanation as a part of each statement. Disputed charges may go unpaid without penalty until such dispute is resolved.

401-92:R9 - Partial payments will be applied to the oldest undisputed charges first and will be prorated evenly over all billed services.

Sec. 401-93. Service Charge for Non-Payment.

401-93:R1 - If a check or other remittance tendered in payment of any bill, statement, or notice, fails to clear through the banks and is returned to the Cincinnati Water Works for any reason, the charges shall be considered unpaid. Any receipt issued therefore shall be void, the indebtedness shall be restored to the account and Sections 401-93 and 93-A shall apply as though no payment has been received.

Sec 401-93 A. Involuntary Disconnection.

401-93:R1 - For purposes of this section, “user(s) not responsible for payment of charges for services billed” is defined as any occupant of the premises served, not a member of the household nor an agent of the customer in default.

401-93:R2 - If a disconnection notice service charge is not paid, the Director or authorized representative shall have the authority to disconnect water service in accordance with Section 401-95.

401-93:R3 - The Director or authorized representative may permit the payment of a disconnection notice service charge with the next regular bill and

may continue to supply water to a premise if all other indebtedness is paid.

401-93:R4 - The Cincinnati Water Works shall not be responsible for the failure of any customer to see, observe, read or understand a posted or personally served disconnection notice.

401-93:R5 - The Cincinnati Water Works shall not be responsible for the removal or destruction of any disconnection notice posted or served or for any marks or damage caused by affixing or removing a disconnection notice.

Sec. 401-94. Assessing Charges.

401-94:R1 - Owners of record of property are always responsible to the Water Works for any bills against their property. An explanation of this may be obtained upon request from the Commercial Services Division.

401-94:R2 - No credit shall be entered against any account or against any charges assessed without specific authorization in the form of a properly compiled credit memorandum form bearing the written signature of the Director or authorized representative.

401-94:R3 - If by reason of inadvertence, oversight, or faulty calculation, errors shall occur in charges assessed against any premises, the owner of record shall not be relieved of the responsibility or obligation for payment of charges assessed to correct such errors.

401-94:R4 - In instances where a water meter has not been installed but the water service branch has been installed and the premise has received a certificate of occupancy, the Director or authorized representative shall determine charges based on the circumstances of the particular premise, including but not limited to, current consumption levels, normal consumption at a similar premise, length of time the water was consumed without registration on a meter, occupancy levels at the premise, minimum service charges in effect during the period and conditions which allowed the consumption to occur without registration. In no case shall charges extend to periods beyond six (6) years previous to the date when the department first discovered that consumption had occurred without registration on a meter.

401-94:R5 - In instances where a water meter has been removed, stolen or is inoperable and the water service is indicated as off on the Water Works records but is subsequently found to be on, the Director or authorized representative shall determine consumption charges based on the circumstances at the particular premise. Circumstances considered may include, but not be limited to, previous or current consumption levels, normal consumption at a similar premise, length of time the water was consumed without registration on a meter, occupancy levels at the premise, minimum service charges in effect during the period and conditions which allowed the consumption to occur without registration. In no case shall charges extend to periods beyond six (6) years previous to the date when the department first discovered that consumption had occurred without registration on a meter.

401-94:R6 - The account holder for each water supply service shall be the owner of record. For each account, the owner of record shall state an address to which statements of account shall be mailed to him for payment. Duplicate statements may be mailed to an agent of the property owner, at the direction of the property owner. A charge for the cost of this service may be assessed.

401-94:R7 - A final reading and statement are required whenever a change of property ownership occurs. A final reading must be requested by either party to the transaction at least seven (7) days prior to the transfer or ownership change. Failure to provide access to the meter or the current active telephone number for the final reading may result in refusal or discontinuation of water service to the premises.

401-94:R8 - Final readings and resulting charges shall be based on registration on the meter and shall be consistent with Water Works Regulation 401-52, Rule 1, regarding defective or slow meters, as determined by the Director or authorized representative.

Sec. 401-95. Owner's Responsibility.

