

1. GENERAL RULES

1.1. From time to time the Lakengren Water Authority, which falls under the auspices of ORC 6119, (hereinafter referred to as LWA) may develop such rules and regulations and changes thereto as are necessary for the proper operation of the water system and where such rules and regulations are not in conflict with the constitution and laws of the State of Ohio they shall be in full force and effect.

1.2. Water service charges and connection fees shall be fixed as provided herein so as to provide sufficient revenue to pay all costs of the water including but not limited to the following operating, maintenance and repair costs: capital outlays necessary for current and future operations generally benefiting all; debt service, including principal and interest costs, legal and service fees; refunds; administration and legal expenses; reasonable charges for the use of LPOA property and facilities; the creation and maintenance of a reserve for emergencies equal to fifty percent (50%) of all of the most recent year's expenditures, except capital outlay, debt service and

contributions to the reserve for emergencies, such reserve contributions to be in an annual amount sufficient to create the required reserve within five (5) years of the effective date of these rules and regulations; repayment of loans; and maintenance of the reserve.

1.3. Minimum charges for water service shall be fixed as provided herein so as to provide sufficient revenues to pay the costs of the water system including the following: Billing expenses, operational, maintenance, administrative, debt service, including principal and interest costs; refunds, reasonable charges for LPOA facilities and equipment; and a reserve for emergencies equal to fifty percent (50%) of all of the most recent year's expenditures, except capital outlay, debt service and contributions to the reserve for emergencies.

1.4. All water service shall include a minimum rate charge, a water usage charge and an availability (assessment) charge. [Availability charge, availability assessment, or availability assessment charge used in this document are completely

interchangeable in definition and/or meaning.]

1.5. A property owner who has a house on one (1) lot shall be entitled to have one (1) contiguous lot to that property free of the availability charge. All additional lots with/without a residence shall each be charged an availability charge. A property owner (lot) who does not have a house on any lot in Lakengren shall be entitled to one (1) contiguous lot free of the availability charge. All additional lots shall be charged an availability charge.

1.6. The provisions of these rules and regulations adopted as provided herein shall be a part of the agreement with every customer supplied with water by the water system and every such customer or user shall be considered to have expressed his or her consent to such rules and regulations.

1.7. The customer shall provide the information necessary to determine the ownership, location, use or proposed use of the property served, the amount of water likely to be required by the customer and such other information, documents and assurance required to process the application.

1.8. Because variable conditions may arise in the operation and maintenance of the water system LWA does not guarantee the customer full volume, fixed pressure, constant temperature, purity, or an effective continuous supply of water.

1.9. LWA does not guarantee that the water quality involving aesthetic appearances or odor will be satisfactory. Factors such as the use of hydrants may temporarily affect the appearance of the water which may result in staining clothes or other material washed with such water. Some events cannot be controlled by LWA and care should be exercised by the customer in the use of water.

1.10. It shall be unlawful for any person other than an employee or authorized agent of the LWA to tap any pipe or make attachments to any water pipe under the control of LWA except under the provisions of these regulations.

1.11. No water service shall be provided without being metered. The exceptions to this rule are for fire service, LWA facilities, and the LWA unmetered yard hydrants at the front mall and ball diamond.

1.12. The water meter belongs to the LWA. Any tampering with the meter, especially after water service has been disconnected by the LWA, will result in a tampering fee charged to the customer. (See schedule of charges.)

1.12.1. No person shall break or tamper with the seal or lock on any water meter except as authorized by LWA.

1.12.2. No person shall remove any meter except as authorized by LWA.

1.12.3. Water meters damaged by misuse, accident, or any other act will be repaired or replaced and the cost of such repair or replacement shall be charged to the customer or owner of the premises served by the damaged meter as are water charges.

1.12.4. Any meter may be removed or replaced by LWA for test, repair, or other purposes.

1.13. When the supply of water to the water system is inadequate for any reason to meet the demands for water, LWA shall

declare the use of water for lawn, garden, swimming pools, vehicle washing, or other purposes not essential to the health, safety, and welfare of the residents of Lakengren to be prohibited during specified hours, during a specified time period, or until notice is given that such use is permitted. Notice of such prohibitions on the use of water for the above purposes shall be posted at the three LPOA entrances, in The Viking, The Register-Herald, and the LWA website.

1.14 The meter pit and contents belong to the LWA. If a leak occurs in a service tap up to and including the connections to the meter inside the meter pit, the LWA is financially responsible for the repair and the water loss. If a leak occurs in the customer's system beyond the meter connection, the customer is financially responsible for the repair and the water loss.

2. SERVICE APPLICATION

2.1. A person owning property or a family dwelling, and having a water main line adjacent to or across from such property and who is in need of having water supplied to such place of occupancy or the property may become a customer by signing a water user agreement of the LWA and paying the current installation fee. Said installation fee including services received thereunder is not assignable to any other property. (See schedule of charges for fees.) No individual water wells shall be allowed on any residential lot and each resident shall use the central water supply provided by the LWA, the public utility supplying potable water to the Lakengren community.

