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Introduction

The *Village Administrator*, appointed under Section 735.271 of the Ohio Revised Code, shall manage, conduct, and control the public utilities operations of the Village of Fredericktown. The Village Administrator may make such Village Utility Regulations as deemed necessary for the safe, economical operations and efficient management and protection of the Village's utility operations. Such regulations, when not in conflict with municipal ordinances and resolutions or to the constitution of this state, shall have the same validity as municipal ordinances.

The rates for service and charges for municipally operated utilities shall be authorized solely by Village Council. The Village Administrator shall have the same powers and perform the same duties as are provided in Sections 743.05 to 743.07, 743.10, 743.11, 743.18, and 743.24 of the Ohio Revised Code, and all powers and duties relating to water works, waste water treatment and other public utilities operated by the Village of Fredericktown.

The water and waste water treatment systems of the Village of Fredericktown and all appurtenances relative thereto, together with the collection of charges for the services rendered by said systems, shall be under the exclusive control of the Village Administrator and authorized designees.

Section 1. Application for Village Utility Service

Any landowner, tenant, or person otherwise occupying a structure within the Village Water Service Area that desires to receive public water or waste water service from the Village of Fredericktown must have a Village Utility Service Application approved by the Village Utility Clerk prior to tapping into a Village utility infrastructure, or prior to having Village water service activated. Also, the customer shall provide the Utility Clerk with a valid phone number, in case of an emergency, prior to utility service being activated.

Section 2. Termination of Village Utility Services

1. The Village reserves the right to terminate water service to any premises within the Village in accordance with the procedures set forth in this section, for any of the following reasons:
 - a. Non-payment by the customer for water/waste water service
 - b. At request of the customer
 - c. There is evidence suggesting that a water meter has been tampered with
 - d. Failure of the customer to permit Village staff access to a meter for the purpose of necessary inspection, repair, and/or maintenance
 - e. Emergency termination of water/waste water service
 - f. Violation of any other Village Utility Regulations
 - g. Abandonment of the premises of the customer
 - h. In the event an authorized federal, state, or local agency determines the said premises are unfit for human habitation and vacated as provided in these Regulations

Section 3. Village Initiated Termination of Utility Services

1. If the grounds for termination are non-payment, the Village shall attempt to serve a written notice of its intent to terminate the water service supplied to the customer and this notice shall include the reason for termination of water service.
2. Payment on an account with an invalid check shall be deemed as non-payment and shall not alter the scheduled notice of termination of water service if restitution is not immediately made. Payment following a termination notice with an invalid check may result in the immediate termination of water service.
3. Water may be turned off at any time due to water leaks, breaks, flooding, or in cases of other unanticipated emergencies.

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4. If possible, the Village shall deliver to the occupant of the affected property a notice which shall make an earnest attempt to advise the occupant of:
 - a. Anticipated date of the termination whenever possible
 - b. Service address affected
 - c. Reason for termination
 - d. If termination is for non-payment, the total amount which must be paid in order to avoid termination
 - e. Office hours and where payment can be made
5. If water service has been terminated or suspended due to non-payment or due to tampering with Village utility infrastructure, then service shall not be restored unless the Village is made whole for all outstanding account balances, or when a payment plan with the said customer has been approved by the Village Administrator, or by an authorized designee.
6. A Village utility account may be terminated by the Village upon the removal of the meter from the premises if Village utility service is not established by the new owner or occupant at the same address. In the case of a new owner or occupant, the party responsible for the new account shall pay any outstanding Village utility balances for the said property prior to activation/reactivation of the Village utility service account.

Section 4. Customer Initiated Termination of Service

1. All customer requests for voluntary termination shall be made at the Village Office by the customer contractually obligated to pay charges incurred at each service address affected by the termination. The customer shall be solely responsible for making any other occupants of the affected property aware of the termination of the water service and the reason for the termination.
2. Each such customer shall provide photo identification to the Village staff at the time the account termination is requested.
3. When termination is requested by a customer, termination may not occur without a five-day notice to the occupant, if the Village determines that a property is not vacant.
4. The customer requesting the said termination shall grant access to the premises to the Village employee upon request for the purpose of ensuring that the property is vacant at the time-of-service termination.

Section 5. Examples Constituting a Village Utility Emergency

1. When the Village of Fredericktown has been instructed to restrict water use by the State or Federal government agency, or by any other authorized regulatory agency.