401-95:R1 - Upon receipt of any bill for water service charges made against a real estate premises, which the owner of such premises knows were incurred before his ownership, the owner may apply for relief of such charges.

401-95:R2 - Relief from charges incurred against a premises before the owner was in possession will be granted upon request by establishing an appropriate credit to the account after the owner submits a copy of the deed or brings the deed to the office of the Commercial Division or submits other acceptable proof of the date of his ownership.

401-95:R3 - Upon request of an owner or bona fide prospective purchaser of real estate premises, the Director shall supply information concerning water service charges known to exist at the time of the request.

Sec. 401-98. Bankruptcy.

401-98:R1 - Owners of property are liable for all water and service charges against their premises assessed in the name of tenants or other persons who become subject to a bankruptcy or insolvency court.

Sec. 401-101. Bills for Material or Service.

401-101:R1 - Bills will be delivered by first-class mail by the U. S. Postal Service.

401-101:R2 - When no directions are given, bills will be mailed to "owner" at the premises.

401-101:R3 - Bills shall be paid on or before the date stated on the bill.

Sec. 401-106. Collection of Water Bills by Division of City Treasury.

401-106:R1 - The charge shall be paid by the Cincinnati Water Works.

DIVISION J - FIRE HYDRANTS

Sec 401-112. Fire Hydrants within the City Limits.

401-112:R1 - In city subdivisions where streets have not been dedicated, or on private fire protection systems, the fire hydrants shall be furnished by the developer or the owner.

401-112:R2 - No water shall be taken from any fire hydrant without a permit, except for firefighting or municipal purposes.

401-112:R3 - In no case shall a fire hydrant tagged "For Fire Only" be used for any purpose except to fight a fire, unless specifically approved by the Superintendent.

Sec. 401-113. Fire Hydrants Outside City Limits.

401-113:R1 - All installations, repairs, replacements, or removals of fire hydrant leads shall be subject to Water Works inspection.

401-113:R2 - No water shall be taken from any fire hydrant outside city limits without a permit, except for fire protection or authorized public purposes.

401-113:R3 - In no case shall a fire hydrant tagged "For Fire Only" be used for any purpose except to fight a fire, unless specifically approved by the Superintendent.

401-113:R4 - The County Commissioners and the proper officials of municipalities within the County Water Area shall be authorized to use reasonable amounts of water from fire hydrants, without charge, for municipal purposes.

401-113:R5 - The Superintendent reserves the right to require a permit for each separate use by a public agency, in accordance with our contracts.

VISION K - FIRE PROTECTION SERVICE

Sec. 401-117. Fire Protection Services for Private Premises.

401-117:R1 - It shall be the responsibility of the owner of the property served, or their agents, to notify the Water Works, in writing, within forty-eight (48) hours, stating their reason when a seal, or seals, on any outlet is broken.

401-117:R2 - All private fire protection systems shall require a detector check assembly unless the fire branch is fully metered. The detector check assembly shall be in accordance with the Standard Drawing #108-6, in the Appendix.

401-117:R3 - Application for a dual service branch may be accepted provided the size of the branch is not larger than the distribution main. All dual service branches shall be installed in accordance with the specifications and applicable Standard Drawings in the Appendix. Where a domestic service less than 4" in size is required, a two-inch or a one-inch service may be provided. No meter less than 1 1/2" in size may be installed on the 2" service and a meter not less than 3/4" in size may be installed on the 1" service.

401-117:R4 - Where a two (2) inch or one (1) inch service branch is taken off the fire service branch, the Water Works, or its agent, shall furnish all labor and material necessary to make the connection, with the exception of excavation and restoration. Charges for this service will be established by the Superintendent.

401-117:R5 - Applications for fire protection service branches must be accompanied by applications for all meters required. Three sets of prints showing property line, layout of fire line, fire hydrants, hose connections and buildings must accompany application. Payment for the use of temporary water for construction purposes must be made at the time of application.

401-117:R6 - Where dual services are installed and the domestic service is four (4) inches or larger, the valve controlling the domestic supply must be a Cincinnati inspected valve and shall be purchased from the Water Works.

