

Purpose: Definitions

A. Purpose. 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 user and the owner of premises where water is furnished.

B. Definitions. The following definitions shall apply throughout these rules and regulations:

1. "Billing Address" means the address at which the customer, contractually liable for Utility services furnished to a service address, receives billings from the City. Billing addresses may, but need not, be the address at which said services are received.
2. "City" means the City of Newark, including its subdivisions and employees.
3. "Consumer" means any person who is the ultimate user of water services provided by the City.
4. "Consumer Benefited Unit" means any service address in which the customer, who is contractually liable for utility services furnished to that address, does not reside.
5. "Customer" means any person or entity who enters into a contractual agreement with the City to receive or pay for water service to a premises, provided by the City. Customers may, but need not be, consumers of the services provided.
6. "Customer Benefited Unit" means any service address in which the customer, who is contractually liable for utility services furnished to that address, resides.
7. "Deposit" means a set amount of money given as a pledge or security for payment of future bills. 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; or 3) had an unpaid final bill.
8. "Dishonored check" means a check that has been dishonored by the bank as an NSF (nonsufficient funds) check or a check account closed and then returned to the Water Office for refund.
9. "Fire service" means water service provided by the City for fighting fires.
10. "Owner" means the person, firm, organization or entity who holds the legal title to a premise or property.
11. "Payment account" means an account established with the Water Division.
12. "Person" means any individual eighteen years of age or older or an emancipated minor.
13. "Request a hearing" means making an oral or written request for a hearing to an employee of the Water Office.
14. "Serve(d)" or "service", when used to refer to the service of bills, notices or decisions, means the use of first-class mail, or personal delivery to a person of suitable age and discretion then residing in the unit. "Service date" means the date on which such a bill, notice or decision was personally delivered or the day after such bill, notice or decision was mailed.
15. "Service Address" means any individual address at which water utility services are furnished a consumer or a customer benefited unit. The singular may include the plural. Most service addresses will be individually metered. However, in some buildings one meter may supply more than one benefited unit. In such circumstances, each individual benefited unit is a separate service address as that term is used herein. In any case, where one meter supplies more than one benefited unit, the customer shall be the owner or legally authorized agent of the owner of the premises.
16. "Tenant" means the person, firm, organization or entity who has the right of possession in a property through a legal contract or otherwise.
17. "Water by-laws" means rules adopted by the Director of Public Service for operating the water supply system.

18. "Water Division" means the Water Division of the Service Department of the City.
19. "Water service" means water service provided by the City for which a minimum service charge for equipment and maintenance is charged.
20. "Water service account," means an account for water and sewer services provided by the City.