2. When the demands of the users of public water infrastructure, including the FCFD, exceed the capability of the water or waste water treatment facilities.
3. When the construction, maintenance, or repair of the water or waste water system requires limitation of the water flow.
4. Any emergency situation that threatens the health, safety, or welfare of the system or the users of the water or waste water system.
5. When the Village has been ordered to restrict water use by the State or Federal government or a proper regulatory agency thereof, the period of water emergency shall commence upon issuance of such order and shall continue until said order is rescinded by the State or Federal government or by the said authorized regulatory agency.
6. When otherwise declared by the mayor or by Village Council. In this case, the commencement date of the water emergency shall be the effective date of the declaration. The water emergency shall remain in effect until the said declaration is rescinded.

Section 6. Voluntary Termination for Non-Emergency Reasons

The Village may terminate a customer's Village utility service at request of the customer. However, the Village will not terminate a tenant's service at the request of a landlord, or at the request of any other third-party, if the customer's utility account is in good standing with the Village.

Section 7. Final Bill

1. Customers shall provide the Village with a mailing address in order for the Village to send a final Village utility bill.
2. Customers shall specify a water service termination date at least three business days prior to the requested date of termination.
2. The Village will make every effort to provide the final reading of the water meter in a timely manner.
3. A final bill is typically due fourteen days after the final billing date.
4. In no case shall a bill for a fractional part of a billing period be less than the minimum monthly charge.
5. If a final bill is not paid, the new owner shall be solely responsible for outstanding Village utility payments that were not paid by the previous owner.

Section 8. Consumer Not Customer

Prior to terminating water service to a premises at which a consumer (who is not a customer) resides, each of the conditions set forth in Section 5 hereof, and each of

the following two conditions shall be met, unless the consumer consents to the termination:

- A. The Village shall serve upon the customer with a written notice of its intent to terminate the water service supplied to the customer. If the consumer resides in a customer occupied structure or a dwelling unit of a multi-occupant structure for which there is an individual water meter, the written notice shall be provided on the termination notice. If the consumer resides in a dwelling unit of a multi-occupant structure for which there is not an individual water meter, the written notice shall be provided on the termination notice and posted in a conspicuous place at each visible unit affected by the termination notice, or physically provided to an adult residing at the said location. The written notice required by this section shall be referred to as the "termination notice."
- B. The consumer fails to establish an acceptable payment plan with the Utility Clerk in an effort to eliminate the outstanding balance.

Section 9. Payment With Insufficient Funds

Payment on an account with a dishonored check or nonfunctional credit card shall be deemed as non-payment and shall not alter the scheduled notice of termination of water service if restitution is not made. Any additional charges/fees incurred by the Village as a result of the said payment attempt with non-sufficient funds will be added to the said utility customer's account balance. Payment of a termination notice with a dishonored check or nonfunctional credit card will result in the immediate termination of water service.

Section 10. Consumer Avoiding Termination

In the event a consumer, who is not a customer, receives a termination notice from the Village as a result of a delinquency in the water service account of the customer, the consumer may pay the delinquent amount claimed by the Village and thereby avoid termination of the water service.

Section 11. Emergency Water Shutoffs

In situations in which it is necessary for the Village to immediately shut-off water service to a unit in order to make repairs and/or to prevent further damage, the Village may be forced to temporarily terminate the water service to a given unit immediately and without prior notice. In any such case, if and when it is reasonably practical to do so, Village staff will strive to provide public notice on social media of the reason for the water shut-off and an approximate estimate of how long the shut-off may last.

Section 12. Financial Responsibility

Owners of property shall ultimately be held responsible for water used on their premises, but payments will be accepted from tenants. If tenants have outstanding utility payments, the property owner shall ultimately be responsible for such outstanding balances in accordance with the Utilities Agreement with the Village.

In the case of a multi-family dwelling with only one water shut-off valve, the Village utility account shall remain in the property owner's name and the property owner shall be solely responsible for payment of the monthly Village utility bill.

Section 13. Collection of Non-payment

When water/sewer charges are not paid before due date, the Village Administrator or their designee may pursue payment for outstanding Village utility balances on delinquent accounts of a property owner by working through the Office of the Knox County Auditor whenever possible. Outstanding fees may be collected through assessment of county property taxes. Any fees incurred by the Village as a result of this collection process shall be absorbed by the customer through their Village utilities account.

Section 14. Utility Fees

The Water & Waste water Rates, along with Tapping Fees, Water Meter Charges, Late Fees, etc., are not included with these Regulations as said fees are subject to change periodically by Village Council, as deemed necessary. Fees are available on the Village website (www.fredericktownohio.net). When third parties wish to tap into water and/or waste water mains of the Village of Fredericktown, a tapping charge shall be collected by the Utility Clerk prior to performing the said tap.