2.2. The applicant shall provide the information necessary to determine the ownership, location, use, or proposed use of the property served; the amount of water likely to be required by the customer, and such other information, documents, and assurance required to process the application.

2.3. The applicant or person designated by the applicant shall be responsible for obtaining any permit(s) required to install a water service line and meter.

2.4. No applicant shall be accepted if the capacity of the water system is exhausted by the needs of its existing customers.

2.5. LWA may reject any person(s) when he/they is/are delinquent in payment of bills incurred for service previously supplied at that or any other location.

2.6. The applicant for installation of a water system to serve a fire protection system must be accompanied by two (2) sets of plans illustrating the proposed system. Such applications must conform to the rules governing such installations.

2.7. The applicant for sewer services shall sign an agreement covering possible damage to the water system when the damage is associated with the sewer tap installation.

3. INITIAL OR MINIMUM CHARGES

3.1. Water usage charges will begin with the initial turn-on of metered water service at a residential customer’s property as requested by the customer.

3.2 For existing connections, water usage charges will begin with the customer - requested restoration of water service.

3.3 Availability charges applicable to lots will begin with the recording of the deed ownership transfer at the Preble County Recorder’s Office.

3.4. The minimum monthly rate, as set up in the schedule of charges (see appendix), will be payable whether or not any water is used by the customer during any month if the meter valve is turned on.

4. LWA RESPONSIBILITY

4.1. LWA will install, maintain, and operate a main distribution pipeline from the source of water supply and service lines from the main distribution line to the property line of each customer at which point, designated as delivery point, a meter pit and meter shall be installed, owned, and maintained by LWA. LWA also will purchase and install a shut-off valve and a check valve in each service line, such valves to be owned and maintained by LWA. LWA shall have the sole and exclusive right to use such shut-off valve to turn water on and off.

4.2. LWA does not inspect nor is responsible for the customer's lines, piping, or plumbing.

4.3. LWA shall not be liable for damages of any kind whatsoever

resulting from water or the use of water on the customer's premises, unless such damage results directly from negligence on the part of LWA. LWA shall not be responsible for any damage done by or resulting from any defects in lines, piping, fixtures, or appliances on the customer's premises. LWA shall not be responsible for negligence of third persons or forces beyond control of LWA resulting in any interruption of service.

4.4. Under normal conditions, the customer will be notified of any anticipated interruptions of service.

4.5. Replacement of a defective meter shall be the responsibility of LWA.

5. CUSTOMER RESPONSIBILITY

5.1. Each customer shall be required to dig or have dug a trench and to purchase, install, and maintain such portion of the service line from the meter pit to the dwelling or other place of use on the premises at the customer's own expense. The customer must also install a shut-off valve at the dwelling.

5.2. Piping on the premises of the customer must be so installed that the connections are conveniently located with respect to LWA lines and mains.

5.3. If LWA is called upon to provide additional meters, each place of metering will be considered as a separate and individual account.

5.4. The meter pit area shall remain unobstructed and accessible at all times.

5.5. No new service line or change in an existing service line may be made which will interfere with an existing service line or the delivery of water therein.

5.6. The customer's lines, piping, and plumbing shall be installed and

maintained by the customer at the customer's expense in a safe and efficient manner and in accordance with LWA rules and regulations and Preble County Plumbing Code.

5.7. No person or persons shall deposit, or cause to be deposited any matter or material into any reservoir, tank, or water pipe, or use the water service of LWA in such manner as to permit the entry of polluting matter in the water supply of LWA.

5.8. In the event that any loss or damage to the property of LWA or any accident or injury to persons or property is caused by or results from negligence or wrongful act or acts of the customer, the customer's agents or employees, the cost of the necessary repairs or replacements shall be paid by the customer to LWA and any liability otherwise resulting shall be assumed by the customer.

5.9. The amount of such loss, damage or cost of repairs shall be added to the customer's bill and if not paid, services may be discontinued by LWA and LWA may proceed to obtain a remedy under law.

5.10. Water furnished by LWA may be used only for domestic, agricultural, business, and commercial consumption by the customer, members of the household, employees, and agents. The customer shall not sell or give water to any other person without prior written approval of LWA.

5.11. LWA shall deliver to a customer only such water as may be necessary to supply the needs on said property of each customer including family, business, agricultural, or commercial requirements or other purposes as a customer may require, subject, however, to the provisions of the by-laws, these rules, or other regulations of LWA.

5.12. Customers having boilers and/or pressure vessels receiving a supply of water from LWA must have an approved back flow prevention device on the water supply line and a vacuum breaker on the steam line to prevent collapse in case the water supply from LWA is discontinued or interrupted with or without notice for any reason.

5.13. A temperature and pressure activated relief valve shall be provided in all water heater systems to prevent excessive

temperature and pressure. Present water system regulations require a check valve in the customer's water system to prevent water in the customer's lines from entering the main line water distribution system. When the meter installation in the customer's water system is completed, the piping will include a check valve which prevents customer water back flow. Excessive temperature and pressure should be relieved by valves or auxiliary equipment installed by the customer in his water system. LWA is not responsible for the failure of the customer or his agent from providing such a relief device in his water system.

