

Ordinance No. 722-16

Council Members Pruitt and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 533.01, 533.08, 533.09, 533.15, 535.05, and 535.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted and amended by various ordinances, relating to clarifying and improving customer service within the Division of Water.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 533.01, as amended by Ordinance No. 563-13, passed May 13, 2013,

Sections 533.08 and 533.09, as enacted by Ordinance No. 99566, passed May 22, 1933,

Section 533.15, as amended by Ordinance No. 956-12, passed August 8, 2012,

Sections 535.05 and 535.06, as amended by Ordinance No. 1303-15, passed December 7, 2015,

are amended to read as follows:

Section 533.01 General Provisions

(a) *All Connections.*

(1) All water service connections and service pipes from water distribution mains supplied with water by the City shall be metered by a water meter, except connections for construction purposes or fire protection.

(2) Metering devices shall be supplied by the Division of Water, and shall remain the property of the City.

(3) Charges for metering devices and their installation and/or replacement shall be under Section 535.06 of the Codified Ordinances.

(4) Charges for metering devices supplied by the City and for their installation by the City shall be borne by the owner of or the person applying for water service to the premises.

(5) Excepting private re-registering and sewer-exempt meters, the following apply:

A. Metering devices shall be replaced and/or repaired by and at the expense of the Division; and

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B. At the Director's discretion, ancillary plumbing repair, for the service pipe or connected fixtures in the building, necessary for the replacement or installation of a meter or for the purpose of a Division-sponsored system improvement, may be performed by and at the expense of the Division pursuant to the rules and regulations by the Director.

(b) *New Connections.*

(1) All new service connections and service pipes from all water distribution mains supplied with water by the City shall be metered by a water meter pursuant to the rules and regulations of the Division of Water.

(2) When vaults are required, they shall be furnished and maintained by the owner or customer and approved by the Commissioner. Vaults shall be installed and maintained by the owner or customer in strict conformity with the rules and regulations of the Department of Public Utilities.

(3) Once a connection has been installed to allow access to domestic water, but prior to a meter being installed, water consumption shall be estimated and billed at the amounts shown in the table below, at the applicable service district rates where the premise is located.

Connection (Size)	Daily MCF to be Billed
5/8 in.	0.04
3/4 in.	0.04
1 in.	0.05
1-1/2 in.	0.25
2 in.	0.43
3 in.	1.15
4 in.	2.45
6 in.	7.36
8 in.	13.13
10 in.	20.00
12 in.	25.65

(c) *Existing Connections.*

(1) Meters on existing service connections and service pipes shall be replaced on request of the owner or when deemed necessary by the Commissioner, subject to approval by the Director, to prevent waste or to protect the integrity of the water system or to continue the policy of metering all consumers, pursuant to rules and regulations by the Commissioner, subject to approval by the Director.

(2) Replacement, repair and maintenance of metering devices shall be performed only by authorized employees of the Division or by other authorized representatives of the Division.

(3) Charges for installation and/or replacement of metering devices may be prorated on the water bill for a period of not more than four (4) years or may be paid in a lump sum.

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(4) When vaults are required, they shall be furnished and maintained by the owner or customer and approved by the Commissioner. Vaults shall be installed and maintained by the owner or customer in strict conformity with the rules and regulations of the Department of Public Utilities.

(5) Existing connections with missing, non-progressing, or non-registering meters, water consumption shall be estimated and billed at the amounts shown in the table below, at the applicable service district rates where the premise is located.

<u>Connection (Size)</u>	<u>Daily MCF to be Billed</u>
<u>5/8 in.</u>	<u>0.04</u>
<u>3/4 in.</u>	<u>0.04</u>
<u>1 in.</u>	<u>0.05</u>
<u>1-1/2 in.</u>	<u>0.25</u>
<u>2 in.</u>	<u>0.43</u>
<u>3 in.</u>	<u>1.15</u>
<u>4 in.</u>	<u>2.45</u>
<u>6 in.</u>	<u>7.36</u>
<u>8 in.</u>	<u>13.13</u>
<u>10 in.</u>	<u>20.00</u>
<u>12 in.</u>	<u>25.65</u>

(d) *Rules and Regulations.* The Director shall make and amend written rules and regulations necessary to effectuate the provisions of this chapter. The rules and regulations shall not conflict with nor waive any provisions of these Codified Ordinances.