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401-117:R7 - No application for a fire protection service branch will be accepted where the size of said branch exceeds the size of the main serving such branch.

401-117:R8 - It is permissible to increase the size of fire protection service branches downstream of the detector check assembly but they may be increased only one size larger than the branch applied for.

401-117:R9 - When an additional fire branch is installed to supplement an existing system and the two are interconnected, the entire system becomes an open system and detector check valves with a detector check meter assembly must be installed on BOTH branches, regardless of the status of the original system.

401-117:R10 - All piping in the fire protection system up to and including that in the meter or detector check setting must be Cincinnati Inspected, cement-lined, class 250 cast iron pipes and copper or red brass.

401-117:R11 - All fire line dual or combined services must be inspected up to, and including the meter setting or check valves, by the Water Works.

401-117:R12 - It shall be the responsibility of the owner of the property, or an authorized agent, to request and obtain approval when alterations are made in the piping or equipment attached to any fire service branch. Requests for approval of additions or alterations shall be accompanied by two sets of plans.

401-117:R13 - There will be no charge for water used for firefighting purposes.

401-117:R14 - All detector check meter settings must be inspected in the same manner as standard meter settings, as specified under Sec. 401-54.

Sec. 401-118. Combination of Services.

401-118:R1 - Where the Director authorizes the use of a meter which

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permits water for fire protection and domestic or commercial consumption to be transmitted through the same pipe, the service charges for domestic or commercial water will be based upon Water Works' requirements for meter size.

401-118:R2 - Where a property owner wants a lower domestic service charge than available under Rule 1, the Director may permit him to apply for a dual service connection from the water service branch. After all piping has been permanently separated, as indicated by an inspection by the Cincinnati Water Works so that the detector check meter will measure no domestic, commercial or industrial requirements, the quarterly charge for fire protection service shall be based on the size of the fire protection service branch at the main as provided by Section 401-78.

401-118:R3 - Any new construction utilizing proposed limited area sprinkler systems including NFPA 13R and 13D must have separate domestic and fire service branches in accordance with the GCWW requirements for dual service branches and meters. GCWW will not accept water service branch applications for fire and domestic combination service for limited area sprinklers including NFPA 13R and 13D systems for new construction. New construction generally is defined as a new building, structure or addition where both fire and/or domestic water service are desired. Existing buildings or structures that may require modifications for fire sprinkler systems may not be covered under this rule.

Through any of its permits review processes, the Water Works reserves the right to require installation of dual service branches in lieu of or in addition to using the existing combination water service.

The domestic meter portion of the dual service branch must be sized based on the domestic water demands only. The fire portion of the dual service branch must be sized to meet the required fire water demands (sprinkler system and fire hydrants) only.

A GCWW-certified fire sprinkler contractor must make application for the fire portion of the dual service branch. Both fire and domestic service branches must have appropriate backflow devices based on the degree of hazard as determined by the Water Works.

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401-118:R4 - The written authorization provided by the cognizant fire protection agency giving its approval for provision of fire protection service shall specifically indicate that the domestic service and, hence, the fire protection service provided through it may be interrupted for failure to comply with the rules and regulations of the Cincinnati Water Works including failure to pay in a timely fashion bills levied against the domestic account.

DIVISION L - CROSS-CONNECTION CONTROL AND WATER QUALITY PROTECTION

Sec. 401-125. Backflow Protection.

401-125:R1 Definitions.

As used in Section 401-125:

- i. "Air gap separation" means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. The distance shall be twice the pipe diameter but never less than one inch.
- ii. "Approved" means that a backflow prevention device or method has been accepted by the Cincinnati Water Works and the Ohio Environmental Protection Agency as suitable for the proposed use.
- iii. "Auxiliary water system" means any water system on or available to the premises other than the public water system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water system; or water from a source such as wells, cisterns, lakes, or streams; or process fluids; or used water. They may be polluted or contaminated or objectionable or constitute a water source or system over which the Water Works does not have control.
- iv. "Backflow" means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water supply from any source other than the intended source of the potable water supply.
- v. "Backflow prevention device" means any device, method, or type of construction intended to prevent backflow into a potable water system.
- vi. "Consumer" means the owner or person in control of any premises supplied by or in any manner connected to a public water system.
- vii. "Consumer's water system" means any water system, located on the consumer's premises, supplied by or in any manner connected to a public water system. A household plumbing system is considered to be a consumer's water system.