Section 15. Subdivision Development

The developer of a subdivision shall perform all necessary service taps (one water and one waste water service for each lot) at the time the water and waste water mains are installed, the developer shall furnish the Village with detailed "as-built" drawings and precise locations (via GPS) of the curb boxes, service lines, manholes, laterals, and water and waste water mains. These service lines shall be installed at the expense of the developer and to the specifications of the Village and according to the Village of Fredericktown's Subdivision Regulations. It is the responsibility of the developer to ensure that all construction of the said infrastructure is inspected by the Village prior to backfilling.

Section 16. Rate Surcharge for Properties Services Outside Village Corporation Limits

Village Utility user fees for properties serviced outside the Village Corporation Limits shall be subject to a sixty percent (60%) surcharge.

Section 17. Schedule For Billing and Charging Penalties

All water and/or waste water bills become due and payable on approximately the 15th day of the month after the bill is mailed. Once utility bills have been mailed, a penalty of ten percent (10%) for each thirty (30) day period shall be added to the delinquent account. A disconnect notice will be mailed to all properties showing the amount due including penalty and setting a shut-off date at least fourteen (14) days after mailing of monthly bill. If the bill has not been paid, or acceptable arrangements have not been made with authorized staff, one day prior to scheduled shut-off a red tag will be hung upon the premises indicating that water service will be terminated after noon the next day in accordance with Section 2 – Village Termination of Service. A service charge will be added to the account. A shut-off charge will be added to the outstanding amount due, once the shut-off tool has been placed upon the service valve. There will be no water services turned back on during non-business hours of the Service Department. The Village Service Department employees are not permitted to collect any form of payment whatsoever from customers. At the discretion of the Utility Clerk, the customer may be allowed to make a payment plan to rectify delinquent public utility accounts. Any plan that does not have the account paid in full within four (4) months shall be approved by the Village Administrator.

Section 18. Failure to Receive Bill

Failure to receive any bill or notice will not excuse the customer from paying all due bills, in addition to the late charges, in a timely manner. Any person, firm, corporation or premise having a delinquent account with the Village shall not be given service at any new location until the delinquent account has been paid in full or a satisfactory payment plan has been approved by the Village Administrator, or their designee.

Section 19. Cross Connections Strictly Prohibited

- A. No person or firm shall make or maintain a physical connection between any other source of water or liquid and the public water supply piping. No spigot nor outlet shall be physically connected to a sewer or drain nor shall such be below a free overflow or submerged. If such a connection is made, it shall be deemed a cross-connection and shall be just reason for discontinuing water service immediately.

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- B. The Village Administrator, or a designee, shall provide an effective means for protecting the Village water system from potential contaminants through any water service connection into the Village water system.
- C. If in the judgment of the Village Administrator, or an authorized designee, an approved back flow prevention device is necessary for the safety of the public water system, then the Village Administrator, or their authorized designee, shall give notice to the water consumer to install such an approved device immediately. The water customer shall, at their own expense, install such a Village approved device at a location and in a manner approved by the Village Administrator, or a designee, and shall have inspections and tests made of such approved devices as required by the Village Administrator, or a designee.
- D. No Village utility customer shall establish or maintain any connection whereby a private, auxiliary or emergency water supply, other than the regular public water supply of the Village of Fredericktown, may enter the supply or distribution system of the Village of Fredericktown, unless such private, auxiliary or emergency water supply and the method of connection and of such supply shall have been approved by the Village Administrator.
- E. The Village Administrator or a designated representative shall cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Village Administrator, or their designee,4 deems necessary.
- F. Property owners shall allow Village staff to enter a property served by a connection to the public water and/or sewer system of the Village of Fredericktown for the purpose of inspecting the water and/or sewer system. Customers served shall provide to the Village Administrator or a designated representative any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall within the discretion of the Administrator, or a designated representative, be deemed evidence of the presence of improper connections as provided in this section.
- H. The Village Administrator, or a designated representative, is hereby authorized and directed to immediately discontinue Village water service to any property wherein any cross connection is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the

provisions of this section to the satisfaction of the Village Administrator, or a designee.

