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### Chapter 4100 – Billing.

Section 4101. Property Owner’s Obligation.

Section 4102. Calculation of Bills.

Section 4103. Billing Periods.

Section 4104. Failure to Pay.

Section 4105. Adjustment of Bills.

Section 4106. Final Bill.

### Chapter 4200 – Water Rates.

Section 4201. Water Turn-On Charges.

Section 4202. Water Rates.

Section 4203. New Line Charges.

### Chapter 4300 – Wastewater Rates and Charges.

Section 4301. Wastewater Rates.

Section 4302. Industrial Surcharges.

Section 4303. New Sewer Line Charges.

### Chapter 4400 – Impact Fees.

Section 4401. Water Fees.

Section 4402. Sanitary Sewer Fees.

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### **Chapter 4100. Billing.**

**4101. Property Owner’s Obligation.** It is the property Owner’s responsibility to assure timely payment of all Water and Wastewater Service Charges.

**4101.01. Notification of Charges.** Avon Lake Regional Water will undertake to deliver bills by depositing same in the U.S. Post Office or, if requested, by email, only as a matter of convenience to the Consumer. The failure to receive such notice shall not release the

obligation of the Owner of such property to pay the Water and Sewer Service Charges and the charges shall be payable whether or not notice was received.

**4101.02. Property Owner/Tenant Agreement.** A property Owner may arrange to have a tenant or lessee pay the Water and Wastewater Service Charges, but such arrangement shall not relieve the Owner of responsibility for payment of any delinquencies that may occur for the said property. If special arrangements are needed for payment, it is the Owner's responsibility to contact Avon Lake Regional Water of the need before service is suspended.

**4101.03. Third Party Payment Processor.** The property Owner is solely responsible to assure the timely payment of all Avon Lake Regional Water billing charges. No consideration shall be given for the failure of a third-party bill processor used by the property Owner should payment be delinquent. All penalty charges including late fees and turn off and reinstatement charges shall be assessed and paid regardless of the payment authorization date given by the property Owner to the third-party processor.

## **4102. Calculation of Bills.**

**4102.01. Minimum Service Charge.** All accounts shall be assessed a Minimum Service Charge each billing period as set forth in **Schedule G**.

**4102.02. Water to be Metered.** All water supplied by Avon Lake Regional Water shall be metered, unless otherwise exempted in these Regulations. The meter reading shall be Billable Water Consumption.

**(A).** Charges Based on Water Meter Readings. Billings for Water and Wastewater Service Charges shall be made in accordance with the Billable Water Consumption and the applicable rates plus any additional charges set forth in these Regulations.

**(B).** The accuracy of meter readings may be appealed as provided in **Section 2304.08** of these Regulations.

**(C).** Estimated Bills. When it is not possible for meter readers to gain entrance to a property for the purpose of reading the meter, a card will be left or sent to the property for the purpose of allowing the Consumer to record his own meter reading. The card, if returned in the specified period with the required information, may be used in the determination of the Water and Wastewater Service Charges. For all accounts for which Avon Lake Regional Water cannot get a reading of the water meter, the Water and Wastewater Service Charges will be estimated on past use on the property in comparable periods and a bill submitted for this amount.

**(D).** If Avon Lake Regional Water fails to gain access to a premise for the purpose of reading the meter on four (4) successive billing periods, Avon Lake Regional Water may require that an outside meter be installed as specified by Avon Lake Regional Water.

**4102.03. Alternate Billing.** ALRW may approve an alternate billing method of calculating Billable Water Consumption.

(A). No alternate billing method of determining Billable Water Consumption shall be used without prior approval of ALRW.

(B). Any alternate billing method must meet the following prerequisites:

(i). Means of measurement, including the device(s) themselves, place, arrangement, number, operation and maintenance, and other relevant factors, is adequate to ensure an accurate determination of Billable Water Consumption.

(ii). Significant amount of metered water is not discharged into the Avon Lake Wastewater System.

(C). ALRW may require verification, inspection, repairs, or other steps to ensure accuracy of an alternate billing method prior to granting approval.

(D). Withdrawal of Alternate Billing Approval. ALRW may withdraw its approval of an alternate billing method at any time by providing notice to the affected Consumer. Billable Water Consumption shall be based upon the means determined to be appropriate in **Section 4102.01** shall be used effective as of the billing period during which notice of the withdrawal of approval was given. The Board may also retroactively modify past billings in a similar fashion for as long as a period of time that the alternate means has not provided an accurate determination of Billable Water Consumption.

#### **4103. Billing Periods.**

**4103.01. Quarterly Billing.** Consumers shall be billed quarterly for standard Water Service and Wastewater Service. Payments are due on the 20<sup>th</sup> day of January, April, July and October.

**4103.02. Monthly Billing for Large Volume Users.**

(A). Large Volume Users over 500,000 gallons of Billable Water Consumption per month will be billed monthly for Water Service and Wastewater Service. Payments for monthly billed accounts are due on the first day of the following month.

(B). Large Volume Users under 500,000 gallons per month can request monthly billing by written request to Avon Lake Regional Water.

#### **4104. Failure to Pay.**

**4104.01. Penalty.** Payment for Water Service and Wastewater Service Charges is due on the 20<sup>th</sup> day of the month. If Water and Wastewater Service Charges are not paid by the 20<sup>th</sup> day of the month due, a penalty of ten percent (10%) will be assessed to any outstanding balance.

**4104.02. Application of Payments.** Payments received will be applied first to delinquent charges when there is a previous delinquent charge against the same property. Partial payments will be applied to balances in the following order: (1) penalties, (2) Wastewater Service Charges, (3) Water Service Charges, (4) Loan Balances.

**4104.03. Liens.** Water and Wastewater Service Charges are assessed against the property to which the service is rendered and are a lien against such property, collectible as other liens and taxes are collected. If not paid when due, Avon Lake Regional Water shall have the authority to certify said charges to the Auditor of Lorain County, Ohio, to be placed on the tax duplicate, with interest and penalty allowed by law, and be collected as other taxes are collected.

**4104.04. Termination of Service.** Any account that is delinquent more than ninety (90) days is subject to having its water shut-off in accordance with **Section 5113** of these Regulations.

#### **4105. Adjustment of Bills.**

**4105.01. Errors.** Claims for allowances because of errors in meter readings, faulty registration of meters, and clerical errors will be allowed, upon proper evidence, and the bill adjusted accordingly.

**4105.02. Leakage or Accident.** No adjustment to the Water Service Charge portion of a bill will be allowed for a claim because of leaks in the Consumer's Water System. Avon Lake Regional Water, upon proper evidence, may adjust the Wastewater Service Charge of a bill for a leak when the Consumer can show that the excess water did not enter the Avon Lake Wastewater System.

**4105.03. Reporting Excessive Bills.** In an effort to eliminate waste and excessive bills, Avon Lake Regional Water will assist a Consumer in attempting to discover the cause of waste, provided the Consumer requests such assistance.

**4105.04. Deduction for Fire Protection.** A deduction to the Water and Wastewater Service Charge may be made for metered water used to put out or prevent the spread of fire, provided that such use is reported to Avon Lake Regional Water in writing.

**4105.05. Summer Billing Adjustment.** Individual residential accounts during the third billing quarter will have the Wastewater Service Charge adjusted to allow for summer sprinkling. The adjustment to the Wastewater Service Charge will be based on the average of the water used during the first two quarters of the year.

The summer billing adjustment shall only apply to individual residential accounts (single family residences). No adjustment shall be made for apartment, condominium, commercial, industrial, or governmental accounts, or Consumers with sprinkler and deduct meters.

#### **4106. Final Bill.**

**4106.01.** Consumers wishing to terminate Water and Wastewater Service may do so by contacting Avon Lake Regional Water's office. On the requested date, a final meter reading will be taken and a final bill prepared showing all outstanding charges and fees for the account.

**4106.02.** In the case of the sale of property, to avoid having the water service turned off at the time of the final meter reading, the name of the new owner and billing address must be provided.

## **Chapter 4200 – Water Rates and Charges.**

**4201. Water Turn-On Charges.** The water supply turn-on charges shall be as set forth on **Schedule H** attached hereto, as established by the Board, from time to time.

**4202. Water Service Charges.** In order to provide for the costs and expense of the management, protection, operation, and maintenance of the Avon Lake Water System, there is hereby established a Water Service Charge which shall be paid to Avon Lake Regional Water for the use of the Avon Lake Water System by every Owner of premises served by a connection to the Avon Lake Water System. Water Service Charges shall be based on the Billable Water Consumption and the applicable Water Service Rates.

### **4202.01. Water Service Rates.**

**(A).** The Water Service rates shall be as set forth on **Schedule G** attached hereto, as established by the Board.

**(B).** Minimum Service Charge. Whenever the water service is turned on, regardless of whether the meter is set or any water was used, the minimum charge for both water and sewer will go into effect in accordance with **Schedule G** attached hereto, as determined by the Board.

**(C).** Water Outside Corporation Limits. All water sold outside the corporation limits of the City shall be charged according to the rates set forth on **Schedule G** plus 10%.

## **Chapter 4300 – Wastewater Rates and Charges.**

**4301. Wastewater Service Charge.** In order to provide for the costs and expense of the management, protection, operation, and maintenance of the Avon Lake Wastewater System, there is hereby established a Wastewater Service Charge which shall be paid to Avon Lake Regional Water for the use of the Avon Lake Wastewater System by every Person whose property are served either directly or indirectly by a connection to the Avon Lake Wastewater System.

### **4301.01. Wastewater Service Rates.**

**(A).** The Wastewater Service Charge rates shall be as set forth on **Schedule G** attached hereto, as established by the Board.

**(B).** The Wastewater Service Charge shall be calculated based upon the Water Meter Reading.

**4302. Industrial Surcharge.**

The Sewer Service Charge shall be the sum of the following, as applicable to a given user:

- a. Administrative Fee *times* MBP
- b. Consumption Charge *times* BWC
- c. Industrial Surcharge Fee *times* MBP
- d. Industrial Surcharge Rate *times* EDP

When

- MBP = Months in Billing period
- BWC = Billable Water Consumption
- EDP = Excess Pounds Discharge

When a user’s service begins after the fifteenth day of the month or ends before the fifteenth day of the month, that month’s service shall not be included in the Administrative Fee.

**Chapter 4400 – Impact Fees.**

**4401. Water Fees.**

**4401.01. Water Impact Fee (“WIF”).** A WIF shall be collected from the owner of undeveloped land at the time of their connection to the Avon Lake Water System or from developed land upon their request to up-size their existing water connection for the purpose of constructing improvements to the Avon Lake Water System. The fee is meant for each new connection to pay an amount equivalent to the connection’s share of the replacement value of the water distribution system within Avon Lake to cover distribution system costs expended to provide service.