5.14. An expansion tank shall be provided to relieve the normal pressure buildup caused by heating water in a vessel having restrained flow.

5.15. No person shall use water from the water system for lawn or garden, cooling, vehicle washing or other purposes not essential to the health, safety, and welfare of the residents of Lakengren when LWA has prohibited such use.

5.16. The customer shall be responsible for the prompt payment of his water service

charges to avoid a penalty assessment. Payments postmarked on or before the due date will not be assessed late payment penalties.

5.17. The customer shall be financially responsible for the cost of water lost due to the failure of any part of the customer's plumbing system beyond the connection at the meter. See schedule of charges for compensatory pricing in the event of major leakage or other unintended loss.

6. EXTENSIONS TO MAINS AND SERVICES

6.1. LWA will supply service for temporary purposes, provided that there is water available in excess of regular needs, and provided that LWA has available material and equipment necessary to supply said service. Each applicant for such service must pay in advance to LWA the estimated cost of labor and materials for installing and removing such service less estimated salvage value on removal.

6.2. LWA may construct extensions to its water lines to points within Lakengren, as may be requested by building contractors; but LWA shall not be required to make such installations unless the customer pays to LWA the entire cost of the installation.

6.3. All such line extensions shall be made under contract signed by LWA and the person(s) advancing funds for said extensions and other governing bodies.

6.4. Anyone desiring such an extension may with prior written approval of the Board of Trustees pay the entire cost of same, construct the extension according to LWA specifications, and after

construction transfer ownership to LWA in exchange for the LWA installing meters, maintaining the lines, and supplying water at the appropriate rate if said extension passes LWA inspection. In the alternative, anyone desiring such an extension may apply to LWA and enter into any contract mutually agreeable to such person or persons and the Board of Trustees of LWA.

6.5. The term "public use" shall signify the use or distribution of potable water when applied to the needs of two (2) or more separate customers, or to two (2) or more properties not of common ownership.

6.6. No potable water supplies for public or private use shall be constructed or operated within the area of responsibility of LWA, except as approved by the Board of Trustees of LWA.

6.7. An applicant for a water service extension outside the confines of Lakengren shall provide LWA with a study by an EPA approved engineer of the adequacy of Lakengren water system to supply the required

potable water; the additions and/or corrections necessary to provide the necessary quantity of water; detailed plans for construction, the EPA PTI, and installation of the water service extension that complies with EPA and American Water Works standards. The applicant shall be responsible for the complete cost of the above and shall transfer unencumbered the total water system extension, including the modification and/or additions to the present existing water system to LWA before metered water service shall be provided.

6.8. LWA shall maintain the water service extension, read the meters, issue and collect the monthly billing for water usage in accordance with the Rules and Regulations applicable to customers.

7. ACCESS TO PREMISES

7.1. Duly authorized employees and agents of LWA shall have access, at all reasonable hours, to the premises of the customer for the purpose of installing, repairing, removing, inspecting piping, reading or testing meters, or for any other purposes necessary to the proper and efficient operation of the water system.

7.2. Each customer shall grant, convey, or shall cause to be granted or conveyed to LWA a permanent easement and right-of-way across any property owned or controlled by the

customer wherever said easement and right-of-way is necessary for LWA water facilities and lines, so as to be able to furnish services to the customer.

7.3. If any owner or customer shall unreasonably deny such access, the LWA may discontinue water service to the premises to which access is refused and shall not resume water service until access is permitted without obstruction and until a fee, as shown in the appendix, for such resumption of service has been paid.

8. OBLIGATION FOR PAYMENT OF UTILITY BILLS- CHANGE OF OCCUPANCY

8.1. In accord with utility billing practices common throughout the United States and in accord with Ohio state law, bills for utility services (sewer and water) provided by the LWA will run with the land and be collectable from the current owner (owner of record) of the property regardless of who owned the property at the time the utility charges were incurred. In the event unpaid charges exist at the time of a change of ownership, it is the responsibility of both the buyer and the seller to ensure that the outstanding charges are paid. If unpaid balances are not brought to zero at the time the property is transferred, the LWA must collect the amount owed from the new owner of record. In the event the new owner of record may have been misled in assurances of no outstanding debts against the property, it will be the responsibility of the new owner to pursue recovery of the money involved through business or legal action against the responsible party.

8.2. All utility charges will be billed to the original owner of record at the time of the billing until such time as the deed is recorded and the LWA becomes officially aware that the property has been transferred. The incoming party will be responsible for water after the meter has been read.

8.3. Upon request, the LWA will read the water meter and record the reading. Billing for the property will follow the normal monthly billing cycle with the bill being directed to the owner of record at that time, provided other arrangements have not already been made with the LWA by the buyer. If there is any dispute between the buyer and seller as to responsibility for the bill, the final meter read requested above may be obtained from the LWA office. If the change of occupancy does not occur at the time the deed is recorded, the recorded owner will be responsible for the water charges and may arrange to collect these charges from the occupant of the property.