Section 533.08 Meter Space to be Maintained and Unobstructed

Whenever a meter is set, whether in the sidewalk or area vault, or any part of the basement of any building, the space occupied by the meter and the box for the same must at all times be maintained and kept free from rubbish or obstructions of any kind.

Section 533.09 Customers to Protect Meters; Liability

Customers shall protect all meters from frost and hot water or injury of any kind, but such meters shall under no circumstances be removed for repairs or otherwise, by any person except an employee of the Division of Water, working under the direction of the Commissioner of Water. The customer will be held responsible for all damage to meters and meter appurtenances necessary for the Division of Water to obtain a meter reading, including the wire and transmitter.

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Section 533.15 Tampering with Meters; Fee

If the Division of Water finds that a meter seal has been broken, or that there is good evidence that the water metering system or appurtenances has been tampered with, the water shall be shut off and not turned on again until the payment set forth under Section 535.06 of the Codified Ordinances and the outstanding account balance has been paid in full. The consumer or owner of the premises shall also pay for twice the estimated quantity of water which has not been registered because of tampering with the meter.

Section 535.05 Affordability Programs

(a) *Special Homestead Rate.* Homesteads that are single family residential property owned and occupied by a person sixty-five (65) years of age or older whose total annual income does not exceed the limits listed below or homesteads that are single family residential property owned and occupied by a person permanently and totally disabled whose total annual income does not exceed the limits listed below may be eligible for the special homestead rate established for the service district in which the homestead is located under Section 535.04 of these Codified Ordinances. The Director of Public Utilities shall prescribe the application form for the homestead rates and have final approval of all applications. Once the initial homestead application is approved, the special homestead discounted rate will be effective for three (3) years. Prior to the homestead expiration date, the property owner/homestead is required to complete a renewal application.

Income Limits:	
Year	Total Annual Income
2016	\$32,500
2017	\$33,000
2018	\$33,500
2019	\$34,000
2020	\$34,500

(b) The Director of Public Utilities may establish an affordability program to provide assistance to eligible low-income customers. The program may offer a reduction of forty percent (40%) from the water bill for residential customers who have been qualified to receive assistance through the federally funded Home Energy Assistance Program. The Director of Public Utilities shall set the guidelines for administering the affordability program and have final approval of all applications.

Section 535.06 Fees and Charges

For all fees listed in this section, if the size is not listed, the fee will be assessed based on the next size larger on the schedule.

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(a) *Account Setup.*

Tap/Connection Size		2016	2017	2018	2019	2020
1 in.	\$207	\$207	\$207	\$207	\$207	\$207
1-1/2 in.	\$433	\$433	\$433	\$433	\$433	\$433
2 in.	\$1,073	\$1,073	\$1,073	\$1,073	\$1,073	\$1,073
4 in.	\$1,377	\$1,377	\$1,377	\$1,377	\$1,377	\$1,377
6 in.	\$1,449	\$1,449	\$1,449	\$1,449	\$1,449	\$1,449
8 in.	\$1,630	\$1,630	\$1,630	\$1,630	\$1,630	\$1,630
10 in.	\$1,940	\$1,940	\$1,940	\$1,940	\$1,940	\$1,940
12 in.	\$2,716	\$2,716	\$2,716	\$2,716	\$2,716	\$2,716
16 in.	\$3,633	\$3,633	\$3,633	\$3,633	\$3,633	\$3,633

Prices assume tap is a ductile iron pipe; for concrete pipe, add 55% surcharge.

(b) *Direct Tap/Tapping Sleeve Installation.*

Tap/Connection Size		2016	2017	2018	2019	2020
1 in.	\$135	\$135	\$135	\$135	\$135	\$135
1-1/2 in.	\$284	\$284	\$284	\$284	\$284	\$284
2 in.	\$702	\$702	\$702	\$702	\$702	\$702
4 in.	\$900	\$900	\$900	\$900	\$900	\$900
6 in.	\$947	\$947	\$947	\$947	\$947	\$947
8 in.	\$1,065	\$1,065	\$1,065	\$1,065	\$1,065	\$1,065
10 in.	\$1,268	\$1,268	\$1,268	\$1,268	\$1,268	\$1,268
12 in.	\$1,775	\$1,775	\$1,775	\$1,775	\$1,775	\$1,775
16 in.	\$2,375	\$2,375	\$2,375	\$2,375	\$2,375	\$2,375

Prices assume tap is a ductile iron pipe; for concrete pipe, add 55% surcharge.