WIF shall be calculated in accordance with the definitions and formula as set forth below:

Equivalent Residential Connection (“ERC”) is a unit of measure to equate connections of any size to an equivalent number of residential units and is based upon water meter size. Both 5/8” and 3/4” meters equate to an ERC of 1. Larger water meters can pass more water and equate to more ERCs, based upon the following table:

<b>Meter Size</b>	<b>ERCs</b>
5/8 inches	1
3/4 inches	1
1 inch	1.8
1-1/2 inches	4
2 inches	7
3 inches	16
4 inches	28.5
6 inches	64
8 inches	114
10 inches	178











other wastes into the public sewer system contrary to any of the provisions of these Regulations or any order or permit issued hereunder, the ALRW may commence an action against such person or entity for appropriate legal and/or equitable relief in the Common Pleas Court for Lorain County.

**5102. Injunctive Relief.** Whenever a person or entity violates any provision of **Title 2-Water, Title 3-Sewers, or Chapter 3400-Discharge Permits**, or violates or continues to violate any of the provisions of these Regulations or any permit or order issued hereunder, the ALRW may petition the Court for the issuance of a preliminary or permanent injunction or both, as may be permitted by the ORC, which restrains or compels the activities on the part of the person or entity.

**5103. Civil Penalties.**

**5103.01.** Any person or entity violates any provision of **Title 2-Water, Title 3-Sewers, or Chapter 3400-Discharge Permits**, or violates or continues to violate any of the provisions of these Regulations or any order or permit issued hereunder, shall be liable to ALRW for a civil penalty of one thousand dollars (\$1,000.00) per violation, to be assessed by the utility, plus actual damages incurred by ALRW, for as long as the violation continues. In addition to the above described penalty and damages, ALRW may recover attorney's fees, court costs, and all other expenses associated with all such enforcement activities, including sampling and monitoring expenses.

**5103.02.** ALRW shall take all action necessary to recover all such penalties, damages, fees, and costs. In determining the amount of the penalty to be assessed and damages to be recovered, ALRW shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the violation, corrective actions by the person or entity, the compliance history of the person or entity, and any other factor as justice requires.

**5104. Criminal Penalties.**

**5104.01. Violations.**

**(A).** Any person or entity who violates any provision of these Regulations or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of one thousand dollars (\$1,000.00) per violation per day or imprisonment for not more than one year or both.

**(B).** In the event of more than one conviction described in Subparagraph 1(a) above, the person or entity shall be punished by a fine not to exceed three thousand dollars (\$3,000.00) per violation per day or imprisonment for not more than three years or both.

**5104.02. Falsifying Information.**

**(A).** Any person or entity who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to these Regulations, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Regulations shall, upon

conviction, be punished by a fine of one thousand dollars (\$1,000.00) per violation or imprisonment for not more than one year or both.

**(B).** In the event of more than one conviction described in subparagraph (1) above, the person or entity shall be punished by a fine not to exceed three thousand dollars (\$3,000.00) per violation or imprisonment for not more than three years or both.

**5105. No Waiver.** Avon Lake Regional Water may refer any person or entity to the appropriate officials for the initiation of investigation, prosecution, or other proceedings for a criminal violation under these Regulations without commencing enforcement proceedings outlined in this Title. The failure or delay by ALRW to enforce any of these Regulations shall not operate as a waiver or otherwise preclude enforcement of these Regulations at a later time, subject to the applicable statute of limitations. Additionally, no waiver shall be enforceable against ALRW unless such waiver is in writing and signed by a duly authorized person.

**5106. Affirmative Defenses.**

**5106.01. Treatment Upsets.**

**(A).** Any industrial user which experiences an upset in operations that places it in a temporary state of noncompliance, which is not the result of operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation, shall inform the ALRW thereof immediately upon becoming aware of the upset. Where such information is given orally, a written report thereof shall be filed by the user within five days after the upset. The report shall contain:

**(1).** A description of the upset, its cause(s), and impact on the discharger's compliance status

**(2).** The duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance is continuing, the time by which compliance is reasonably expected to be restored.

**(3).** All steps taken or planned to reduce, eliminate, and prevent recurrence of such an upset.

**(B).** An industrial user which complies with the notification provisions of this Section in a timely manner shall have an affirmative defense to any enforcement action brought by ALRW for any noncompliance with these Regulations or an order or permit issued hereunder by the user which arises out of violations attributable to and alleged to have occurred during the period of the documented and verified upset.

**5106.02. Treatment Bypasses.**

**(A).** A bypass of the treatment system is prohibited unless all of the following conditions are met:

(1). The bypass of the treatment system is prohibited unless all of the following conditions are met:

(2). There was no feasible alternative to the bypass, including the use of auxiliary treatment or retention of the wastewater; and

(3). The industrial user properly notified ALRW as described in subparagraph b below.

(B). Industrial users must provide immediate notice to ALRW upon discovery of an unanticipated bypass. If necessary, ALRW may require the industrial user to submit a written report explaining the cause(s), nature, and duration of the bypass, and the steps being taken to prevent its recurrence.

(C). An industrial user may allow a bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it is for essential maintenance to ensure efficient operation of the treatment system. Industrial users anticipating a bypass must submit notice to ALRW at least 10 days in advance. ALRW may only approve the anticipated bypass if the circumstances satisfy those set forth in this Section.

#### **5107. Notification of Violation.**

**5107.01.** Whenever ALRW finds that any person or entity has violated or is violating any provision of **Title 2-Water, Title 3-Sewers, or Chapter 3400-Discharge Permits**, or violates or continues to violate any of the provisions of these Regulations or any permit or order issued under these Regulations, ALRW shall serve upon said person or entity a written Notice of Violation by U.S. Certified Mail, return receipt requested. The Notice of Violation shall include a detailed description of the alleged violation for which action may be commenced by ALRW, and an explanation of the recipient's required actions pursuant to these Regulations.

**5107.02.** Within thirty (30) days of the receipt of the notice, the notified person or entity shall submit in writing to ALRW, an explanation of the cause of the violation and a plan for the satisfactory correction and prevention thereof, including specific required actions and time schedules for completing the same.

**5107.03.** Submission of the plan in no way relieves the person or entity of liability for any violation occurring before or after receipt of the Notice of Violation.

**5107.04.** A Notice of Violation containing any violation of Chapter 3734 of the ORC shall also comply with the requirements of Section 3734.101(B) of the ORC, including a copy of the Notice of Violation shall be sent by U.S. Certified Mail to the Director of the Ohio Environmental Protection Agency and the Ohio Attorney General.

#### **5108. Show Cause Hearing.**

**5108.01.** Any person who or entity which has been cited for a violation and upon whom ALRW has recommended enforcement actions be imposed shall, upon written request to the Board made within thirty (30) days of receipt of the Notice of Violation, have the opportunity to show cause, in an evidentiary hearing before the Board, why the

enforcement actions should not be imposed (“Show Cause Hearing”). Should the person or entity fail to make a written request for a Show Cause Hearing within thirty (30) days after receipt of the Notice of Violation, and the person or entity shall be deemed to have waived any right to a Show Cause Hearing, and the Board shall impose such fine or penalty against such person or entity as it deems appropriate under the facts.

**5108.02.** Following the Board’s receipt of a timely written request by the cited person or entity for a Show Cause Hearing, the Board shall cause a notice of the Show Cause Hearing to be served on the person or entity cited personally or by certified mail (return receipt requested).

**5108.03.** The notice of the Show Cause Hearing shall be served at least ten (10) days prior to the hearing and shall include the date, time, and place of the hearing, the proposed enforcement action, and the reasons for such actions. The duly notified person or entity wishing to appear at and participate in the Hearing must so notify ALRW not less than five (5) days prior to the date of the hearing. The Show Cause Hearing shall be tape recorded, and the Board shall maintain the recording of the Show Cause Hearing as required by these Regulations and law. All witnesses at the Show Cause Hearing shall testify under oath. The person or entity requesting the Show Cause Hearing may be represented by counsel, may confront and examine all witnesses, and may present all evidence concerning the alleged violation.

**5108.04.** After the Show Cause Hearing, the Board shall promptly inform the cited person or entity, by written notice, of the determination of the Board regarding the cited violation and the enforcement action, if any, to be taken including the assessment of any fine or penalty.

**5108.05.** The decision issued by the Board pursuant to this Chapter shall constitute a final action from which an appeal may be made to a court of competent jurisdiction.

#### **5109. Consent Orders.**

**5109.01.** In order to assure correction of a violation, ALRW may enter into a Consent Order with the person or entity responsible for the noncompliance.

**5109.02.** The Consent Order will be a written agreement between the parties that assures voluntary compliance and will include specific action to be taken by the person or entity in violation to correct the noncompliance within a specified period of time. The Consent Order may contain such other provisions or conditions reasonably determined by ALRW.

#### **5110. Compliance Orders.**

**5110.01.** When ALRW finds that a person or entity has violated or continues to violate these Regulations or a permit or order issued hereunder, ALRW may issue a Compliance Order to the responsible person or entity directing that, following a specific time period, water service and sewer service shall be discontinued unless adequate correction to the noncompliance has been completed. Such Orders may contain any requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of a pretreatment technology or the implementation of additional self-monitoring and management practices.

**5110.02.** All Compliance Orders shall include the opportunity for the appropriate person or entity to show cause in accordance with this **Section 5108**.

**5110.03.** All Compliance Orders shall be served on the person or entity who has violated or continues to violate these Regulations personally or by certified mail (return receipt requested).

**5111. Cease and Desist Orders.** When ALRW finds that a person or entity has violated or continues to violate these Regulations or any permit or order issued hereunder, ALRW may issue an order to cease and desist all such violations and direct the person or entity in noncompliance to:

**(A).** Comply with these Regulations immediately; and

**(B).** Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.

**5112. Emergency Suspensions.**

**5112.01.** ALRW shall have the authority to require or, when circumstances so dictate, cause the cessation of any discharge into the City's wastewater treatment and public sewer system which either significantly endangers the health or welfare of the public or environment, or poses a significant threat to the effective operation of the Water Pollution Control Center. ALRW shall give notice, if possible, to the owner, lessor, occupant, agent, officer, or authorized representative of the user prior to causing the cessation of the discharge. The emergency cessation shall be accomplished using reasonable measures under the circumstances.

**5113. Termination of Service.**

**5113.01.** ALRW shall have the authority to terminate the service of any person or entity who refuses reasonable access to the user's premise by representatives of the City for the purpose of inspection or monitoring. Such termination shall take place no sooner than twenty-four (24) hours after notice of proposed termination has been delivered and provided that reasonable access continues to be refused.

**5113.02.** ALRW shall have the authority to terminate the service of any user who makes a new connection to the public sewer system without authorization by ALRW or his designee. Such termination shall take place no sooner than twenty-four (24) hours after notice of the proposed termination has been delivered to the user.

**5113.03.** ALRW shall have the authority to terminate the service of any user who violates these Regulations or fails to comply with an Order issued pursuant to these Regulations is not complied with in accordance with its terms. Such termination shall take place no sooner than twenty-four (24) hours after notice of the proposed termination has been delivered to the user.

**5113.04. Notice.** Unless an emergency circumstance, ALRW shall provide a minimum of twenty-four (24) hours notice to the Consumer or affected user, if known, of a scheduled termination. If a user upon whom the notice prescribed by this Section refuses to receive

notice, then written notice shall not be required, provided that notice is given to the extent possible under the circumstances. For the purposes of this **Section**, the time of notice shall be the time receipt of notice was refused.