9. METER READING-BILLING-COLLECTION

9.1. Meters will normally be read and bills rendered monthly, but LWA reserves the right to vary the dates or length of period covered, temporarily or permanently if deemed necessary or desirable.

9.2. Bills for water will be figured in accordance with the LWA published rate schedule and will be based on the amount consumed for a period covered by the meter reading.

9.3. Owners or customers may be charged for water service at an estimated rate of consumption, taking prior meter readings as a guide, at any time that water meters are not read.

9.4. Charges for service commences when the water service is turned on at the customer's request.

9.5. Charges for water service shall be based on water usage and the availability charge.

9.6. Readings from different meters will not be combined for billing.

9.7. Bills for water service are due and payable in the LWA business office on the 15th of each and every month unless the 15th falls on a Saturday, Sunday or legal holiday, in which case they are due on the next working day.

9.8. Any amount not received in the LWA office or postmarked by the due date will be subject to a penalty of ten percent (10%) of the total amount due for that billing period, which percent may be changed at the discretion of the LWA Board of Trustees.

9.9. Any amount not received in the LWA office within thirty (30) days from the due date may result in the water being shut off from the customer's property with or without notice thereof to such delinquent customer. Upon receipt of past due water charges, penalties thereon, and any reconnecting charge, such customer shall be entitled to resumption of the water supply.

9.10. Statements of charges for water and other services shall be deposited postage paid by LWA with the United States Postal Service for delivery.

9.11. Failure to receive bills or notices shall not prevent such bills from becoming delinquent nor relieve the customer from responsibility for payment.

9.12. The owner of any property served by the water system may have a tenant, occupant or lessee receive the statement and pay charges for water service but such occupant, tenant or lessee for such purpose acts as the agent of the owner who shall not thereby be relieved from the payment of any charges not paid by the tenant, occupant or lessee.

9.13. All charges for water service, which are delinquent for payment for a period longer than thirty (30) days, may be certified to the County Auditor at the appropriate time. Such amounts shall be entered on the tax duplicate of the real property involved and be a lien upon such land from and after the date of entry, to be collected with other taxes and returned to the LWA.

9.14. A fee will be charged for any returned check. The fee will be determined by LWA and subject to change without notice.

9.15. A fee may be charged for meter testing at the customer's request, if the meter is found to be accurate. The fee is to be determined by LWA and subject to change without notice.

9.16. Where premises, in arrears for payment of water service charges, become subject to a bankruptcy or insolvency court, LWA may permit the supply of water to such premises to be continued or restored without previous payment of the water service charges accrued under the bankrupt or insolvent owner; however, owners of property are liable for all water service charges against their premises assessed in the name of tenants or other persons who become subject to a bankruptcy or insolvency court.

9.17. Bills for the lots, subject to the availability charges, are issued quarterly and are due and payable when rendered. A 10% penalty shall be applied if payment is not received in the LWA business office by 8:00 a.m. on the day following the printed due date, or postmarked on or before the printed due date. If the due date falls on Saturday, Sunday, or a legal holiday, the due date shall be extended to the next working day.

10. SUSPENSION OF SERVICE

10.1. LWA may discontinue service for violation of any provisions of these rules, by-laws or any other regulations of LWA. Where the meter is thereafter reinstalled, the customer shall first pay to LWA the current reinstallation charge. Reconnecting shall be done during the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

10.2. Partial payment of delinquent water charges after the customer has been issued a disconnect notice shall require special payment arrangements to be worked out with the LWA business office.

10.3. Service discontinued for non-payment of bills will be restored only after bills are paid in full, and a service charge is paid for each meter reconnected.

10.4. The LWA reserves the right to discontinue its service without notice for the following additional reasons:

10.4.1. Emergency repairs; such as breaks in the mains,

pumping equipment break-down, reservoir failures, construction, reconstruction, repair, replacement, cleaning, extending or tapping of mains.

10.4.2. Insufficient supply of water due to circumstances beyond LWA control.

10.4.3. Consumer's willful disregard of LWA rules.

10.4.4. Directive of public authorities.

10.4.5. Strike, riot, fire, flood, accident, or any unavoidable cause.

10.4.6. To prevent fraud or abuse. No claims for damages of any nature whatsoever arising from the above will be paid.

10.5. LWA may permanently refuse service to any customer who tampers with a meter or other measuring device and, in addition, prosecute under the law.

10.6. A person or persons owning multiple properties within the LWA service area may be denied

service at one or more properties for non-payment of charges at any location.

11. FIRE HYDRANTS

11.1 All hydrant maintenance shall be performed or approved by LWA. Cost of said maintenance shall be borne by LWA, unless other arrangements are made in writing by the Board of Trustees.

11.2 No person shall, except in time of fire, open or connect to any hydrant of LWA, nor draw water there from, except as approved by LWA.