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- viii. "Contamination" means an impairment of the quality of the water by sewage or process fluids or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.
- ix. "Cross-connection" means any arrangement whereby backflow can occur.
- x. "Degree of hazard" is a term derived from an evaluation of the potential risk to health and the adverse effect upon the potable water system.
- xi. "Double check valve assembly" means an assembly composed of two single, independently acting, check valves including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the watertightness of each check valve.
- xii. "Health hazard" means any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of users. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.
- xiii. "Interchangeable connection" means an arrangement or device that will allow alternate but not simultaneous use of two sources of water.
- xiv. "Non-potable water" means water not safe for drinking, personal, or culinary use.
- xv. "Person" means the state, any political subdivision, public or private corporation, individual, partnership, or other legal entity.
- xvi. "Pollution" means the presence in water of any foreign substance that tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
- xvii. "Potable water" means water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the department of health.
- xviii. "Process fluids" means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration

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such as would constitute a health, pollution, or system hazard if introduced into the public or a potable consumer's water system. This includes, but is not limited to:

1. Polluted or contaminated waters;
 2. Process waters;
 3. Used waters originating from the public water system which may have deteriorated in sanitary quality;
 4. Cooling waters;
 5. Contaminated natural waters taken from wells, lakes, cisterns, streams, or irrigation systems;
 6. Chemicals in solution or suspension;
 7. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.
- xix. "Public water system" means any potable water system as defined in rule by Section 3745-81-01 of the Ohio Administrative Code.
- xx. "Reduced pressure principle backflow prevention device" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks.
- xxi. "Service connection" means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.
- xxii. "System hazard" means a condition posing an actual or potential threat of

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damage to the physical properties of the public water system or a potable consumer's water system.

- xxiii. "Pollutional hazard" means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water system or a potable consumer's water system.
- xxiv. "Used water" means any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water purveyor.
- xxv. "Water purveyor" means the owner or operator of a public water system.
- xxvi. "Ohio E.P.A." means the Ohio State Environmental Protection Agency.
- xxvii. "Certified Backflow Tester" means a person Certified by the State of Ohio, Department of Health, Plumbing Unit, Backflow and Cross Connection Division.
- xxviii. "Approved Backflow Testing Device" means a backflow testing device approved by the Director.

401-125:R2 - Cross-Connections prohibited.

- i. No person shall install or maintain a water service connection to any premises where actual or potential cross-connections to a public water system or a potable consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the Director.
- ii. No person shall install or maintain any connection whereby water from an auxiliary water system may enter a public water system or potable consumer's water system unless the auxiliary water system and the method of connection and use of such system shall have been approved by the Director and by the Ohio E.P.A. as required by Section 6109.13 of the Revised Code of Ohio.

401-125:R3 - Surveys and investigations.

- i. The Director, or his authorized representative, shall have the right to enter premises served by the public water system at all reasonable

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times for the purpose of making surveys and investigations of water use practices within the premises.

- ii. On request by the Director, or his authorized representative, the consumer shall furnish the water purveyor, or his authorized representative, information on water use practices within the consumer's premises.
- iii. Section (A) of this regulation does not relieve the consumer of the responsibility for conducting, or causing to be conducted, periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections in the consumer's water system through which contaminants or pollutants could backflow into a public water system or a potable consumer's water system.

401-125:R4 - Where protection is required.