**5113.05. Restoration of Service.** Service terminated under this Section shall not be restored until the following: (1) the violation is remedied or Order complied with to the satisfaction of ALRW and (2) payment of the reconnection charge and any assessed fines. See, **Schedule I**.

**5113.06.** After taking any of the actions described in **Section 5112**, ALRW shall give the affected user a written notice of violation and, either concurrently or in a separate writing, of the precondition, including the payment of fines, for restoration of service. These notifications shall be made as soon as practicable. Any affected user can request an opportunity to show cause in accordance with this Chapter as to why the preconditions for the restoration of service should not be enforced.

**5114. Annual Publication of Significant Noncompliance.** ALRW shall publish, at least annually, in the daily newspaper circulated in the service area, a description of those Industrial Users which were found to be in Significant Noncompliance (“SNC”), as defined below, with any provisions of these Regulations or any permit or order issued hereunder during the period since the previous publication.

**5114.01. Significant Noncompliance.** For Industrial Users which do not fall under the category of a Significant Industrial User, a Significant Noncompliance (“SNC”) shall be determined by meeting the criteria in items 1.c, 1.d, or 5 below.

(A). For Significant Noncompliance (“SNC”) shall be determined by the following:

(1). Violations of Discharge Limits:

(a). Chronic Violations – Sixty-six percent (66%) or more of the measurements exceed the same daily maximum limit or the same average limit or instantaneous limit in a six-month period (any magnitude exceeding the limit) for the same pollutant parameter. Chronic violations are applicable to any permitted monitoring point.

(b). Technical Review Criteria (TRC) Violations – Thirty-three percent (33%) or more of the measurements for each pollutant parameter exceed the same daily maximum, the same average limit, or instantaneous limit by more than the TRC in a six-month period. TRC violations are applicable to any permitted monitoring point.

Group 1 for Compatible Pollutants (BOD, TSS, Fats, Oil and Grease): TRC = 1.4 or 40% over the Limit

Group 2 for all other Pollutants (all other pollutants, except pH): TRC = 1.2 or 20% over the Limit

(c). Any other violation of a discharge limit (average or daily max.) that the CUO believes has caused, alone or in combination with



other discharges, interference (e.g., slug loads) or pass-through or endangered the health of Avon Lake Regional Water personnel or the public.

(d). Any discharge of a pollutant which has caused imminent endangerment to human health, welfare, or the environment or has resulted in Avon Lake Regional Water's exercise of its emergency authority to halt or prevent such a discharge.

(2). Violations of compliance schedule milestones for starting construction, completing construction, or attaining final compliance by ninety (90) days or more after the schedule date.

(3). Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports, etc.) within thirty (30) days from the due date.

(4). Failure to accurately report noncompliance.

(5). Any other violation or group of violations (including violations of BMPs) that ALRW determines will adversely affect the operation or implementation of the Avon Lake Pretreatment Program.

A determination of significant noncompliance shall automatically be cause for the Board's commencing the appropriate enforcement and penalty actions as outlined in this **Title 5**.

**5114.02. Damage to Wastewater Facilities Due to Illegal Discharge.** Industrial Users are solely liable for damage to the Avon Lake Wastewater System and/or the Sanitary Sewer System, including: repairs, cleaning, disinfection, disposal of hazardous wastes, etc. ALRW may require indemnification by Industrial Users with operations deemed by the Board to have unusual or dangerous quantities or characteristics of discharge.

### **Chapter 5200 - Amnesty Policy.**

**5201. Amnesty Programs.** To encourage compliance with these Regulations and to assure the safety, health, and welfare of Avon Lake residents, the Board may offer amnesty program for violators of these Regulations as the Board determines reasonable and necessary to promote bringing the public water and sewer systems in Avon Lake into full compliance with these Regulations and applicable laws; provided, however, that an amnesty program may be offered no more often than every other calendar year to persons who have outstanding violations. Such amnesty program shall be on terms and conditions as determined by the Board, which terms and conditions shall be advertised on ALRW's website and a newspaper of general circulation serving Avon Lake.

### **Chapter 5300 - Collection Actions.**

**5301. Collection of Charges.** Any water charge, sewer charge, fee, cost (including all legal costs), payment, penalty or fine which has been incurred, assessed or is otherwise due and payable by any person or entity pursuant to these Regulations to the Board ("Charge"), shall be subject to collection pursuant to these Regulations. Should a Charge remain unpaid thirty (30) days after notification as required by **Section 5302** below or after the termination of any timely

appellate proceedings relating thereto which might be commenced pursuant to Chapter 2506 and Section 2505.07 of the ORC, whichever is later, then ALRW may (a) commence an action against such person or entity for appropriate legal and/or equitable relief in the Court of Common Pleas for Lorain County, and/or (b) certify said Charge to the County Auditor who shall place the certified Charge amount on the real property tax list and duplicate as a lien against the property owned by the designated person or entity, to be collected in the same manner as taxes. The lien shall be released immediately upon payment in full of the certified amount.

**5302. Notice Required.** Collection action for payment of any Charge may not begin until thirty (30) days after ALRW has mailed a statement of said Charge to the person or entity at the last known address of the person or entity.

**5303. Remedies Non-Exclusive.** The rights and remedies set forth in this **Chapter 5300** of **Title 5** shall be in addition to all other rights and remedies available to ALRW in connection with the collection of any Charge as set forth in **Title 4**.

[END OF TITLE 5]

## TITLE 6 - FINANCIAL MANAGEMENT

### Chapter 6100 – Financial Management.

**Section 6101. Separate Funds.**

**Section 6102. Transfers of Deposits.**

**Section 6103. Recordkeeping of Deposits.**

**Section 6104. Fund Transfers.**

**Section 6105. Budget Submittal and Rate Review.**

**Section 6106. Accounting System.**

**Section 6107. Investment of Deposits.**

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Section 5705.09 of the ORC requires that each city in Ohio establish separate and distinct funds for its money, and Section 743.06 of the ORC requires that each city in Ohio deposit its revenue derived from waterworks operations into a separate and distinct fund. Accordingly, the Board believes that it is in the best interest to protect and preserve the monies of the Board by adopting the following Regulations relating to its revenues and expenditures.

### **Chapter 6100 - Financial Management.**

**6101. Separate Funds.** There is hereby created and established and ordered to be maintained in the custody of a qualified Director of Finance, as designated by the Board at its discretion, as separate accounts, each of which shall be maintained solely for the benefit of the operation and maintenance of the utilities owned and/or operated by the Board, Avon Lake Regional Water, and/or the City.

**6101.01. Establishment of Municipal Utilities Water Fund.** There is hereby created and established and ordered to be maintained in the custody of the Director of Finance as a separate account a "Municipal Utilities Water Fund" which shall be maintained solely for the benefit of the operation and maintenance of the water lines and appurtenances thereto owned and/or operated by Avon Lake Regional Water. All monies received in connection with the operation and maintenance of the water lines and appurtenances thereto owned or operated by Avon Lake Regional Water shall be deposited in the Municipal Utilities Water Fund in compliance with these Regulations. All costs, liabilities and obligations relating to or arising from the maintenance or operation of the water lines and appurtenances thereto shall be paid from deposits made into the Municipal Utilities Water Fund.

**6101.02. Establishment of Municipal Utilities Sewer Fund.** There is hereby created and established and ordered to be maintained in the custody of the Director of Finance as a separate account a "Municipal Utilities Sewer Fund" which shall be maintained solely for

the benefit of the operation and maintenance of the sewer lines and appurtenances thereto owned and/or operated by Avon Lake Regional Water. All monies received in connection with the operation and maintenance of the sewer lines and appurtenances thereto owned or operated by Avon Lake Regional Water shall be deposited in the Municipal Utilities Sewer Fund in compliance with these Regulations. All costs, liabilities and obligations relating to or arising from the maintenance or operation of the sewer lines and appurtenances thereto shall be paid from deposits made into the Municipal Utilities Sewer Fund.

**6101.03. Establishment of Municipal Utilities Maintenance, Operation and Repair Fund.** There is hereby created and established and ordered to be maintained in the custody of the Director of Finance as a separate account a "Municipal Utilities Maintenance, Operation and Repair Fund" which shall be maintained solely for the benefit of the operation and maintenance of pumping station systems, including appurtenant water and sewer lines, constructed, financed and operated for the benefit of an identified consortium of governmental entities and managed by Avon Lake Regional Water (each being a "Transmission System"). All monies received in connection with the Transmission System shall be deposited in the Municipal Utilities Maintenance, Operation and Repair Fund in compliance with these Regulations. All costs, liabilities and obligations relating to or arising from the Transmission System and appurtenances thereto shall be paid from deposits made into the Municipal Utilities Maintenance, Operation and Repair Fund.

**6101.04. Establishment of Subaccounts.** The Board may, from time to time, establish subaccounts within any of the Municipal Utilities Water Fund or the Municipal Utilities Sewer Fund or the Municipal Utilities Maintenance, Operation and Repair Fund for the purpose of maintaining as separate subaccounts certain funds, revenues, monies or deposits relating to the operation and maintenance of the City-owned utilities and infrastructure and related systems therefor. Each such subaccount may be established by the Board, the CUE or the CUO in a writing to the Director of Finance identifying the source or use of funds, revenues, monies or deposits to be segregated into a separate subaccount, provided that each subaccount shall be maintained as a separate subaccount within the Municipal Utilities Water Fund, the Municipal Utilities Sewer Fund or the Municipal Utilities Maintenance, Operation and Repair Fund in accordance with these Regulations.