11.3 No person shall obstruct or in any way prevent or interfere with continuous free access to any hydrant except by written permission of LWA.

12. COMPLAINT ADJUSTMENTS

12.1. If a customer believes any bill to be in error, the customer shall present a claim, in person, in writing, or by telephone to the office of LWA before the bill becomes delinquent. The customer may pay such bill under protest and said payment shall not prejudice the claim.

12.2. If a seal of a meter is broken by other than LWA representatives, or if the meter fails to register correctly or is stopped for any cause, the customer shall pay an amount estimated from the record of the customer's previous bills and/or from other data.

12.3. Except for the case of a massive water leak as defined in the schedule of charges, Section 18, no rebate, deduction or adjustment shall be made of water charges to any owner or customer because of leakage or alleged leakage in any water pipe, tank or other device or because of water wasted through continuously open faucets.

13. INTERFERENCE WITH THE OPERATION OF THE LAKENGREN WATER SERVICE

13.1. No person, agency, corporation, association, public utility, or political subdivision as defined in the Ohio Revised Code, Section 6119.011(B), including, but not limited to municipal corporations, townships, and counties; (1) shall place any harmful or improper construction or obstruction in such a place or position that it interferes with the operation of the LWA or impedes the flow of water through any part of the water distribution system of the LWA; or (2) shall make any opening or connection in any distribution pipeline or service pipeline or any line connected to

the water distribution system of the LWA except in accordance with the Rules and Regulations of the LWA and with the express advance written consent of the Board of Trustees of the LWA or; (3) shall in any way pollute, contaminate, or unnecessarily waste the water supply.

13.2. Any person who willfully fails to comply with the rules and regulations of the LWA shall be liable for damage caused by such failure and for the cost of restoring or replacing any construction damaged or destroyed.

14. MODIFICATION OF RULES

14.1. No modifications of rates or any of the Rules and Regulations shall be made by any employee or agent of LWA.

14.2. These Rules and Regulations may be modified or amended at any

time by the Board of Trustees of the LWA and shall thereupon be binding upon all customers and others to whom they apply. If there is a need for interpretation, the matter is to be referred to the Board of Trustees.

15. PENALTY

15.1 Any person who violates or fails to comply with any provision of these rules and regulations is guilty of a misdemeanor of the third degree and may be prosecuted in accordance with the law.

16. BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

16.1. If, in the judgment of the LWA, an approved backflow prevention device is necessary for the safety of the water system, the LWA will give notice to the water customer to install such an approved device. The water consumer, at his own expense, shall install such an approved device at a location and in a manner approved by the LWA and shall have inspections and tests made of such approved devices required by motion number 94-03-071.

16.2. SURVEYS AND INVESTIGATIONS:

16.2.1. The supplier of water shall conduct or cause to be conducted periodic surveys and investigations, of frequency acceptable to the LWA, of water use practices within a consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public water system.

16.2.2. The supplier of water, or his authorized representative, shall have the right to enter premises served by the public water system at all reasonable times for

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

16.2.3. On request by the supplier of water, or his authorized representative, the consumer shall furnish the supplier, or his authorized representative, information on water use practices within the consumer's premises.

16.2.4. Paragraph 16.2.1. of this rule 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.

16.3. WHERE PROTECTION IS REQUIRED:

16.3.2. 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:

16.3.2.1. Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the supplier of water and the source is approved by the director of Ohio EPA.

16.3.2.2. 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 supplier of water;

16.3.2.3. Premises having internal cross-connections that, in the judgment of the supplier

of water, are not correctable or intricate plumbing arrangements which make it impracticable to determine whether or not cross-connections exist;

16.3.2.4. Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impracticable to make a complete cross-connection survey;

16.3.2.5. Premises having a repeated history of cross-connections being established or re-established.

16.3.2.6. Others specified by the LWA.

16.4. 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 LWA determines that no real or potential health, pollution or system hazard to the public water system exists.

This list is presented as a guideline and should not be construed as being complete. 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 Offices	R.P.
Fertilizer Plants	R.P.
Film Laboratories or Processing Plants	R.P.
Food or Beverage Processing Plants	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.

<u>Type of Facility</u>	<u>Minimum Type of Protection</u>
Machine Tool Plants (Pollutional Hazard)	D.C.
Metal Processing Plants (Health or System Hazard)	R.P.
Metal Processing Plants (Pollutional Hazard)	D.C.
Metal Plating Plants	R.P.
Morgues or Mortuaries	R.P.
Nursing Homes	R.P.
Packing Houses or Rendering Plants	R.P.
Paper Products Plants	R.P.
Petroleum Processing Plants	R.P.
Petroleum Storage Yards (Health or System Hazard)	R.P.
Petroleum Storage Yards (Pollutional Hazard)	D.C.
Radiator Repair Shop Acid Tanks	R.P.
Pharmaceutical or Cosmetic Plants	R.P.
Piers, Docks or Waterfront Facilities	R.P.
Power Plants	R.P.
Radioactive Material Plants	R.P.
Restaurants, w/ 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 [at pool]	A.G.
Sewage Treatment Plants	R.P.
Sewage Pumping Stations (Health or System Hazard)	R.P.
Storm Water Pumping Stations	R.P.
Veterinary Establishments	R.P.
Other specified by the LWA	D.C.