(c) *New Connection Rescheduling (if not cancelled 24 hours prior to appointment).*

Rescheduling fee	2016	2017	2018	2019	2020
	\$120	\$120	\$120	\$120	\$120

(d) *Curb Valves.* Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

Connection Size		2016	2017	2018	2019	2020
1-1/2 in.	\$165	\$170	\$174	\$179	\$184	
2 in.	\$165	\$170	\$174	\$179	\$184	
3 in.	\$330	\$340	\$348	\$358	\$368	
4 in.	\$330	\$340	\$348	\$358	\$368	
6 in.	\$330	\$340	\$348	\$358	\$368	
8 in.	\$330	\$340	\$348	\$358	\$368	
10 in.	\$495	\$510	\$522	\$537	\$552	
12 in.	\$495	\$510	\$522	\$537	\$552	

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(e) *Plugging Connections.* Fee only includes actual plugging of connection. Excavation and restoration will be invoiced at cost.

Connection Size	2016	2017	2018	2019	2020
Smaller than 2 in.	\$1,923	\$1,923	\$1,923	\$1,923	\$1,923
2 in. to 12 in.	\$2,563	\$2,563	\$2,563	\$2,563	\$2,563
Larger than 12 in.	\$3,203	\$3,203	\$3,203	\$3,203	\$3,203

(f) *Assembling Meter Settings.*

Meter Assembly Size	2016	2017	2018	2019	2020
1-1/2 in.	\$538	\$538	\$538	\$538	\$538
2 in.	\$538	\$538	\$538	\$538	\$538
3 in.	\$538	\$538	\$538	\$538	\$538
4 in.	\$707	\$707	\$707	\$707	\$707
6 in.	\$930	\$930	\$930	\$930	\$930
8 in.	\$1,176	\$1,176	\$1,176	\$1,176	\$1,176
10 in.	\$1,480	\$1,480	\$1,480	\$1,480	\$1,480
12 in.	\$1,810	\$1,810	\$1,810	\$1,810	\$1,810

(g) *Install/Replace Meters.*

Meter Size/Type/Location	2016	2017	2018	2019	2020
1 in. or smaller - inside setting	\$307	\$307	\$307	\$307	\$307
1 in. or smaller - vault setting	\$358	\$358	\$358	\$358	\$358
1-1/2 in. - inside setting	\$345	\$345	\$345	\$345	\$345
1-1/2 in. - vault setting	\$404	\$404	\$404	\$404	\$404
2 in.	\$432	\$432	\$432	\$432	\$432
3 in.	\$1,004	\$1,004	\$1,004	\$1,004	\$1,004
4 in.	\$1,698	\$1,698	\$1,698	\$1,698	\$1,698
6 in.	\$3,524	\$3,524	\$3,524	\$3,524	\$3,524
8 in.	\$5,838	\$5,838	\$5,838	\$5,838	\$5,838
10 in.	\$6,929	\$6,929	\$6,929	\$6,929	\$6,929
12 in.	\$9,655	\$9,655	\$9,655	\$9,655	\$9,655
2 in. compound	\$2,213	\$2,213	\$2,213	\$2,213	\$2,213
3 in. compound	\$2,684	\$2,684	\$2,684	\$2,684	\$2,684
4 in. compound	\$3,131	\$3,131	\$3,131	\$3,131	\$3,131
6 in. compound	\$5,250	\$5,250	\$5,250	\$5,250	\$5,250
8 in. compound	\$8,229	\$8,229	\$8,229	\$8,229	\$8,229
10 in. compound	\$9,759	\$9,759	\$9,759	\$9,759	\$9,759
12 in. compound	\$13,581	\$13,581	\$13,581	\$13,581	\$13,581
Specialty meter (labor costs only - meter hardware invoiced at actual cost)	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Remote Reading Device	\$107	\$108	\$109	\$110	\$111
Transmitter Wire	\$42	\$43	\$44	\$45	\$46

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(h) *Assembling Regulator Setting.* Fee includes labor for assembling setting only. Material, material delivery, excavation, sheeting, transporting the assembly, testing, installation, and restoration are the customer's responsibility.