**(A).** In addition to those subaccounts established from time to time, there shall be the following subaccounts within the Municipal Utilities Water Fund:

**(1). Waterworks Construction Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Waterworks Construction Subaccount" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues (including loan proceeds) received by the Director of Finance and designated by the Board for the acquisition, construction and installation of water lines and systems shall be deposited and maintained in the Waterworks Construction Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(2). Waterworks Construction ETL-2 Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Waterworks Construction ETL-2 Subaccount" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues (including loan proceeds) received by the Director of Finance and designated by the Board for the acquisition, construction and installation of water lines and systems ("Waterworks") relating to the ETL-2 Transmission System shall be deposited and maintained in the Waterworks Construction ETL-2 Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(3). Water Surplus Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Water Surplus Subaccount". All revenues received by the Director of Finance and designated by the Board as surplus revenue from water fees charged by the Board shall be deposited and maintained in the Water Surplus Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(4). Water Debt Service Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Water Debt Service Subaccount". All revenues received by the Director of Finance and designated by the Board for the purpose of repayment of debt incurred in connection with the water services provided by Avon Lake Regional Water shall be deposited and maintained in the Water Debt Service Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(5). Water Debt Service Reserve Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Water Debt Service Reserve Subaccount". All revenue received by the Director of Finance and designated by the Board for future payment of debt incurred in connection with acquisition, construction and installation of Waterworks shall be deposited and maintained in the Water Debt Service Reserve Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(6). Water Impact Fee Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Water Impact Fee Subaccount". All revenues received by the Director of Finance and designated by the Board as revenue resulting from fees charged for tying into the water lines shall be deposited and maintained in the Water Impact Fee Subaccount until such time as the Director of Finance is authorized to

transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(7). Water Interest Earned Subaccount.** There is hereby created a subaccount within the Municipal Utilities Water Fund entitled "Water Interest Earned Subaccount". All revenues received by the Director of Finance from interest earned on any funds deposited in the Municipal Utilities Water Fund or any subaccount within the Municipal Utilities Water Fund shall be deposited and maintained in the Water Interest Earned Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(B).** In addition to those subaccounts established from time to time, there shall be the following subaccounts within the Municipal Utilities Sewer Fund:

**(1). Sewer System Construction Subaccount.** There is hereby created a subaccount within the Municipal Utilities Sewer Fund entitled "Sewer System Construction Subaccount" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues (including loan proceeds) received by the Director of Finance and designated by the Board for the acquisition, construction and installation of sewer lines and systems shall be deposited and maintained in the Sewer System Construction Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(2). Wastewater Impact Subaccount.** There is hereby created a subaccount within the Municipal Utilities Sewer Fund entitled "Trunk Sanitary Sewer Subaccount". All revenues received by the Director of Finance and designated by the Board as revenue resulting from trunk sanitary sewer charges assessed by the Board shall be deposited and maintained in the Trunk Sanitary Sewer Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(3). Sewer Debt Service Reserve Subaccount.** There is hereby created a subaccount within the Municipal Utilities Sewer Fund entitled "Sewer Debt Service Reserve Subaccount". All revenue received by the Director of Finance and designated by the Board for future payment of debt incurred in connection with acquisition, construction and installation of sewer lines, systems and appurtenances thereto shall be deposited and maintained in the Sewer Debt Service Reserve Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(4). Sewer Replacement Reserve Subaccount.** There is hereby created a subaccount within the Municipal Utilities Sewer Fund entitled "Sewer Replacement Reserve Subaccount". All revenues received by the Director of Finance and designated by the Board for future replacement of sewer lines, systems and appurtenances thereto, shall be deposited and maintained in the Sewer Replacement Reserve Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(5). Sewer Interest Earned Subaccount.** There is hereby created a subaccount within the Municipal Utilities Sewer Fund entitled "Sewer Interest Earned Subaccount". All revenues received by the Director of Finance from interest earned on any funds deposited in the Municipal Utilities Sewer Fund or any subaccount within the Municipal Utilities Sewer Fund shall be deposited and maintained in the Sewer Interest Earned Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(C).** In addition to those subaccounts established from time to time, there shall be the following subaccounts within the Municipal Utilities Maintenance, Operation and Repair Fund:

**(1). MOR - ETL 1 Subaccount.** There is hereby created a subaccount within the Municipal Utilities Maintenance, Operation and Repair Fund entitled "MOR - ETL 1 Subaccount" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues received by the Director of Finance and designated by the Board as revenue received from water charges assessed by the Board relating to the ETL 1 Transmission System shall be deposited and maintained in the MOR - ETL 1 Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(2). MOR - ETL 2 Subaccount.** There is hereby created a subaccount within the Municipal Utilities Maintenance, Operation and Repair Fund entitled "MOR - ETL 2 Subaccount" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues received by the Director of Finance and designated by the Board as revenue received from water charges assessed by the Board relating to the ETL 2 Transmission System shall be deposited and maintained in the MOR - ETL 2 Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(3). West Ridge Interconnect.** There is hereby created a subaccount within the Municipal Utilities Maintenance, Operation and Repair Fund

entitled "West Ridge Interconnect" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues received by the Director of Finance and designated by the Board as revenue received from water charges assessed by the Board relating to the West Ridge Interconnection shall be deposited and maintained in the West Ridge Interconnect Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

**(4). LORCO Custodial Subaccount.** There is hereby created a subaccount within the Municipal Utilities Maintenance, Operation and Repair Fund entitled "LORCO Custodial Account" to be maintained in the custody of the Director of Finance as a separate subaccount. All revenues received by the Director of Finance and designated by the Board as revenue received from wastewater charges assessed by the Board relating to LORCO shall be deposited and maintained in the LORCO Custodial Subaccount until such time as the Director of Finance is authorized to transfer such monies or amounts thereof in accordance with the Regulations duly passed by the Board and as authorized by vouchers approved by the CUE.

#### **6102. Transfers of Deposits.**

**6102.01.** No money on deposit in the Municipal Utilities Water Fund, the Municipal Utilities Sewer Fund or the Municipal Utilities Maintenance, Operation, and Repair Fund (collectively, the "Avon Lake Regional Water Funds"), and/or any subaccounts of any of Avon Lake Regional Water Funds, shall be transferred or assigned to any person, city, or fund, including to another City fund, unless and until all of the following has been accomplished:

**(A).** The Board, by a majority vote, has authorized such transfer or expenditure; and

**(B).** The CUE has signed an invoice or a voucher evidencing:

1. The Board's authorization to transfer such money;
2. The exact amount of money to be transferred;
3. The account or subaccount from which to make the transfer; and
4. The person or entity to whom the transfer is to be made.

#### **6103. Recordkeeping of Deposits.**

**6103.01.** The Director of Finance is hereby directed to maintain custody and accurate records of all deposits and transfers made to and from each of Avon Lake Regional Water Funds and all subaccounts of each of Avon Lake Regional Water Funds in accordance with those recordkeeping policies established by the City. Additionally, the Director of Finance shall immediately report to the CUE each transfer not in compliance with this Resolution made from any of Avon Lake Regional Water Funds or any subaccount in any of Avon Lake Regional Water Funds so that any errors may be immediately corrected.



**6104. Financial Reporting to the Board of Municipal Utilities.** Director of Finance's recordkeeping shall include at least the following reports, which shall be made available to the Board immediately upon request:

(A). To be finalized within sixty (60) days after the end of each calendar year, the annual budget report.

(B). To be finalized within thirty (30) days after the end of each calendar quarter, the quarterly budget report.

(C). To be finalized within seven (7) days after the end of each calendar month, the monthly transaction report.

**6105. Fund Transfers.**

**6105.01.** The CUE shall have the authority to make payments to the Replacement Reserve Fund, the Sanitary and Combined Sewer Improvement Fund, and/or the Debt Service Reserve Fund earlier than the scheduled February transfer date. Should an early transfer be made to either of these funds, the February payment shall be for the balance necessary to meet the required annual transfer payment.

**6105.02.** Payments to any of funds referenced in the preceding paragraph can be delayed or temporarily withdrawn with the approval of the Board of Municipal Utilities to respond to an emergency or other extraordinary situation, provided that provision is made to restoring the fund(s) to its proper balance.

**6106. Budget Submittal and Rate Review.**

**6106.01.** During the fourth calendar quarter of each year, the CUE shall prepare a budget for the following calendar year. The budget document shall contain the following information:

(A). **Actual** expenses for the preceding year, including debt payments, fund transfers, and revenue received.

(B). **Projected** expenses, including debt, fund transfers, and fund repayments, if any, and projected revenue.

(C). **Recommendations** for rate adjustments, including adjustments to the increments which constitute the consumption charge, either to insure adequate revenue from any rate, increment, maintain proportionality among user classes, disposition of surpluses in excess of normal operating reserves, and/or replenish any fund transfers.

**6107. Accounting System.**

The Board shall establish, and the CUE shall implement, an accounting system sufficient to implement the policies and provisions of this Chapter.

## **6108. Investment of Deposits.**

The Director of Finance, as custodian for the Board, may, from time to time, invest, on behalf and for the benefit of the Board, temporarily idle funds in such a manner as to maximize income while limiting risk to a nominal exposure provided that (1) the Director of Finance complies with Resolution No. 2008-02 as adopted on May 5, 2008; and (2) the Director of Finance follows the guidelines set forth in the Ohio Uniform Depository Law as contained in ORC Chapter 135. The Ohio Uniform Depository Law as contained in ORC Chapter 135 shall be used as a guideline. Additionally:

- (A)** All investments should be limited to no more than one year except in unusual circumstances, and then only when the investment can be prematurely liquidated without prepayment penalty or loss of principal.
- (B)** Certificates of deposit in the full service commercial banks and U.S. Treasury Bills shall be the primary investment instruments of the City for the benefit of Avon Lake Regional Water. Pledging of collateral as required by the ORC shall be required of all the commercial banks. Depository contracts shall be in effect before any certificate of deposit is purchased. U.S. Treasury Bills shall be delivered to the City's custody and safekeeping receipts issued by the custodian showing clear evidence of ownership by the City are required.

*Provided, however, that:*

- (1).** No transfer shall be made from any bond or note fund, except that the unexpended balance of such fund no longer needed for the purpose for which said fund was created shall be transferred to the fund from which said bonds or notes are to be paid.
- (2).** No transfer shall be made of monies raised or appropriated for the payment of any bond or note of the Board, until all indebtedness, interest and other obligations which can lawfully be paid from such monies have been paid.

[END OF TITLE 6]

## TITLE 7 - CONSTRUCTION CONTRACTS

### Chapter 7100 – Authority to Contract.

#### Section 7101. General Authority.

#### Section 7102. Specific Authority.

### Chapter 7200 – Competitive Bidding Process.

#### Section 7201. Advertising.

#### Section 7202. Bid Requirements.

#### Section 7203. Reviewing Bids.

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### Chapter 7100 – Authority to Contract.

**7101. General Authority.** The Board shall have the same powers and perform the same duties as now are or may hereafter be possessed by or enjoined by law upon Boards of Trustees of Public Affairs in villages and Directors of Public Service in cities in respect to the public utilities under their direction and supervision. See, Charter Chapter IX, Section 51.

#### **7102. Specific Authority.**

**7102.01.** The Board shall not authorize expenditures in excess of that provided by the ORC, unless pursuant to written contract made with the person, firm or corporation determined to be the lowest and best responsible bidder, after public advertising and receipt of bids in the manner provided in this section.

**7102.02.** The Board may authorize the expenditure of funds exceeding that provided by the ORC without public bidding, for the acquisition of real estate, for the discharge of non-contractual claims against the Municipality or the Board of Municipal Utilities, for personal services, for the joint use of facilities or exercise of power with other political subdivisions, or for the products or services of public utilities, including those municipally operated.

**(A).** “Personal Services” shall mean an act performed by a particular entity, including an individual, corporation, partnership or firm, which is, in effect, an economic service, including either the intellectual or manual effort of that entity, not the saleable product of his, her or its skill. This includes, without limitations, the individual personal and professional services normally rendered by a registered architect (RA), a registered professional engineer (P.E.), a registered professional surveyor (P.S.), accountant (CPA), licensed attorneys, and other professional person irrespective of whether that skill is discharged through an individual's corporation, partnership or firm all of which shall be registered with that respective professional licensing board of the State of Ohio.

**7102.03.** The Board may authorize the expenditure of funds exceeding that provided by the ORC without public bidding, when the expenditure is pursuant to a contract for the purchase or lease of supplies, materials, equipment and/or services through employment of cooperative purchase arrangements as authorized by the State of Ohio.

**7102.04.** The Board may authorize the expenditure of funds exceeding that provided by the ORC without public bidding, for any purpose for which contracts may be awarded by a municipal corporation without advertisement or competitive bidding under the general laws of the State of Ohio.