- i. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving a premise where, in the judgment of the Director or the Ohio E.P.A., a real or potential health, pollutional, or system hazard to the public water system exists. In residential, single-family accounts with an irrigation system where this would result in redundant protection, a specific exemption may be granted by agreement between the Director and the local plumbing authority.
- ii. An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:
 - (1) Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Director and the source are approved by the Ohio E.P.A.
 - (2) Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to a public water system. This shall include premises having sources or systems containing process fluids or waters originating from a public water system which are no longer under the control of the water

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purveyor;

- (3) Premises having internal cross-connections that, in the judgment of the Director, are not correctable or intricate plumbing arrangements which make it impracticable to determine whether or not cross-connections exist;
 - (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey;
 - (5) Premises having a repeated history of cross-connections being established or reestablished;
 - (6) Others specified by the Director or the Ohio E.P.A.
- iii. An approved backflow prevention device shall be installed at any point of connection between a public water system or a potable consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Director and the source is approved by the Ohio E.P.A.

401-125:R5 - Type of protection required.

- i. The type of protection required under Section (i), (ii), and (iii) of 401-125:R4 shall depend on the degree of hazard which exists as follows:
 1. An approved air gap separation shall be installed where a public water system may be contaminated with substances that could cause a severe health hazard;
 2. An approved air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where a public water system may be contaminated with any substance that could cause a system or health hazard;
 3. An approved air gap separation or an approved reduced pressure principle backflow prevention device or an approved double check valve assembly shall be installed where a public water system may be polluted with any substance that could cause a pollutional hazard.

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- ii. The type of protection required under Section (iii) of 401-125:R4 shall be an approved air gap separation or an approved interchangeable connection.
- iii. Where an auxiliary water system is used as a secondary source of water for a fire protection system, the provisions of Section (ii) of Rule 401-125:R5 for an approved air gap separation or an approved interchangeable connection may be waived by the Director and the Ohio E.P.A. provided:
 - 1. At premises where the auxiliary water system may be contaminated with substances that could cause a system or health hazard, a public water system or a potable consumer's water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;
 - 2. At all other premises, a public water system or a potable consumer's water system shall be protected against backflow by installation of either an approved reduced pressure principle backflow prevention device or an approved double check valve assembly;
 - 3. A public water system or a potable consumer's water system shall be the primary source of water for the fire protection system;
 - 4. The fire protection system shall be normally filled with water from a public water system or a potable consumer's water system;
 - 5. The water in the fire protection system shall be used for fire protection only, with no other use of water from the fire protection system downstream from the approved backflow prevention device.
- iv. Type of Backflow Protection Required-Domestic Water Services
- v. An approved backflow prevention device of the type designated shall be installed on each domestic water service connection to the following types of facilities unless the Director determines that no real or potential health, pollutional, or system hazard to the public water system exists. This list is presented as a guideline and should not be construed as being complete.

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Abbreviations used are as follows:

- A.G. Air Gap Separation
- R.P. Reduced Pressure Principle Backflow Preventer
- D.C. Double Check Valve Backflow Preventer

<u>Type of Facility</u>	<u>Minimum Type of Protection</u>
Breweries, Distilleries, Bottling Plants	D.C.
Car Wash with Recycling System and/or Wax Eductor	R.P.
Chemical Plants	R.P.
Dairies	D.C.
Dentist Office	R.P.
Fertilizer Plants	R.P.
Film Laboratory or Processing Plant	R.P.
Food or Beverage Plant	D.C.
Hospitals, Clinics, Medical Buildings	R.P.
Laboratories	R.P.
Laundries & Dry Cleaning Plants	D.C.
Machine Tool Plants (Health or System Hazard)	R.P.
Machine Tool Plants (Pollutional Hazard)	D.C.
Metal Processing Plant (Health or System Hazard)	R.P.
Metal Processing Plant (Pollutional Hazard)	D.C.
Metal Plating Plant	R.P.
Morgues or Mortuaries	R.P.
Nursing Homes	R.P.
Packing Houses or Rendering Plants	R.P.
Paper Products Plant	R.P.
Petroleum Processing Plant	R.P.
Petroleum Storage Yard (Health or System Hazard)	R.P.
Petroleum Storage Yard (Pollutional Hazard)	D.C.
Pharmaceutical or Cosmetic Plant	R.P.
Piers, Docks or Waterfront Facilities	R.P.
Power Plants	R.P.
Radioactive Material Plants	R.P.
Restaurants, with Soap Eductors and/or Industrial Type Disposal	R.P.
Sand and Gravel Plants	D.C.
Schools with Laboratories Having Acid Wastes	R.P.
Sprinkling or Irrigation Systems	R.P.
Swimming Pools with Piped Fill Line	A.G. at pool
Sewage Treatment Plants	R.P.
Sewage Pumping Stations (Health or System Hazard)	R.P.