Section 20. Restricted Uses of Water During Water Emergencies

In order to protect the water infrastructure of the Village of Fredericktown in a period of water emergency, no person shall use water distributed through the water distribution system of the Village of Fredericktown during a period of water emergency:

- A. To water lawns or other plants, with the exception of shrubs and flowers, which may be watered by hand with a sprinkling can or a bucket.
- B. To fill swimming pools or to replace water which has evaporated therefrom.
- C. Commercial motor vehicle washes are specifically exempted from application of this subsection. However, dates and times may be restricted.
- D. Gardens for the purpose of food production are specifically exempted from application of this subsection. However, dates and times may be restricted.

Section 21. Penalty for Violating Water Emergency Restrictions

- A. Whomever is found to be violating this Section upon first offense may face minor misdemeanor charges and may be punished in accordance with local laws.
- B. Whomever is found to be violating this Section upon more than one occasion may face fourth-degree misdemeanor charges and may be punished in accordance with local laws.

Section 22. Termination Of Service for Tampering with Water Meter

No person may connect to any public line, tamper with or remove any meter, valve, registering device, lock, or seal placed by the Village, or insert a meter by-pass without the permission of the Village Administrator, or an authorized representative, under penalty provided in Ohio R.C. 4933.99(B). If the Village finds that a seal has been broken or any by-pass inserted and there is evidence that the meter, valve, or registering device has been tampered with, water service to the unit may be terminated immediately in accordance with rules for termination or denial of service and water service shall not be established until the customer or owner of the premises pays for the Village's estimated quantity of water which has been used and not registered, and, in addition thereto, the standard fee for turning off and on of such

water service. Payment of the fees herein shall not in any way relieve any person from possible criminal prosecution. Meters damaged by abuse, misuse, neglect, accident, or negligence shall be repaired at the expense of the customer or property owner.

Section 23. Damage To Village Infrastructure and/or Theft of Water

- A. No person shall open, close, adjust or interfere with a fire hydrant, valve, regulator, gauge, gate, curb-stop, stopcock, meter or other regulator/measuring device, or appliance in or attached to the wells, tanks, reservoirs, conduits, pipes, mains, service pipes, house pipes or other pipes or apparatus of the Village water supply system, with intent to cause the escape of water or to injure damage or destroy such property. Violators of this Section shall be held responsible for the cost of any and all damages to Village infrastructure and such violators may also face criminal charges.
- B. No person shall tap, sever, open or make unauthorized connections with a main or pipe used or intended for the transmission of water without prior authorization from the Village Administrator or an authorized designee. Violation of this Section shall be held responsible for the cost of any and all damages to Village infrastructure and such violators may also face criminal charges. This section does not apply to any authorized employee or agent responsible for operations of the Village utilities infrastructure referred to in this section, and does not apply to any actions morally and/or lawfully performed by or under authority of the Fredericktown Community Fire District when using water for authorized fire protection operations.

Section 24. Fire Hydrants

No person shall damage or disturb any fire hydrant or any part thereof or take any water from such hydrant under any circumstances, unless authorized by the Village Administrator, with the exception of the Fredericktown Community Fire District, or a person with a special permit from the Village allowing use of a specified fire hydrant. In cases where Village infrastructure is damaged, the damaging party shall be responsible for paying for such damages and all related costs and expenses incurred by reason thereof and violators of this Section may also face charges for criminal violations.

Section 25. Additional Criminal Charges

The penalties herein above are in addition to the penalties provided by the Criminal Laws of the State of Ohio and by making the payment herein above will not in any way relieve any person from criminal prosecution. Whoever violates section 4933.22 of the Ohio Revised Code is guilty of a misdemeanor of the fourth degree. Each day of such violation constitutes a separate offense.

Section 26. Responsibility For Utility Regulations Violations

In all cases where any party has committed a violation of the Village of Fredericktown Utility Regulations, that party shall be held responsible and may be prosecuted to the fullest extent of federal, state, and local laws.

Section 27. Each Section Separate and Distinct Enactment

Each Section or portion of a Section of the Village Utility Regulations shall hereby be declared to be a separate and distinct enactment, and should any Section or part of the Section be held inoperative or void, this shall not affect the validity of any other Section or part of Section of these Regulations, pursuant to Ohio Revised Code Section 743.02.

Section 28. 2025 Revisions

This Public Utility Regulations document has been revised by the Village Administrator, with the assistance, oversight, and approval of the Mayor, Fiscal Officer, and Utility Clerk. Furthermore, the Village Solicitor has approved this document as to form.

 5-13-25
Mayor Date

 5-13-25
Village Administrator Date

Approved as to Form

 5-13-25
Village Solicitor Date