## **Chapter 7200 – Competitive Bidding Process.**

**7201. Advertising.** All contracts subject the competitive bidding process shall be advertised as required by the ORC and set forth in **Schedule K**. See, ORC 7.16.

### **7202. Bid requirements.**

**7202.01.** Generally, all bids shall include the following:

(A). Bid guaranty.

(B). Liquidated damages.

(C). For a design-build contract, any registered architect (RA) or registered professional engineer (P.E.) or registered professional surveyor (P.S.) licensed to practice in the State of Ohio, who prepares architectural and/or engineering plans or plats of survey and/or specifications for a public works improvement shall not provide any other service(s) for the improvement to any person, corporation or firm other than the Board.

(D). For a construction manager at risk contract, any construction manager at risk firm who is engaged by the Board to perform such services for an improvement shall not provide any services for the improvement to any person, corporation and/or firm other than the Board.

### **7203. Reviewing Bids.**

**7203.01.** Bids shall be opened and available for public viewing at the time, date, and place specified in the bid advertisement and/or specifications.

**7203.02.** The time, date, and place of bid opening may be extended to a later date by the Board, provided that notice of the change has been given to all persons who have requested specifications at least seventy-two (72) hours, excluding weekends and holidays prior to the original time and date fixed for the opening.

**7203.03.** The Board shall evaluate and award bids as set forth in **Schedule K**.

**7203.04.** If the Board determines that the award of a contract to the lowest or lowest best responsive bidder is not in the best interests of the City, the Board may accept

another bid so opened which the Board determines in its discretion to be from the lowest and best responsible bidder or reject any and/or all bids and re-advertise for new bids. The advertisement for other bids shall be for such time, in such form or by electronic means as the Board determines.

[END OF TITLE 7]

## SCHEDULE A

### MINIMUM STANDARDS FOR BACKFLOW PREVENTION DEVICES

**Backflow Prevention Devices** shall meet the following minimum standards required by ALRW and Ohio EPA as set forth in the Ohio Administrative Code (OAC):

**(A)** Air Gap Separations shall meet the specific edition of the American National Standards Institute (ANSI) and the American Society of Mechanical Engineers (ASME) standard as referenced in OAC and at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one (1) inch.

**(B)** Double Check Valve Assembly shall meet the specific edition of the ANSI and the American Water Works Association (AWWA) standard, or the American Society of Sanitary Engineering (ASSE) standard, or the OAC.

**(C)** Reduced Pressure Principle Backflow Prevention Device shall meet the specific edition of the ANSI and AWWA standard, or the ASSE standard, or the OAC.

**(D)** Interchangeable Connection shall be either a swing type connector or a four-way valve of the lubricated plug type that operates through a mechanism which unseals the plug, turns it ninety degrees and reseats the plug. Four-way valves shall not be used as stop valves, but must have separate stop valves on each pipe connected to the valve. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.

**(E)** For reduced pressure principle-detector assemblies: the specific edition of the ANSI and the ASSE standard, or the OAC.

**(F)** For double check-detector check valve assemblies: the ANSI and the ASSE standard, or the OAC.

**(G)** For pressure vacuum breakers: the ANSI and the ASSE standard, or the OAC.

**(H)** Approved Backflow Prevention Devices for In-Ground Sprinkler Systems

(1). Atmospheric pressure type vacuum break is an approved Backflow Prevention Device, however it must be testable, i.e. have test ports.

(2). A reduced pressure type Backflow Prevention Device is also acceptable.

**SCHEDULE B**

**CONNECTION CHARGES**

(Revised 03/16/2021)

\*Charges shall be updated annually according to Avon Lake Regional Water supply bidding and current labor rates.

**I. Water Connection**

Taps and Service on Existing Mains

Taps on all water mains owned and operated by the City of Avon Lake shall be installed by Avon Lake Regional Water or its authorized agent.

Cost of taps and service connections installed by Avon Lake Regional Water shall be as follows:

3/4" .....	\$	3734.98
3/4" Sprinkling.....	\$	3734.98
1".....	\$	3886.08
1" Sprinkling.....	\$	3886.08
1-1/2".....	\$	4405.14
*2".....	\$	5389.05
*Over 2".....	Time and Material plus Overhead	

Avon Lake Regional Water, for 3/4" and 1" taps, shall install the service connection to the meter which will include the installation of the curb stop, meter vault, and meter.

\* For all taps 2" or larger, Avon Lake Regional Water shall make the tap, and the owner requesting the tap shall be responsible for buying and installing the vault complete to Avon Lake Regional Water specifications, install piping in the vault including a bypass, and set the meter as provided by Avon Lake Regional Water.

Contractor Installed Tap Charges

Once the contractor has installed the tap and service connection, the meter and meter vault may be set. An application for service shall be filed with Avon Lake Regional Water and payment of charges shall be made for the size service received according to the following:

3/4" .....	\$	936.81
3/4" Sprinkling.....	\$	936.81

1".....	\$	978.59
1" Sprinkling.....	\$	978.59
1-1/2".....	\$	705.95
*2".....	\$	1825.00
*Over 2".....		Time and Material plus Overhead

\*For all services 2" and larger, the contractor shall buy and install a vault complete to Avon Lake Regional Water specifications, install the piping in the vault including a by-pass, and set a meter that shall be provided by Avon Lake Regional Water.

**II. Fee for Damage to Taps and Service Connections**

Should a tap or service connection be damaged by an individual, contractor, or other utility, the full cost or repairs shall be charged to those responsible for the damage in accordance with the following:

- 1) During Working Hours shall be the cost of material, plus 100% of labor costs, plus 10% overhead.
- 2) After Working Hours shall be the cost of materials, plus 150% of labor costs, plus 10% overhead.



**SCHEDULE C**

**METER TESTING FEES**

(Revised 03/16/2021)

Meters may be tested at the instigation of Avon Lake Regional Water or the Consumer. If requested by the Consumer, such request shall be in writing and shall be accompanied by a deposit in the amounts as stated below:

5/8" to 1" Meters      \$50.00

1-1/4" to 2" Meters      Time and Material

Should any Avon Lake Regional Water Consumer request his/her meter be tested for accuracy, such test will be done by Avon Lake Regional Water or its agents. If the meter so tested for accuracy does not meet AWWA water meter accuracy standards, then there will be no charge to the Consumer requesting such test. If, however, the meter tests accurate by the same AWWA standards, then all costs associated with such testing procedure plus a 10% administrative fee shall be billed to the Consumer. If said bill is not paid in 30 days from the date of billing, it shall become part of the next water bill and as such shall be subject to all existing collection policies of Avon Lake Regional Water.

The Consumer or the Consumer's agent shall be present to witness said test. Failure of the Consumer to witness the test at a mutually agreed upon time shall not relieve the customer of any expense incurred by Avon Lake Regional Water in preparation for said test.

## SCHEDULE D

### Avon Lake Regional Water Deduct Meter Program

(Effective 3/16/2021)

Avon Lake Regional Water shall allow Consumers to have a deduct meter on the property. Consumers that have a deduct meter shall be charged for water usage from the meter, but not sewer usage. Consumers that install a deduct meter on their property shall follow the guidelines below:

1. Consumers and/or the Consumer's approved contractor shall request a deduct meter from Avon Lake Regional Water by filling out the Request for Deduct Meter form and returning it to Avon Lake Regional Water.
  - a. The deduct meters shall be installed with radio read meter.
  - b. The deduct meter shall be purchased by the Consumer and/or the Consumer's approved contractor at the costs listed below. The costs include the cost of material, plus 10% overhead. Costs will automatically be updated by the annual Avon Lake Regional Water supply bidding.
    - i. 3/4": \$298.38
    - ii. 1": \$366.61
    - iii. 2": \$1235.30
  - c. The location of the deduct meter on the property shall be determined by Avon Lake Regional Water.
  - d. The above deduct meter, and/or any other deduct meter as determined by Avon Lake Regional Water, is the only meter that will qualify for the Deduct Meter Program.
2. The information provided on the form shall be used by Avon Lake Regional Water to issue the no-cost permit and deduct meter for the property.
  - a. The permit is for installation of the provided deduct meter at the Consumer's property.
  - b. The permit shall include the necessary information for the specific location of deduct meter on the property.
3. Avon Lake Regional Water shall inform the Consumer and/or the Consumer's approved contractor when the customer may pick up the permit and meter from Avon Lake Regional Water.
  - a. Payment for the deduct meter is due in full when the Consumer and/or Consumer's approved contractor picks up the permit and meter.

4. Before the deduct meter may be operational, Avon Lake Regional Water must inspect the deduct meter and its connections.
  - a. Failure of inspection will result in Avon Lake Regional Water shutting off the deduct meter until inspection is made.
  - b. Failure of further compliance could result in additional penalties under **Title 5** of these Regulations.
5. Once the deduct meter is operational, the Consumer will no longer be eligible for the annual Summer Billing Adjustment. The Consumer will be responsible for payment of any water usage through the deduct meter. Billing for the deduct meter will be on the Consumer's quarterly water and wastewater bill.
6. The Consumer is responsible for any costs associated with damage to the deduct meter and/or damage caused by failure to properly winterize the deduct meter.

## SCHEDULE E

### NEW WATER SERVICE MAIN AND LINE CHARGE SCHEDULE

\*Charges shall be updated annually according to Avon Lake Regional Water supply bidding and current labor rates.

#### I. TESTING

##### A. Testing New Water Service Mains and Lines (Revised 03/16/2021)

Fill the Line *	\$405.00
Flushing and Bacteria Sampling *	\$946.61
Bacteria Check Sample *	\$420.01
Put Line in Service	\$147.48
Laboratory Analysis	\$49.00 (“per sample” cost)

\* Flushing and sampling effort assumes street pavement is complete or contractor supplies and installs required hoses. All additional effort required by Avon Lake Regional Water will be billed at the established hourly labor rate plus 100%.

##### B. Testing New Sanitary Sewers (Revised 03/16/2021)

Review Inspection Video	\$162.89
Installation and Removal of Plug	\$969.97

For all new sanitary sewer installations in the City of Avon Lake, Avon Lake Regional Water will perform the following tasks at the costs established in the current New Water Service Main and Line Testing Charge Schedule:

1. One trip to install and one trip to remove a plug on the new sanitary’s connection to the City’s existing system.
  - The contractor shall immediately notify Avon Lake Regional Water upon connection of the new sanitary to install the plug.
  - The plug shall remain on the new sanitary until such time as the new sewer has been accepted by the City.
  - Tampering with the plug for the purpose of draining storm water and allowing such water entry to the Avon Lake sanitary sewer system shall be subject to a \$1000.00 fine that must be paid in full to Avon Lake Regional Water prior to the acceptance of the sewer.
2. One review of the TV inspection video of the new sanitary sewer for acceptance of the installation.

- Camera shall be of the pan-and-tilt type with sufficient illumination and focus to adequately view the pipe's condition and alignment.
- Both the videotape narrative and written report shall call out all observed defects by measured location.
- Inadequate videotape quality or reports will cause the sewer to be rejected by Avon Lake Regional Water until an acceptable videotape is provided.