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Veterinary Establishments R.P.
Others specified by the Director

In addition to and including those types of facilities listed above, an approved backflow prevention device of the type designated shall be installed on each domestic water service connection to any premises containing the following real or potential hazards.

	Minimum Type of Protection
Premises having an auxiliary water system not connected to public water system	R.P.
Premises having a water storage tank, reservoir, pond, or similar appurtenance	R.P.
Premises having a steam boiler, cooling system, or hot water heating system where chemical water conditions are used	R.P.
Premises having submerged inlets to equipment	R.P.
Premises having self-draining yard hydrants, fountains, hose boxes or similar devices presenting a health or system hazard (i.e., chemical storage plants, tank farms, bulk storage yards)	R.P.
Premises having self-draining yard hydrants, fountains, hose boxes or similar devices presenting a polluttional hazard (i.e., parks, play fields, cemeteries)	D.C.
Others specified by the Director	

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- vi. Type of Backflow Protection Required-Fire Protection Services an approved backflow prevention device of the type designated shall be installed on each fire protection service to any premises where the fire protection system contains any of the following components unless the Director determines that no real or potential health, polluttional, or system hazard to the public water system exists.

Fire System Component	Minimum type of Protection
(1) Auxiliary Water System	See Sections B & C of Rule 4
(2) Anti-Freeze Legs	R. P.
(3) Self-Draining Fire Hydrants on premises presenting a health or system hazard (i.e., Chemical Plants, Petroleum Storage Plants, Bulk Storage Yards, Stock Yards, Sewer Plants, or similar facilities where ground seepage of toxic materials may occur	R. P.
(4) Self-Draining Fire Hydrants on premises presenting a polluttional hazard (i.e., Apartment House, Office Complex, Fabricating Plants, or similar facilities where ground seepage of polluttional but not toxic materials may occur	D.C.
(5) Covered Gravity or Pressure Storage Tanks filled with water from Cincinnati Public System	D.C.
(6) Uncovered Storage Tanks or Reservoirs	R. P.
(7) Others specified by the Director	

401-125:R6 - Backflow prevention devices.

- i. Any backflow prevention device required by Sections 3745-95-04 and 3745-95-05 of the Ohio Administrative Code and the Director shall be of a model or construction approved by the Director and the Ohio E.P.A.
- ii. Any backflow prevention device required shall be installed horizontally, at a location and in a manner approved by the Director and shall be installed by a Water Works Certified Person and at the expense of the water consumer. The device must be installed and initial test results returned to the Water Works within 30 days of the water service being turned on. The initial test shall be conducted in the presence of a Cincinnati Water Works representative unless specific authority to conduct the initial test without a Cincinnati Water Works representative present has been given. In addition, any backflow prevention device required by Paragraphs (B) and (C) of Section 3745-95-05 of

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the Ohio Administrative Code and Sections (B) and (C) of Rule 5 shall be installed at a location and in a manner approved by the Ohio EPA as required by section 6109.13 of the Revised Code of Ohio.