Regulator Size	2016	2017	2018	2019	2020
8 in.	\$1,423	\$1,423	\$1,423	\$1,423	\$1,423
12 in.	\$2,370	\$2,370	\$2,370	\$2,370	\$2,370

(i) *Regulator Controls Setup.* Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

Regulator Size	2016	2017	2018	2019	2020
8 in.	\$1,422	\$1,422	\$1,422	\$1,422	\$1,422
12 in.	\$2,370	\$2,370	\$2,370	\$2,370	\$2,370

(j) *Water Use from Hydrants and Other Unmetered Sources.*

Type	2016	2017	2018	2019	2020
Permit	\$50	\$52	\$54	\$56	\$48
Volume Charge (\$/MCF/service area)	Charged at additional MCF rate in applicable rate district where hydrant is located				
Meter/Valve/BF Assembly Refundable Deposit	\$1,250	\$1,275	\$1,300	\$1,325	\$1,350
Rental Fee First Week	\$36	\$37	\$38	\$39	\$40
Rental Fee Each Week After	\$26	\$27	\$28	\$29	\$30

(k) *Miscellaneous Engineering Services.*

Service Provided	2016	2017	2018	2019	2020
50-foot Minimum			\$50	\$50	\$50
additional foot			\$1.00	\$1.00	\$1.00
As built processing fee - plan profile drawing containing water work (per foot)					
or paper copier			\$0.70	\$0.70	\$0.70
Cad format			\$0.28	\$0.28	\$0.28
ormat per CWD standards			\$0.07	\$0.07	\$0.07
Backflow prevention testing fee					
processing fee*			\$10	\$11	\$12
Additional review due to plan change without prior approval					
hour, 1/2 hour minimum			\$50	\$51	\$52

* Backflow prevention testing fee – These are direct Cleveland Water Division costs for managing the backflow program. Additional fees charged by the Cleveland Water Division's backflow vendor will also be passed on to the customer.

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(l) *Disinfection of Water Mains.*

Pipe Diameter/Size	2016	2017	2018	2019	2020
4 in. per foot*		\$0.66	\$0.66	\$0.66	\$0.66
6 in. per foot*		\$0.66	\$0.66	\$0.66	\$0.66
8 in. per foot*		\$0.86	\$0.86	\$0.86	\$0.86
10 in. per foot*		\$0.86	\$0.86	\$0.86	\$0.86
12 in. per foot*		\$1.05	\$1.05	\$1.05	\$1.05
16 in. per foot*		\$1.15	\$1.15	\$1.15	\$1.15
20 in. or larger (deposit, invoiced at actual cost)		\$3,600	\$3,600	\$3,600	\$3,600
Service Fee**		\$400	\$400	\$400	\$400

* 1,200-foot minimum.

** Service is charged each time the disinfection crew has to set up its equipment/trip.

(m) *Meter Test at Customer's Request.*

Meter Size	2016	2017	2018	2019	2020
1 in. or smaller	\$84	\$85	\$87	\$90	\$92
1 in. to 4 in.	\$166	\$170	\$174	\$180	\$184
Larger than 4 in.	\$332	\$340	\$348	\$360	\$368

(n) *Special Service Calls.*

Per Service Call	2016	2017	2018	2019	2020
	\$40	\$41	\$42	\$43	\$44

(o) *Special Service Calls – Expedited.*

Per Service Call	2016	2017	2018	2019	2020
	\$80	\$82	\$84	\$86	\$88

(p) *Charge for Non-Payment Reconnection.*

Per Reconnection	2016	2017	2018	2019	2020
	\$45	\$45	\$46	\$47	\$48

(q) *Charge for Appointment Broken by Customer.*

Per Broken Appointment	2016	2017	2018	2019	2020
	\$34	\$35	\$36	\$37	\$38

(r) *Returned Checks.*

Per Returned Check	2016	2017	2018	2019	2020
	\$34	\$34	\$34	\$34	\$34

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(s) *Tampering with Meters.*