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:

Premises having an auxiliary water system not connected to a 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 conditioners are used	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.
Others specified by LWA	D.C.

16.5 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 supplier of water and the source is approved by the responsible Ohio EPA Director.

where a public water system may be contaminated with substances that could cause a severe health hazard;

16.6. TYPE OF PROTECTION REQUIRED:

(b) 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;

16.6.1. The type of protection required under paragraphs 16.4. and 16.5. of the above paragraphs shall depend on the degree of hazard which exists as follows:

(c) 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

a) An approved air gap separation shall be installed

substance that could cause a pollution hazard.

16.6.2. The type of protection required under paragraph 4 of the above paragraph 1 shall be an approved air gap separation or an approved interchangeable connection.

16.6.3. Where an auxiliary system is used as a secondary source of water for a fire protection system, the provisions of this rule for an approved air gap separation or an approved interchangeable connection may be waived by LWA provided:

(a) 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 potable consumer's water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;

(b) 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 reduced pressure principle backflow prevention device or an approved double check valve assembly;

(c) A public water system or a potable consumer's water system shall be the primary source of water for the fire protection system;

(d) The fire protection system shall be normally filled with water from a public water system or a potable consumer's water system;

(e) 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.

16.7. BACKFLOW PREVENTION DEVICES:

Any backflow prevention device required by the above paragraphs shall be a model or construction approved by the supplier of water.

Any backflow prevention device required by the above paragraphs shall be installed at a location and in a manner approved by the supplier of water and shall be installed by and at the expense of

the water consumer. In addition, any backflow prevention device required by the above paragraphs shall be installed at a location and in a manner approved by LWA as required by Section 6109.13 of the Ohio Revised Code.

It shall be the duty of the consumer on any premises on which backflow prevention devices required by law are installed, to have thorough inspections and operation tests made of the devices at such intervals and in such manner as may be reasonably required by the supplier of water. These inspections and tests shall be at the expense of the water consumer and shall be performed by the supplier of water or a person approved by the supplier as qualified to inspect and test backflow prevention devices. It shall be the duty of the supplier of water to see that these tests and inspections are made. These devices shall be repaired, overhauled or replaced at the expense of the consumer whenever they are found to be defective. Records of such inspections, tests, repairs and overhaul shall be kept by the consumer and copies submitted to the LWA.

Existing backflow prevention devices approved by the supplier of water prior to the effective date of this rule and which are properly

maintained shall, except for inspection, testing, and maintenance requirements, may be excluded from the requirements of this rule if the supplier of water is assured that the devices will satisfactorily protect the public water system.

16.8. BOOSTER PUMPS:

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 cut-off 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.

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 supplier of water, at least once a year, that the device is operable.

16.9. VIOLATIONS:

The supplier of water shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any

backflow prevention device required by this chapter is not installed, tested and maintained in a manner

acceptable to the supplier of water, or if it is found that the backflow prevention device has been removed or bypassed or if an unprotected cross-connection exists on the premises or if a low pressure cut-off required by the above Section (G) is not installed and maintained in working order or if the supplier of water, or its authorized representative, is denied entry to determine compliance with this chapter.

Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this chapter and to the satisfaction of the supplier of water.

16.10. CROSS-CONNECTIONS:

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 supplier of water.

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 supplier of water and as required by Section 6109.13 of the Ohio Revised Code.

17. DEFINITIONS

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.
Approved	means accepted or acceptable for the proposed use by the appropriate LWA official.
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; water from a source such as wells, lakes or streams; process fluids; or used water. They may be polluted, contaminated, objectionable or constitute a water source or system over which the LWA does not have control.
Availability charge, availability assessment charge, or availability assessment	means a charge all property owners are billed to cover the capital costs of the water system.
Back flow	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 potable water supply.
Back flow prevention device	means any device, method or type of construction intended to prevent back flow into potable water system.

Back flow valve/check valve means a device fitted into the water system to prevent any fluid or substance from entering or returning to the potable water distribution system. One such valve is located in the meter discharge line in the meter pit. Another is located in the residence or building in the customer's water line, shut-off valve, discharge side.

Commodity charge means the charges for water service for water use of over the minimum gallons per month.

Consumer or user means any person to whom water from the water system is delivered.

Contamination means any impairment of the quality of the water by sewage of 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.

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.

Contiguous means directly adjacent to an adjoining lot, two lots sharing a common boundary.

Cross-connection means any arrangement whereby back flow can occur.

Customer or user means any one obligated to LWA for a water service or water availability charge.

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.

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 water tightness of each check valve.

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 "server" 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.

Interchangeable connection means an arrangement or device that will allow alternate but not simultaneous use of two sources of water.

LWA means Lakengren Water Authority located at 24 Lakengren Drive, Eaton, Ohio 45320.