- iii. It shall be the duty of the consumer, on any premises in which backflow prevention devices required by Sections 3745-95-04 and 3745-95-05 of the Ohio Administrative Code or the Water Works Ordinances, Rules, and Regulations are installed to have thorough inspections and operational tests made of the devices at least once every 12 months and in such manner as may be required by the Director or the Ohio Environmental Protection Agency. Tests or re-tests shall be performed with an approved backflow testing device. Tests and/or repairs shall be at the expense of the water consumer and shall be performed by a Certified Person approved by the Water Works as qualified to install, inspect, repair, overhaul and test backflow prevention devices. Records of such inspections, tests, repairs and overhauls shall be maintained by the consumer and returned on the proper form to the Cincinnati Water Works within 10 days of the test and/or repair of the device.
- iv. Backflow preventers shall be tested within 30 days of the mailing of the annual backflow preventer test notice issued by the Water Works. Repairs and re-tests must be completed within 14 days of the date of the failure. Failure to complete the annual test within 30 days of the original mailing or to repair or replace a device within the 14 day period after a test failure occurs may result in the immediate termination of water service. Manifold or dual settings of the devices should be considered for premises requiring uninterrupted water service. Backflow prevention devices set in manifold shall meet the minimum
- v. Existing backflow prevention devices approved by the Director or the Ohio E.P.A. prior to the effective date of this regulation and which are properly maintained shall, except for inspection, testing, and maintenance requirements, be excluded from the requirements of divisions (A) and (B) of Rule 6 if the Director and the Ohio E.P.A. are assured that the devices will satisfactorily protect the public water system.
- vi. Falsification of test results of backflow prevention devices or low pressure cut-off devices, current and authorized State Backflow Testing Certification Number or the signature of the authorized backflow tester will result in the immediate revocation of Water Works certification. Notification of such revocation will be made to the involved political subdivisions, the Cincinnati Building and Inspections Department, the Hamilton County Building Department, the State

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of Ohio Health Department, and the State of Ohio Environmental Protection Agency flow requirements of a single device of the proper size.

Protection

401-125:R7 -Booster pumps.

- i. No person shall install or maintain a water service connection to any premises where a booster pump has been installed on the service line to or within such premises, unless such booster pump is equipped with a low-pressure cutoff designed to shut-off the booster pump when the pressure in the service line on the suction-side of the pump drops to ten pounds per square inch gauge or less.
- ii. It shall be the duty of the water consumer to maintain the low-pressure cut-off device in proper working order and to certify to the Director, annually, that the device is operable. Tests shall be at the expense of the water consumer and shall be performed by the Water Works or a Certified Person approved by the Water Works as qualified to inspect and test backflow prevention devices or low-pressure cut-off devices.
- iii. The low-pressure cut-off control for fire pumps shall conform to the Ohio E.P.A. "Specification for Low Suction Pressure Cut-Off Control for Stationary Fire Pumps."
- iv. The low-pressure cutoff control for domestic pumps shall conform to the Ohio E.P.A. "Specification for Low Suction Cut-Off Control for Stationary Domestic Booster Pumps."

Sec. 401-126. Notification, Payment of Fees for Containment and Isolation Backflow Preventers; Consequences of Failure.

401-126:R1 - The annual notification for the testing of containment and isolation backflow preventers shall be set by the Cincinnati Water Works. The Cincinnati Water Works shall issue all necessary notices.

401-126:R2 - Administrative charges and fees involved in notification of backflow preventer tests shall be determined by the Director of the Cincinnati Water Works.

401-126:R3 - The water consumer or agent, owner or person in charge of the premises is responsible for ensuring fees are paid, backflow tests are completed and that the test results are immediately provided to the appropriate department.

Protection

401-126:R4 - Proper test results for isolation backflow preventers shall be determined by the Director of Buildings and Inspections.

401-126:R5 - Isolation backflow preventers may be tested only by those persons meeting the qualifications established by the Director of the Buildings and Inspection Department.