	2016	2017	2018	2019	2020
First incident	\$1,000	\$1,100	\$1,200	\$1,300	\$1,400
Second incident	\$1,500	\$1,700	\$1,900	\$2,100	\$2,300
Each incident thereafter	\$2,500	\$2,800	\$3,100	\$3,400	\$3,700

(t) *Lab Testing.*

	2016	2017	2018	2019	2020
Bacteria Colilert – 18	\$21	\$22	\$22	\$23	\$23
Bacteria ecoli for LT2	\$22	\$23	\$23	\$24	\$24
Halo acetic acids 552.2	\$137	\$141	\$144	\$148	\$151
Metals	\$102	\$105	\$107	\$110	\$112
Total organic carbon	\$12	\$24	\$24	\$25	\$25
Ion Chromatography*	\$57	\$59	\$60	\$62	\$63
Trihalomethanes 524.2	\$40	\$41	\$42	\$44	\$45
Total Micycystins ELISA-ADDA	\$30	\$31	\$32	\$33	\$34

* Includes fluoride, phosphate, bromide, chloride, nitrate, nitrite, sulfate.

(u) *Private Fire Protection Charges.*

(1) *Quarterly.*

Line Size	2016	2017	2018	2019	2020
1-1/2 in.	\$50.85	\$50.85	\$50.85	\$50.85	\$51.45
2 in.	\$50.85	\$50.85	\$50.85	\$50.85	\$51.45
3 in.	\$50.85	\$50.85	\$50.85	\$50.85	\$51.45
4 in.	\$138.15	\$138.15	\$138.15	\$138.15	\$139.80
6 in.	\$199.05	\$199.05	\$199.05	\$199.05	\$201.60
8 in.	\$355.50	\$355.50	\$355.50	\$355.50	\$359.85
10 in.	\$556.80	\$556.80	\$556.80	\$556.80	\$563.40
12 in.	\$759.90	\$759.90	\$759.90	\$759.90	\$769.05

(2) *Monthly.*

Line Size	2016	2017	2018	2019	2020
1-1/2 in.	\$16.95	\$16.95	\$16.95	\$16.95	\$17.15
2 in.	\$16.95	\$16.95	\$16.95	\$16.95	\$17.15
3 in.	\$16.95	\$16.95	\$16.95	\$16.95	\$17.15
4 in.	\$46.05	\$46.05	\$46.05	\$46.05	\$46.60
6 in.	\$66.35	\$66.35	\$66.35	\$66.35	\$67.20
8 in.	\$118.50	\$118.50	\$118.50	\$118.50	\$119.95
10 in.	\$185.60	\$185.60	\$185.60	\$185.60	\$187.80
12 in.	\$253.30	\$253.30	\$253.30	\$253.30	\$256.35

(v) All fees and charges shall be effective on January 1 of each year, except for 2016, which will begin on April 1, 2016.

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(w) The Commissioner may enter into payment arrangements for installment payments of the fees and charges contained in this section or in Section 535.23 when determined to be reasonable by the Commissioner. Failure to make any payment under an arranged payment plan when due shall cause the total unpaid amount to become payable on demand and may lead to termination of water service.

Section 2. That the following existing Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 533.01, as amended by Ordinance No. 563-13, passed May 13, 2013,

Sections 533.08 and 553.09, as enacted by Ordinance No. 99566, passed May 22, 1933,

Section 533.15, as amended by Ordinance No. 956-12, passed August 8, 2012,

Sections 535.05 and 535.06, as amended by Ordinance No. 1303-15, passed December 7, 2015,

are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

LW:nl
6-6-16

FOR: Director Davis

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REPORT
after second Reading

Council Members Pruitt and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 533.01, 533.08, 533.09, 533.15, 535.05, and 535.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted and amended by various ordinances, relating to clarifying and improving customer service within the Division of Water.

READ FIRST TIME on JUNE 6, 2016
and referred to **DIRECTORS of Public Utilities, Finance, Law;**
COMMITTEES on Utilities, Finance

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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FILED WITH COMMITTEE

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COMMITTEE ON
FINANCE

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