Main or main line means the primary pipe from the water source to water supply system.

Meter box or pit means a tile not less than 18 inches in diameter fitted with an approved top.

Minimum charge means the charges for water service for water use of less than the minimum gallons per month.

Month means calendar month.

Non-potable water	means water not safe for drinking, personal or culinary use.
Owner	as applied to a building or land means a person(s) having legal title to premises, includes any part owner or joint owner.
Person	means the state, any political subdivision, public or private corporation, individual, partnership or other legal entity.
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.
Pollutional hazard	means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water system to a consumer's water system.
Potable water	means water which is satisfactory for drinking, culinary and domestic use and meets the requirements of the Ohio Environmental Protection Agency.

Process fluids	means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration 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 water; (3) used waters originating from the public water system which may have deteriorated in sanitary quality; (4) cooling water; (5) contaminated natural waters taken from wells, lakes, 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 fire fighting purposes.
----------------	---

Public Water System "Water System" has the meaning ascribed to such term in rule 3745-81-01 of the Ohio Administrative Code. Any publicly or privately owned potable water system subject to Ohio R.C. 3733.41. The water system is made up of two (2) major parts; the public potable water system and the customer's water system.

a) The potable water system consists of the source facilities, the distribution system and all those facilities under the control of LWA up to the point where the customer's water system begins. The source includes all components used in the production, treatment, storage and delivery to the distribution system. The distribution system is a network of pipes and valves used for delivery of water to the customer's water system.

b) The customer's water system includes those parts beyond the service connection used to convey water from the distribution system to the point of use.

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 shutoff valves located at each end of the device and each device shall be fitted with properly located test cocks.

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, the service connection means the downstream end of the meter. If a curb box or valve is installed at the end of the service, the service connection means the downstream end of the valve.

Shut-off valve means a device which when actuated will stop the flow of a fluid, water, in the pipes of the water system. A shut-off valve is located immediately inside the customer's residence or building in the discharge side of the water service line.

Supplier of water means the owner or operator of a public water system.

System hazard means a condition posing an actual or potential threat of damage to the physical properties of the public water system or a potable consumer's water system.

Tap-in valve means the device fitted into the main line to allow the flow of water to a water customer. The most commonly used is 3/4" diameter.

Tenant as applied to a building or land means a person(s) who does not have legal title to the premises but is authorized to occupy the property. This includes tenants in common, tenant in partnership, joint tenant of the whole or a part of such building or land, either alone or with others.

Water meter means an electrical or mechanical device installed in the water system line to record water use. The water meter is the property of LWA and is provided in various pipe fitting sizes depending upon the application requirements.

Used water means any water supplied by a supplier of water 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 supplier.

Water service means the delivery of water from the water system to the owner or customer.

Water system means the water system owned and operated by LWA and all parts thereof respectively.

18. SCHEDULE OF CHARGES EFFECTIVE 04-15-2009

Rates are subject to change per LWA board authorization and without prior notice.

Water Charges - Inside Lakengren (Changed 4/15/09)

Lot Owners
 Availability charge per quarter (3 mo.) \$32.50

User (Residential and Commercial) - 3/4" service
 Minimum metered water charges/mo. (3,000 gallons) \$ 14.50
 WTP fee \$ 6.00
 Availability charge per month \$10.84
 (Total minimum water charge per month - \$31.34)

See water usage chart for water usage charges above the minimum.

User (Residential and Commercial) - greater than 3/4" service
 Minimum monthly charge - 10,000 gal. minimum \$29.00
 WTP fee \$ 6.00
 Availability charge per month \$10.84
 (Total minimum water charge per month - \$45.84)

These meters read in 10,000 gallons only. The charge per 10,000 gallons after the first 10,000 gallon minimum is \$31.00 per additional 10,000 gallons used.

Customers' water service may be disconnected without notice if payment in full has not been received within 30 days from the due date on the statement. (Normally a notice will be attempted before shutoff is ordered.)

Rates are subject to change per LWA board authorization and without prior notice.

User (Residential) Outside Lakengren - 3/4" service
 Minimum monthly charge - 3,000 gal. minimum \$29.00
 WTP fee \$ 6.00

WATER USAGE CHART FOR INSIDE AND OUTSIDE LAKENGREN

For 3/4 " service

Inside Lakengren		Outside Lakengren	
<u>Gallons Used</u>	<u>Rate</u>	<u>Gallons Used</u>	<u>Rate</u>
3,000 or less	\$14.50	3,000 or less	\$29.00
4,000	\$15.40	4,000	\$30.80
5,000	\$16.00	5,000	\$32.00
6,000	\$16.60	6,000	\$33.20
7,000	\$19.70	7,000	\$36.80
8,000	\$22.80	8,000	\$40.40
9,000	\$25.90	9,000	\$44.00
10,000	\$29.00	10,000	\$47.60
11,000	\$32.10	11,000	\$51.20
12,000	\$35.20	12,000	\$54.80
13,000	\$38.30	13,000	\$58.40
14,000	\$41.40	14,000	\$62.00

For continued rates after 14,000 gallons, add \$3.10 per thousand inside Lakengren and \$3.60 per thousand outside Lakengren.