Any additional manpower, testing, review or consultation from that specified above will be billed on a time and material basis plus 100% of the labor costs. All such additional costs shall be billed to the project's owner on all private projects and to the prime contractor on all public projects and are due upon receipt.

All other existing installation and testing requirements not specifically addressed herein shall remain unchanged and in full effect.

## **II. INSPECTION**

### A. WATER LINE INSPECTION CHARGE (Revised 03/16/2021)

Water mains installed on private property that are to become Avon Lake Regional Water's shall be subject to an inspection charge based on the following:

\$100.00 – Minimum for first 100 feet

80¢ per lineal foot beyond 100 feet

## SCHEDULE F-I

### CONSTRUCTION STANDARDS FOR WATER LINES

#### I. WATER MAIN EXTENSIONS

##### Minimum Standards for Water Main Extensions.

(A) Pipe. All water mains shall be constructed of one of the following:

(1). Ductile Iron – Thickness Class 52, 3”-12” size cement-mortar lining, conforming to ANSI/AWWA Standards C104/A21.4-16 and C151/A21.51-17 and/or latest revision, edition thereto, Polyethylene Encasement per ANSI/AWWA C105/A21-18, 8 mil (0.008 inch) minimum thickness, blue in color attached with plastic tie straps. Retail distribution system only. For ETL transmission mains, pressure class 200-operating pressure of 200 psig and maximum surge pressure of 300 psig. Any ductile iron water mains, if specified, shall have an exterior uniform and continuous 1mil minimum thickness of bituminous coating. Any ductile iron pipe shall be specified based upon equivalent outside diameter (CIOD).

(2). Reinforced Concrete Pressure Pipe – Steel cylinder type ANSI/AWWA C300-16.

(3). Polyvinyl Chloride Pressure Pipe (PVCO) – Molecularly oriented – ANSI/AWWA C909-16 pressure class (PC = 235 psig). Material shall be equal or exceed physical & chemical class 12454-A or 12454-B, extruded clear virgin resin compound per ASTM D-1784, be blue in color. Pipe joints shall be elastomeric push-on gasket joint per ASTM F477.

(B) Fittings and Valves. All fittings and valves on new installations shall meet the latest revised AWWA Standard.

(1). Fittings – ANSI/AWWA C110/A21.10-12 or ANSI/AWWA C153/A21.53-19

(2). Gate Valves – ANSI/AWWA C500-19

(3). Butterfly Valves – ANSI/AWWA C504-15

(4). All valves shall be Mueller Company LLC or American Darling or an Owner approved equal. Gate valves shall be resilient seated gate valve. Butterfly valves shall be used for all installations 16” and larger.

(5). In addition, all bolts on buried water line fittings and valves shall be 316 stainless steel and then the entire fitting or valve shall be double wrapped with a 8-mil polyethylene wrap cover. Tee bolt nuts shall have the threads coated by the factory with anti-seize coating to prevent galling.

(C) Fire Hydrants. Approved 3-way fire hydrants for the Avon Lake Water System shall be supplied with standard City threads, two (2) 2-1/2” hose nozzles and one (1) 5-1/4” STORZ pumper nozzle per AWWA C502, latest edition Mueller Centurion A-423 with 5-1/4” valve opening, and all shall be installed with a six (6”) watch valve and box. Hydrants

shall be installed approximately every 300+/- linear feet along the main. In addition, any main installations that terminate at a dead end shall have a hydrant or approved blow-off installed at the terminus or end-of-the-line electronic flushing device.

**(D) Location.** All water main installations shall be located off the paved area of any roadway and sidewalk within tree lawn area of the right-of-way. The water main shall be installed on the opposite side of the roadway from any Sanitary Sewer and shall be uniform in location as to the side of the roadway it is installed for any additional streets in a subdivision. All water main crossing and out-to-out clearance shall comply with Great Lakes – Upper Mississippi River Board (GLUMRB) Ten States Standards and Ohio EPA requirements.

**(E) Installation.**

(1). The installation of all water main pipe, valves, fittings, appurtenances and hydrants along with alignment and grade, trench construction, backfilling, long & short bacteria tests and hydrostatic and bacteria check sample testing shall conform to ANSI/AWWA C600-17 Specifications or latest edition.

(2). Special care shall be taken to prevent damage to the protective coating and lining of the main and to protect pipe openings from the introduction of foreign material during handling and installation.

(3). The water main shall be backfilled with #57 premium limestone or Owner approved backfill, as approved by the Engineer, vibratory compacted (consolidated) to a depth of six (6) inches bedding and on all sides of the pipe to one (1) foot above top of pipe and shall be thoroughly compacted before final backfilling. Under no conditions shall any water main backfill contain any blast furnace slag screenings or crushed recycled concrete. The contractor shall provide for a three (3) year trench settlement warranty.

(4). Tracer wire shall be #12 AWG minimum copper wire coated with 30-mil polyethylene jacket designed specifically for direct bury use. Connect to side of pipe with tape at ten (10) foot intervals. Splicing connector is Dry Conn Direct Bury Lug, manufactures by Copperhead Industries, LLC, or Owner approved equal.

(5). All materials used in the potable water system shall be ANSI/NSF Standard No. 61 certified for drinking water system components-health effects.

**(F) Service Connections.** On new subdivision installations, the contractor shall be responsible for making the taps to all properties having frontage on the water main. Taps and extension of the service line shall be in a manner, including materials, approved by Avon Lake Regional Water and be shown on the contractor's approved improvement plans.

(1). The contractor shall be responsible for tapping the main after successfully passing the hydrostatic test, installing the corporation cock (Farnan Brass or equal), and extending the service line (minimum 3/4" "K" copper) a distance of at least five (5) feet into the property line. At a distance of seven (7) feet from the property line or as specified by Avon Lake Regional Water, the contractor shall install on the service line a curb stop along with its service box and adjust the said

box to final grade. On existing water mains or new mains installed by Avon Lake Regional Water, new Service Connections shall be made by Avon Lake Regional Water.



## SCHEDULE F-II

### CONSTRUCTION STANDARDS FOR SANITARY SEWERS

#### I. Minimum Standards for Installation of New Building Lateral Sewers.

- (A) Building is defined as any new or existing structure built as residential, commercial or industrial that has public water and sanitary services available. Building Sewers refers to the sanitary lateral running from the building to the main.
- (B) Location. All new Sanitary Sewers laterals to new buildings shall be installed into the area to be occupied by the building footprint and stubbed up vertically at least two (2) feet above the proposed lower floor level.
- (C) Debris Prevention. To prevent debris and clean water from entering the Sanitary Sewer service lateral, the stub must be capped or plugged with a water tight seal.

(1). In the case of plastic (pvc) sewer pipe, a cap shall be glued on the vertical stub, or, in the case of iron pipe, a elastomeric expansion plug must be set in place.

(2). Once the sump pump and discharge piping for the building is installed and functioning, the plug or cap may be removed for completion of the internal plumbing.

(3). If the plumbing is extended internally into the building prior the sump pump being installed and functioning, no outlet shall be left open below a two (2) foot level above the lower floor of the Sanitary Sewer's entry into the building. All openings not meeting this criteria shall be capped or plugged. In no event shall the plug or cap be removed or the pipe broken and left open without immediate repair. Should it be found that the Building Sewer was broken or opened contrary to this requirement, the contractor or person acting in this capacity shall be responsible for a fine as set forth in **Title 5** of the Regulations.

(D) Specifications for Private Sewer Laterals. The Building Sewer shall be of the size and material as required by the Avon Lake Building Code and these Regulations as set forth in this Schedule. The building Owner shall own and be responsible for the repair, upgrade and maintenance of the sanitary / storm laterals from the building to the sanitary / storm sewer main and its connection to the sewer main.

(1). Material.

(a). SANITARY Pipe & fittings, Non-Pressure Rated, Gravity Sewer Pipe, ASTM D-3034, ASTM D1784 Cell Class 12454/12364, Gaskets per ASTM F477, Joints per ASTM D3213, SDR-35 (PS 46), green color pipe, gasket joint, six (6) inch diameter for sanitary sewer lateral. Nominal Laying Length: 14 and/or 20 foot lengths. Used pipe/cut-off section scraps cannot be used in new installations.

(b). STORM Pipe & fittings, same as item (1a.) above, or glue-joint pipe, six (6) inch diameter for storm sewer lateral, Polyvinyl Chloride (PVC). "Glue Joint" allowed for sewer separations and repair/replace work only,

and for all down spout storm pipe from the rear of the building, around the sides and tied into the tee in the front of the building. New storm sewer lateral shall also comply to (1a.) above.

(2). Cleanout. Cleanout, maintenance access point, on house/building side, two (2) feet off of sidewalk and out of public right-of-way. 6"x6"x6" gasketed tee laid on-back per material requirements of item 1. One (1) complete pipe length (no piecing pipe scraps) vertical section with push cap or screw plastic cap, with cap gasket removed. Place every 100 feet maximum and at 90° changes in horizontal alignment. A 90° bends, shall be accomplished with two (2) 45° bends connected with a two (2) foot spool piece between them. An upstream and downstream cleanout shall be within five (5) to eight (8) feet of the dual 45° bends.

(3). Alignment. Alignment changes in the horizontal and / or vertical plane, with 11-1/4°, 22-1/2° or 45° bends for SANITARY sewer laterals. "Long Sweep" 90° fittings can ONLY BE USED ON STORM sewer laterals and downspouts. Sanitary lateral from building shall not drop into cleanout's vertical pipe section as solids and paper will build up in the tee's invert, leading to maintenance and flow issues. Install a 45° downward bend with the necessary length of six (6) inch piping to match invert elevation upstream downstream followed by a 45° bend upward to recover the flow line into the horizontal plane.

(4). Sanitary sewer lateral from building, four (4) inch Schedule 40 glue joint is allowed up three (3) feet from foundation over dig (Plumbing Code), then using an "ECCENTRIC" reducer (preferred and recommended), transition coupler from four (4) inch glue joint to six (6) inch gasket joints. A Concentric plastic fitting reducer shall not be used on sanitary lateral transition. Fernco rubber coupler with stainless steel band for pipe different material / size transitions are acceptable.

(5). Install a "Fernco" rubber booting coupler between new and existing pipe if of different material. If crossing a trench, dig back into the trench wall, form a deep shelf. If pvc to pvc connection use a pvc solid sleeve gasket joint connector(s). Place a pressure treated Wolmanized hardwood plank under pipe for rigid support. All Fernco couplers shall have worm screw bands, be of stainless steel material. Fernco coupler cannot be used on pvc to pvc pipe splice- in connections.

(6). Slope. Minimum slope is negative one-percent (-1%) fall on sewer laterals from building to sewer main. No section of new lateral shall have a reverse slope along its length.

(7). Sewer main tapping for sewer lateral connection to PVC, VCP or PCCP sanitary sewer main shall require the Contractor to core drill a perfect circular hole with an approved core hole drill, with equipment specially designed to cut a smooth hole without spalling or damaging the reinforcing steel, pipe or structure. The coring of the hole and the placing of the Inserta tee or saddle connector shall be done in the presence of the inspector. Remove the cored section of pipe, clean all cutting burrs and material from the hole and properly dispose of it, do not allow the coring coupon to fall inside the sewer main, if it does the Contractor shall immediately remove it by what even means are necessary. No connection shall be made to the main connection until the ALRW inspector has approved the tap

location, material and method. All cored holes shall be made above the spring line of the sewer main.

