

Rule 1 - APPLYING FOR SERVICE BETWEEN USER AND/OR OWNER AND DIVISION OF WATER AND WASTEWATER

The following regulations as adopted by the Director of Public Service, are published for the information and guidance of all users of the Public Water Supply of Newark, Ohio, and are a part of the contract between the Division of Water and Wastewater and each customer and/or consumer.

Any person, firm or corporation desiring water and/or sewer service shall sign an application for service before service will be provided (Addendum 1). The Division of Water and Wastewater shall require the owner to sign for rental property. Water will not be turned on at the street (curb box) unless the serviceman has access to the meter. Service may be refused to any customer having a delinquent account with the Division of Water and Wastewater. Tenants may have service put in their name when the property owner owes past due bills and can not have service in the property owner's name because of collection proceedings.

When two or more consumers are using water from the same meter, the property owner will be required to sign for the service and be responsible for receiving and paying the bill.

- A. Any person or entity, who owns a premises to which water service is or can be delivered, shall have the right to establish a water service account to pay for future water service to the premises unless:
 - 1. The applicant is a person or an entity who has a delinquent water service account for any premises in the applicant's own name; or
 - 2. The applicant is a person or entity who has failed to cure the breach for which water service was terminated (as listed in Rule 18 A); or
 - 3. Conditions exist at the unit for which water service is sought which would be grounds for termination of the water service (as listed in Rule 18 A).
- B. Any person or entity making application to establish a water service account shall execute an application agreeing to be responsible for all charges to the premises in a form (Addendum 1) and manner approved by the Director of Public Service. The City reserves the right to require an applicant to submit proof of identification.
- C. An Activation Fee shall be required of all customers. (Addendum 7)
- D. A deposit shall be required from any person or entity, who establishes a water service account and does not have 12 months of timely paid service. Timely Paid Service is defined as any new customer establishing a water service account who has not within the preceding 12 consecutive months at the time said application is made had any of the following occur with the City of Newark, Ohio's Division of Water and Wastewater: 1) water service termination resulting from nonpayment at a location to which the customer was legally or contractually obligated to pay said water service account charges; 2) had an insufficient check charge applied to the customer's water service account; 3) had an unpaid final bill; or 4) has included the City as a Creditor in a Bankruptcy filing.
- E. No person or entity may be denied the right to establish a water service account to a premises because of an outstanding obligation of some other person or entity for past water service to that premises, including but not limited to the owner of the premises to be served, the applicant's landlord, or other persons who live or may live at the premises to be served.
- F. Whenever the City denies an applicant the right to establish a water service account, the person or entity may request a hearing to dispute denial, Rule 20 - Hearings, at which to contest the reasons for the denial. Thereafter, the applicant may request a hearing, and, if so requested, the City shall grant the hearing. The City in accordance with the customer's hearing rights in Rule 20 shall conduct any such hearing.
- G. In all cases, the owner of the premises, shall be ultimately liable for all charges for each water service account to the premises.
- H. Owners making application may elect to have their accounts billed to and in the name of their tenants. If a property owner and tenant sign and return a Direct Billing Agreement (Addendum 1), the City will send the original billings to the owner's tenant, and property owners will receive only copies of all termination notices. Past due amounts will be collected using the full extent of the law.

- I. The Water Office shall attempt to give notice of all due and payable water bills but cannot guarantee the delivery of such bills. Whenever it is stated that notice will be given, it signifies that a notice was sent to the customer where water is consumed, or where tenant and/or owner resides. Notice may be sent by mail or email at the customer's preference. (Addendum 8), Property owners, when either buying or selling properties, shall see that notice of transfer of ownership is made at the Water Office and that all water bills are paid to the date of title transfer. The Water Office shall make every possible effort to collect water bills as promptly as possible, but no consumer or owner of property shall be relieved from any obligation for bills that may be unpaid through failure of the Water Office to make collections as provided by its rules.

Approved:



David Rhodes, Director of Public Service

1-18-19

Date