401-126:R6 –

- i. The Cincinnati Water Works shall not discontinue water service for failure to provide test results or for failure to pay the fees or charges for administrative processing without giving the customer in default, whether or not the customer is a landlord, owners, or other, at least seven calendar days prior written notice thereof. Any notice required by this section shall include paragraphs (d) and (e) of this section.
- ii. At least seven days prior to disconnection of water service to any user(s) not responsible for providing proper containment or isolation backflow preventer test results or the payment of fees or charges, a notice of the intent to disconnect water service shall be posted or affixed upon the premises in a conspicuous location or personally served upon the user(s), owner or agent. Such notice shall include the rights and obligations as set forth in paragraph (d) and (e) of this section.
- iii. When the failure to provide completed backflow test results, or the failure to pay the appropriate fees or charges for administrative processing, requires the posting of a disconnection notice at the premises or personally serving the notice upon the owner, user(s) or agent at the premises, there shall be a charge, determined by the director, to the customer responsible for the testing of the backflow prevention device. The charge shall be based on the cost to the Water Works of posting or personally serving a notice at the premises. The director shall periodically review the cost and adjust the charge if necessary. This charge is in addition to any other fees or charges. The Water Works shall not be responsible for failure of any customer or occupant to observe, read or understand a disconnection notice, nor for the removal or destruction of any notice posted or personally served or for any marks or damage caused by affixing or removing a disconnection notice.

Protection

- iv. Any such customer responsible for payment of fees or charges, or the testing of the containment or isolation backflow preventer, who causes the disconnection of water service by failure or refusal to pay the charge or by not completing the annual containment or isolation backflow preventer test, except while repairs are in progress or during emergency repairs, may be liable for compensatory damage to any tenant who is denied the benefit of water service so disconnected.

- v. If a tenant pays in full the fees or charges herein required in order to avoid disconnection of water service, and the backflow device tests have been accomplished and the results forwarded to the Cincinnati Water Works, the tenant shall have the right to deduct the amount of such payment from any future payment of r

APPENDIX

EXCERPTS FROM THE CHARTER OF THE CITY OF CINCINNATI

Article I. Powers of the City

"The city shall have all powers of local self-government and home rule and all other powers possible for a city to have under the constitution of the State of Ohio. The city shall have all powers that now are or hereafter may be granted to municipalities by the laws of the State of Ohio. All such powers shall be exercised in the manner prescribed in this charter, or if not prescribed herein, in such manner as shall be provided by ordinance of the council."

Article II. Legislative Power

Section 3. "No ordinance prescribing rates and charges to be collected by or paid to any publicly-owned public utility shall be passed as an emergency ordinance unless the ordinance is introduced in council at least three weeks before it is finally voted upon and a public hearing has been held by council thereon."

Article IV. Executive and Administrative Service

Section 9. "The city manager shall appoint the superintendent of water works, who shall have charge of the administration of the Cincinnati Water Works. A sufficient charge shall be made for the supply of water, or any other public utility service operated by the city, to pay the expenses of such water works or other utility, the interest, sinking fund and retirement charges on bonds issued for such water works or other public utility and for such improvements to said water works or other public utility as council may determine should be paid for without the issue of bonds. The city shall have the power to sell water outside the city limits and outside of the state at such a price as the council may determine. Revenue derived from the water works of the city shall be used for the purposes of said water works, and for no other purpose, and shall not be subject to transfer to any other fund."

Section 10. "The city solicitor, director of finance, director of public utilities, and superintendent of the water works shall be subject to removal by the city manager."

EXCERPTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF CINCINNATI

Article I. General

Section 3 - Administrative Organization of Departments

The director or chief administrative officer of each department, with approval of the city manager, shall have the authority to organize such department into divisions or other appropriate units and may assign work to such units as may be necessary and convenient for the proper conduct of the work of the department. Divisions or administrative units established by ordinance, however, may not be abolished except by ordinance; powers and duties conferred by ordinance upon any department, division or administrative unit may not be assigned or transferred elsewhere except by ordinance.

The city manager may assign powers and duties to departments in addition to those assigned by ordinance.

Article VIII. The City Water Works

Section 1. Superintendent of Water Works. "The city manager shall appoint a superintendent of water works as provided by charter."

Section 2. Supplying Water Outside City Limits. "No contract for supplying surplus water to other political subdivisions outside the City of Cincinnati shall be entered into except pursuant to an authorization thereof by ordinance or resolution of the council."