(8). The sewer main connection shall be made with a Saddle Connector for PVC and VCP, smooth-wall pipe. Use a (Inserta-Tee) for PCCP and HDPE sewer pipe. All metal hardware shall be 316 stainless steel with rubber elastomeric seals, dual bands, and worn gear type clamp mechanism.

(9). Place six (6) inches of premium limestone backfill #57, or #8 spread level and sloped as required to accept the sewer lateral pipe. Partially place additional backfill up to the pipe's spring line and choke pipe the entire length and on both sides of the pipe to ensure proper pipe support in the haunch area of the pipe. Do not over insert the pipe spigot into the bell beyond the black marker circumferential "Witness Mark" as that is the building mark that the pipe is fully engaged to manufacturer's recommendations. Over insertion can crack and/or split the bell. If during installation of sewer lateral pipe, that a section needs to be reduced in length, insure that "cut" pipe sections have a uniform beveled spigot edges, free of burrs and strings and have sufficient pipe lubrication at the chamfer and along the pipe's outside diameter to at least the witness mark. Ensure that the Contractor remarks a new witness mark on cut pipe sections to ensure that the spigot & bell are engaged per manufacture's recommendations.

(10). Install pipe from deepest elevation of the trench up slope to shallowest elevation (from downstream to upstream) with pipe's bell being down stream of mating pipe's spigot end. Ensure spigot end has sufficient chamfer/bevel to prevent cutting the gasket inside of the downstream bell. Sewer pipe shall not be installed backwards and/or down slope.

(11). All sanitary and storm sewer laterals on the building side of the sidewalk shall have a minimum of four (4) feet thick clay dam (or LSM 50) placed from trench bottom (virgin soil) to within one (1) foot of final local grade, entire trench width. All clay shall be compacted to prevent trench water flow back towards the building. If shale is present, Contractor shall use LSM 50 in lieu of clay to obtain a water tight seal. Do not place premium limestone as bedding within the clay dam section.

**(E). Excavation and Backfill.** All excavations required for the installation of the Building Sewer shall be open trench work unless otherwise approved by Avon Lake Regional Water in advance of the planned work. The sewer lateral connection pipe shall be laid straight, properly aligned, slope and fall with proper bedding backfill and compaction. All pipe laying and backfill shall be performed in accordance with the ASTM specifications and ALRW requirements. No backfill shall be placed over the pipe until the installation has been inspected and approved. Contractor shall also install compacted clay dams four (4) feet minimum length, width and depth of trench, place no aggregate backfill under the pipe going through the clay dam, on both sanitary and storm sewer laterals. Any sewer lateral installed at trench depths greater that twelve (12) feet shall require special provisions to protect the fitting, connection and vertical portion of the lateral from increased soil loads. Concrete cradle, saddle, encasement, Sonotube w/ granular backfill, expansion fitting assembly or recessing/sloping vertical section into trench wall.

All excavation for Building Sewers shall be adequately guarded with barricades and lights so as to protect the public from hazards until the final work is accepted by the appropriate municipal authority.

**(F). Proper Grade and Elevations.** The grade for Sanitary Sewer connections from the main sewer in the street to the building foundation shall be a minimum of one-percent (1%), one (1) foot fall vertical per one hundred (100) feet horizontal translation) to assure a minimum scouring velocity of two (2) feet per second. The elevation of the flow line invert of Sanitary Sewer connections at the building foundation shall be a minimum of one (1) foot above the inside top of the Sanitary Sewer main in the street. Sewer lateral connection into the sewer main, as viewed in the direction of flow, angular position is from 10 o'clock to 2 o'clock, as view in the direction of flow. If the building sewer lateral is installed at or below the spring line of the sewer main, there exists a possibility that the lateral could be subjected to surcharging.

**(G). Building Connections.** At the time of the sewer main installation, pvc wye branches fittings shall be installed for all serviced properties and buildable lots and the building lateral extended to a distance of four (4) feet beyond the right-of-way. The wye shall be installed at the highest point possible on the side of the sewer and the lateral extended at a minimum of a one-percent (1%) grade. If the lateral is terminated below grade, it must be capped with an acceptable watertight plug and vertical cleanout, two (2) feet outside of right-of-way and a 4"x4" wood post set for location and protection from construction damage.

The connection of the Building Sewer into the Sanitary Sewer Main shall be made at the wye branch, if such branch is available at a suitable location. Where no properly located wye is available in sewers of the following diameter - 8", 10", 12", 15"- core an elastomeric tap at either the 2 or 10 o'clock angular position. For sewers eighteen (18) inches and over, a neat hole may be core drilled- cut into the main sewer at the location specified by the ALRW inspector at the highest point possible on the side of the sewer main. A smooth, neat joint shall be made and the connection made secure and water tight, by encasement in concrete as directed by the ALRW inspector. Special fittings may be used for the connection when approved by Avon Lake Regional Water or follow "Sewer Main Tapping" above in Section C (7).

**(H). Sampling Manhole.** All new and existing commercial and industrial properties shall be required to install a sanitary sampling manhole just outside of public right-of-way and in-line with the building lateral. The property owner shall be responsible for the installation, expense, maintenance and liability of the sampling manhole and ensure it to be safe and accessible at all times. Sufficient room shall be provided as to allow sampling equipment and personnel to collect wastewater samples and /or flow information.

Minimum dimensions shall be 48 inches in diameter and three (3) feet in depth. The sampling manhole shall utilize a gas-tight manhole cover and frame. Where located in areas subject to traffic, its rating shall have an H-20 rating minimum. The Sewer Lateral line shall be of sufficient length as to allow for representative wastewater sampling to occur within the sampling manhole. Sampling manholes shall be constructed per ALRW standard for sanitary manholes.

**(I). Inspection.** The applicant for the Wastewater Connection Permit shall notify Avon Lake Regional Water when the Building Sewer is ready for inspection and connection to

the Sanitary Sewer System. The connection shall be made under the supervision of Avon Lake Regional Water, within twenty-four (24) hours after notice is given that the installation is ready for inspection. The applicant must give his Wastewater Connection Permit number when requesting an inspection. All inspections must be scheduled by noon of the day the inspection is requested. ALRW will also inspect footer drain tile, downspouts, sump pump discharge and any surface water basins for illegal connections into the sanitary sewer.

**(J). Backflow.** The building owner may decide to install a backwater or backflow valve in the sanitary and/or storm sewer lateral outside of public right-of-way and new to the cleanout. And must follow all of the manufacturer's installation and maintenance policies and procedures.

**(K). Quality of Workmanship.** All work shall be done by persons experienced in the specific work, under competent supervision and to ALRW satisfaction.

## **II. Minimum Standards for Installation Sanitary Sewers.**

**(A). Location.** The Sanitary Sewer shall be installed at least ten (10) feet horizontally (out-to-out) from any water main. If the Sanitary Sewer is to be located off the paved area of the roadway, it will be so located as to be between the roadway and the Storm Sewer. Sewers crossing water mains shall be laid to provide a minimum vertical distance of eighteen (18) inches (Out-to-out) between the outside of the water main and the outside of the sanitary sewer and twelve (12) inches (Out-to-out) with storm sewer. The crossing shall be arranged so that the sewer joints will be as far as possible from the water main joints.

**(B). Manholes.** Manhole (maintenance access point) materials and installation shall meet the following minimum requirements:

(1). **Location of Manholes.** Manholes shall be installed at distances not to exceed four-hundred (400) feet along the length of the sewer main route. A manhole shall also be installed at any upstream terminus to facilitate the cleaning and testing of the entire sewer and raceway shall extend the full diameter of the base. No sanitary manholes shall be permitted in driveways or sidewalks.

(2). Manholes on new Sanitary Sewers shall be precast, reinforced concrete conforming to ASTM C-478, ASTM C150/C150M, type II and shall be of a minimum of forty-eight (48) inches diameter and provide for a hydrogen sulfide resistant antimicrobial admixture added for concrete corrosion protection if near a discharge point of a sanitary sewer force main, as determined by ALRW.

(3). All joints shall be of the molded elastomer "O-ring" type ASTM-C-443 and, when installed shall have a bitumastic compound added to the barrel tongue and groove joint(s) and to include an external joint wrap as required, width of twelve (12) inches mastic wrap on the outside of the manhole for water tightness. Two (2) continuous strips resilient, flexible, non-hardening, preformed Butyl mastic strips conforming to ASTM C-44 (Rub R Nek, EZ Stick or Owner approved equal shall be applied to both the top and lower rails of the tongue and groove joint.

(4). Inlet and outlet pipes shall be joined to the manhole with a gasketed flexible, water tight connection such as Price Bros. Co. Kor-N-Seal or approved equal. Depending upon the application, a quantity of quick set ready mix 4000 psi high early concrete shall be delivered to the site, amount as directed by ALRW shall be placed and vibrated circumferentially around the sewer pipe(s) and manhole barrel section.

(5). **If the manhole base is to be built and poured on-site**, the lower section of the manhole shall be set in high early 4000 psi concrete, and concrete fill shall be shaped and sloped to the sewer pipe's diameter, alignment, grade and elevation to create a smooth fill-parabolic shaped flow channel. Minimum elevation drop through the manhole raceway (inlet to outlet) shall be 0.1 feet for thru, and 0.2 feet for bends, wye and tees. Uniform, equal cross section, non-flat invert, smooth, non-turbulent producing trough with full sweeping radius is required.

(6). Manhole steps shall be placed in-line over the bench with even spacing of approximately sixteen (16) inches maximum between steps and shall comply with OSHA subpart D "Fixed Ladders". Section 1910-27 and ASTM C 478 Precast Reinforced Concrete Manhole section. Manhole steps shall be placed perpendicular to traffic flow.

(7). Grade adjustments shall be made with precast concrete adjusting collars not to exceed nine (9) inches in total stacked height.

(8). Manhole covers (lids) Type C, shall be cast grey iron per ASTM A-48, Class 35B, finish; asphalt coated all exposed surfaces, minimum weight of 131 lbs., heavy-duty frame, traffic bearing, permagrip texture on lid, cast "SANITARY" on upper surface self-sealing frame and solid cover. With self-sealing lid seal shall fit into a precision machined groove. Both frame and cover shall have machined horizontal and vertical bearing surfaces to prevent rocking and rattling of covers. A molder rubber gasket T-seal mechanically retained into lid shall make contact with the frame to create a leak proof & water tight seal. Shall contain concealed pick holes to facilitate removal of the lid, but now allow surface weather to enter the manhole. Manhole lid shall be a minimum of twenty-six (26) inches in diameter.

(9.) Any sanitary sewer force main that discharges into a precast concrete manhole, shall be of special construction. The manhole shall be constructed by ARMOROCK, 14555 Spring Canyon Road, Boulder City, NV. 89006, and include the polymer base, barrel sections, eccentric cone, flat top, grade rings, frame and cover.