Massive Water Leakage, Discount or Charges

Recognizing the lower cost per gallon of producing water exceeding our normal supply, and recognizing the financial burden placed on customers

experiencing a major loss of water due to leaks clearly beyond their control to prevent, a discount rate will apply in the cases defined below.

The leakage must not be attributable to intentional neglect on the part of the customer. For instance, if a customer has been warned of a leak and has refused to act to prevent the loss of water no discount will be granted.

The total LWA bill for the month, including the sewer usage fee **and cost of water lost due to leakage** must exceed \$100.

The discount will be applied to the amount of water lost exceeding the \$100 threshold above.

The discount will be calculated by reducing the amount of the bill exceeding \$100 by 50%.

The BOT is to be informed of each individual instance at the time it occurs.

Installation Charges for Water Service - Inside Lakengren

<u>Meter Size</u>	<u>Fee Inside Lakengren</u>
5/8" - 3/4"	\$600.00
1"	\$1,020.00
1 1/2"	\$1,800.00
2"	\$2,935.00

Installation charges outside Lakengren will be determined on individual basis based on LWA cost.

Miscellaneous Charges

Service Calls: disconnect service at customer's request for an extended period, not abating water and sewer charges	No charge
Reconnect service at customer's request after an extended period	No charge
Reconnect after a delinquent account has been disconnected	\$25.00
Reconnect after customer refuses access to this property	\$25.00

Late charges for non-payment (current charge)	10%
Checks returned for insufficient funds	\$25.00
Tampering fee (Illegally turning water back on)	\$25.00

Damage to Meters

The customer may be held responsible for repair charges, including labor and material when the meter is damaged, specifically because of vandalism, apparent and deliberate damage other than normal wear and tear. The minimum charge will be \$50.00.

Meters in service will be inspected, repaired, and replaced at no charge to the customer except when the damage is due to the causes stated above.

Testing of Meters

Meters are subject to inspection and will be replaced or tested for accuracy at a frequency and for reasons determined by LWA. No charge will be made for this service when the action is taken by LWA.

If the customer demands the meter be tested for accuracy and it does not appear to LWA that the meter is inaccurate, the meter will be tested for a fee of \$50. The fee will be refunded and the service charges adjusted if the meter is found to record more than actual flow (subject to AWWA standards for meter accuracy for new meters).

In the event a meter has been found to have been tampered with or removed from a service line or unauthorized entry made into a meter pit, the meter will be removed and tested for accuracy. The charge for this service will be:

1" or less	\$50.00
All over this size	To be determined by cost

Fire department use of water to extinguish a fire will not be charged.

19. VOLUNTARY DISCONTINUATION OF WATER SERVICE

Customers may voluntarily discontinue active water service for **extended periods**, abating water usage charges and sewer usage charges for the period of discontinuation, in accord with the following terms and conditions.

19.1 There will be a charge of \$25 for turning the water off as a seasonal disconnect and then back on. This one-time charge will be posted to the user's account at the time the shut-off order is received from the customer.

19.2 If the turn-off occurs within a billing cycle (which it normally will) and the monthly meter reading shows any water having been used, the customer will still be billed the regular minimum water usage charge for that month. There will be no usage charge for that billing period if the meter reading does not indicate that water has been used. There will be no charge for subsequent billing cycles until the water service is restored per an order received from the customer.

19.3 The water service will be restored upon receipt of an order

for turn-on from the user. Normal monthly billing will be resumed with the first meter reading cycle following the date of turn-on.

19.4 During the period of service disconnection, the monthly sewer usage charge will also be abated for those months when the water usage charge is abated.

19.5 Water Availability charges must be continued independent of water usage.

19.6 During the period of service disconnection, the meter will still be read on a monthly basis. If the meter indicates water is being used, indicating that water has been illegally turned on by other than the LWA, the water and sewer usage charges will be resumed and the property owner notified.

19.7 For users planning to be away for short periods of time and choosing to maintain their billing as is but wishing to have their water turned off for safety reasons, there will be no charge for turning the water off and back on as requested by the user.

20. LWA POLICY AND CHARGES RELATIVE TO WATER MAIN BREAKS

IF A WATER SERVICE LINE IS BROKEN THROUGH NEGLIGENCE OR FAILURE TO HAVE THE LINE LOCATED, THE COST WILL BE FOR TIME, MATERIAL, AND 25% EXTRA TO COVER HIDDEN COSTS. MINIMUMS FOR THESE ARE AS FOLLOWS:

Service line to meter	\$100.00
4"	\$200.00
6"	\$300.00
8"	\$400.00

ANY REPAIRS AFTER NORMAL BUSINESS HOURS WILL BE SUBJECT TO 1.5 TIMES THE NORMAL MINIMUM.

If the repair costs exceed the minimum charge, the contractor and/or landowner shall be assessed the estimated cost of water at \$2.50/1000 gallons of water lost.