Or Mack Industries, Inc. Class II with manufacturer certification for the use of "Con MIC Shield Technologies, Inc." Antimicrobial Admixture Concrete (Con<sup>MIC</sup>Shield HD Microbiostatic Agent to prevent Microbial Induced Corrosion (M.I.C.).

(10.) External Drop. If the depth of the proposed sanitary sewer main connection is shallower than the existing elevation sanitary sewer main, an external manhole drop may be warranted.

Sanitary sewer main connections for new subdivisions to existing sanitary manhole shall be accomplished by installation of an external drop per ALRW sanitary details with modifications to the existing precast concrete manhole structure.

If there is not an existing sanitary manhole accessible to the proposed sanitary main, developer shall install a new precast concrete with external drop manhole feature per ALRW sanitary details.

If conditions warrant where for accessibility or safety concerns, individual property may tie into an existing sanitary manhole by installing an internal drop structure per ALRW sanitary details. Application for an Individual property internal drop connection will be reviewed by ALRW on a case-by-case basis.

**(C). Specifications for Sanitary Sewers Mains and Laterals.** Sewer Lateral installation shall comply with “Minimum Standards for Installation of New Building Lateral Sewers of the previous section.

(1). Materials. All materials used in the installation of new Sanitary Sewers mains and laterals shall meet the requirements of Ten States Standards, Chapter 30 and the following minimum requirements:

(a) SANITARY Pipe & fittings, Non-Pressure Rated, Gravity Sewer Pipe, ASTM D-3034, ASTM D1784 Cell Class 12454/12364, Gaskets per ASTM F477, Joints per ASTM D3213, SDR-35 (PS 46), green color pipe, gasket joint, six (6) inch diameter for sanitary sewer lateral and diameter as specified for sewer main. Nominal Laying Length: 14 and/or 20 foot lengths and be brand new.

(2). Alignment. Sewers shall be laid with a straight alignment between manholes and shall be checked by either a laser beam. No bends shall be installed in sanitary sewer mains.

(3). Slope. All sewers shall be designed per Ten States Standards and constructed to give mean velocities when flowing full of not less than 2.0 feet per second. All pipe sections shall be checked with bubble level, laser level or level and grade rod.

(4). Depth. Sanitary Sewers shall be installed to a sufficient depth to allow a gravity flow of Sewage from basement floor drains.

(5). Size. No new Sanitary Sewer installed in the City shall be less than eight (8) inches in diameter. Larger diameter pipe may be required for the installation servicing a large area, if determined by Avon Lake Regional Water. Larger diameter sewer pipe (oversized) to cheat slope cannot be used.

(6). Trenching. Trenching shall be witnessed by an inspector for Avon Lake Regional Water.

(7). Bedding. Bedding shall be witnessed by an inspector for Avon Lake Regional Water.

(8). Deflection Testing. Deflection Testing shall be witnessed by an inspector for Avon Lake Regional Water.

**(D).** Building Connections. Building Connections materials and installation shall meet the following minimum requirements:

(1). At the time of the sewer installation, wye branches shall be installed for all serviced properties and the building lateral extended to a distance of ten (10) feet beyond the right-of-way. The wye shall be installed at the highest point possible on the side of the sewer and the lateral extended at a minimum of a 1% grade. If the lateral is terminated below grade, it must be capped with an acceptable watertight plug.

**(E).** Flow to Existing Sewer System. To prevent the inflow of non-sanitary waste into the existing Sanitary Sewer, any connection between the existing sewer and any new sewer installation shall be plugged until such time as the new sewer has been tested and approved by ALRW and accepted by the City. If the contractor should wish to have the sewer approved and accepted in a step arrangement, those sections not approved and accepted shall be plugged, but at no time shall any flow be allowed in the existing Sanitary Sewer system from a new sewer that has not been approved and accepted.

**(F).** Testing New Sanitary Sewer. After all pipe, manholes and fittings have been connected in place, they shall be tested as follows:

(1). Under a low pressure air test and a water exfiltration test. The low pressure air test per procedures of ASTM F1417-92 or latest revision. The pipe shall hold 3.5 psig air pressure for a period of five (5) minutes minimum. For the water exfiltration test, water shall be filled to a minimum of two (2) feet below the top of the upstream manhole, a maximum distance of nine-hundred (900) feet per tested section. The exfiltration will be measured by determining the amount of water required to maintain the initial water elevation for a period of four (4) hours from the start of the test. The filled manholes shall be allowed to set and stabilize for a minimum of four (4) hours prior to starting the test. Additional water shall be metered by an approved means as determined by ALRW. The maximum allowable leakage outward (exfiltration) shall not exceed one-hundred (100) gallons per inch of pipe diameter per mile of pipe per twenty-four (24) hours. Test water shall not be allowed to drain into the sanitary sewer system, but pumped by mechanical means to a storm sewer inlet or manhole. Test water may be obtained from the flushing of the new water main.

(2). Sanitary sewer and manholes shall be cleaned prior to mandrel test and flushed with a sewer jet prior to being televised. The camera shall be a pan-n-tilt type and televising shall include viewing up all house laterals with audio narrative. Maximum travel speed shall not exceed thirty (30) feet in one (1) minute.

(3). The required mandrel (cage) sized with ring gage for eight inch (8") sanitary sewer deflection test shall be 7.28 inches, with maximum allowable of five-percent (5%) deflection (ovality) in new sanitary sewers cross-sectional area per ASTM standards and Recommended Standards for Wastewater Facilities, section



33.85(c) for an 8 inch PVC, ASTM D-3034, SDR 35. Perform deflection testing not less than thirty (30) days after final backfill has been placed and compacted.

(4). All testing shall be made in the presence of an ALRW representative and shall be continued until the acceptability of the installed piping has been demonstrated to ALRW's satisfaction. The contractor shall furnish all necessary pumps, gauges, bulkheads, material, CCTV camera, video recording devices, test report forms, equipment, material and labor.

(5). Full size print set of "As Built" plans revised on AutoCAD and a CD computer AutoCAD file of the installation showing locations, revisions, routings, lengths, elevations, sizes, field changes shall be required for all subdivision improvements. Copies of daily field reports/logs, digital photographs, copies of field book pages, daily quantity installations, equipment and personnel on site, GPS shape files for all installed features and attributes, damage records and incidence reports.

## SCHEDULE G

### RATES

(Effective 12/15/2020)

#### I. Water Rates

First 50,000 gallons	@ \$2.08 per thousand gallons
Next 200,000 gallons	@ \$1.71 per thousand gallons
Next 250,000 gallons	@ \$1.42 per thousand gallons
Minimum Service Charge = \$4.25 and includes first 2,000 gallons usage	

#### Water Outside Corporation Limits

All water sold outside the corporation limits of Avon Lake shall be charged according to the rate schedules above, plus 10%.

#### II. Wastewater Rates

\$23.00 Minimum Service Charge\* per Bill + \$7.30 per 1,000 gallons

\*Minimum Service Charge includes first 2,000 gallons of usage

## SCHEDULE H

### IMPACT FEE CHARGES

(Revised 1/19/2021)

\*Fees shall be updated annually according with the Cleveland Construction Cost Index.

Trunk Sanitary Sewer Fee (Residential)	\$2,111.00
Trunk Sanitary Sewer Fee (Industrial/Commercial) (price reflects "per square foot" cost)	\$0.0.1408
8" Sanitary Sewer Front Foot Charge (price reflects "per front foot" cost)	\$74.24
Water Impact Fee	\$2,546.00
Water Main Front Foot Charge (price reflects "per square foot" cost)	\$0.7144
CALDP Tap In Fee	\$11,130.52

## SCHEDULE I

### CHARGES / FINES / PENALTIES

#### I. Water Turn-On Charges

(Revised 03/16/2021)

##### Turn-On for Violations

Water Service that has been turned off for a violation of any rule or regulation herein shall not be turned back on until such time as the violation has been corrected and all charges have been paid. In addition, any service turned off for a violation of these Regulations shall be subject to a turn-on charge, payable before reinstatement of service, in accordance with the following:

##### Turn-On Charges

8:00 am – 4:30 pm = \$50.00

4:30 pm – 8:30 pm \* = \$65.00

Non-working hours & Weekends = \$90.00

\*On shut-off day

#### II. Laboratory Analyses Charges

(Revised 03/16/2021)

\* Charges shall be updated annually according to Avon Lake Regional Water supply bidding and current labor rates.

Bacteria (MUG)	\$22.00
Bacteria (New Line)	See Schedule C
Fecal Coliform	\$22.00
Beach/Well Samples	\$26.00
Total Phosphorus	\$22.00
Ammonia Nitrate	\$22.00

Cyanide (Total)	\$46.00
Cyanide (Free)	\$46.00
Oil & Grease	\$91.00
Suspended Solids	\$22.00
Metal (Stand. 10 Metal Analysis)	\$195.00
Metals (Lead & Copper)	\$39.00
Metals (Single)	\$19.00
Nitrate Nitrogen	\$35.00

### III. Copy Charges

(Revised 03/16/2021)

0-9 Copies	No Charge
10 and more copies (Black & White)	\$0.10 per copy
10 and more copies (Color)	\$0.25 per copy
E-Mail copies	No Charge
Copies downloaded to disc (per disc price)	\$10.00

### IV. Backflow Inspection Penalties

(Adopted 1/2/19)

Should a properly completed backflow inspection report not be submitted on the appropriate form by the due date, the account with the backflow prevention device shall be subject to a penalty of \$50.00.

**SCHEDULE J**

**EXISTING SERVICES DEMOLITION PERMIT**

(Adopted 5/5/08)

Existing services demolition permits are subject to a fee of \$420.00.

Should TV inspection determine continued Infiltration and Inflow requiring additional work, all additional time shall be billed at Avon Lake Regional Water's established hourly rate.

## **SCHEDULE K**

### **COMPETITIVE BIDDING SCHEDULE**

#### **I. Advertisement Requirements**

A. ALRW shall advertise bidding information in the following sources:

1. Newspaper of general circulation
2. Bid Express
3. ALRW website

B. In addition, ALRW may advertise bidding information in the following sources:

1. Trade papers or other publications
2. City of Avon Lake website

The advertisement shall not be for less than two nor more than four consecutive weeks in a newspaper of general circulation within the city or as provided in section 7.16 of the Revised Code.

#### **II. Bid Requirements**

A. Design Build Contracts

1. Interested Design-Build Firms should submit a Statement of Qualifications, which shall be evaluated and ranked by ALRW. For selected firms, ALRW shall issue an invitation to bid containing:

- a) The partial plans and specifications for the improvement;
- b) An estimated project schedule;
- c) A description of design services to be provided;
- d) A description of pre and post construction services to be provided;
- e) A description of construction services to be provided on a full and/or part time basis;
- f) A form of design-build contract; and
- g) The total contract price and the portions of the total contract price for design, preconstruction and construction services.

2. Design-Build Bids must include:

- a) A list of key personnel, consultants and subcontractors for the improvement and a detailed staffing chart;
- b) Design concepts for completing the partial plans and specifications;
- c) A preliminary design and construction schedule;
- d) The total contract price and portions of the total contract price for design, preconstruction and construction services.