



CITY OF HAMILTON
Codified Ordinance CHAPTER 947
Gas Service

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947.01 DEFINITIONS.

For purposes of this chapter, the following terms are defined as follows:

- (a) "Btu" means British thermal unit.
- (b) "Ccf" means 100 standard cubic feet of gas. A standard cubic foot of gas is the quantity of gas which would occupy a volume of one cubic foot when such gas is at a temperature of sixty degrees Fahrenheit and at a pressure of 14.73 psia.
- (c) "Cfh" means cubic feet per hour.
- (d) "City" means the City of Hamilton, Ohio.
- (e) "Decatherm" means 1,000,000 Btu or ten therms.
- (f) "Department of Public Utilities" and "Department of Gas and Water" mean the department of the municipal government of the City which is responsible for the provision of gas service and associated functions.
- (g) "Gas" means natural gas, including associated liquefiable hydrocarbons, which is produced from gas wells. "Gas" also includes oil well gas which is produced in association with crude oil and synthetic or substitute natural gas.
- (h) "Main" or "gas main" means the City's gas lines which can be tapped with customers' service lines or service connections.
- (i) "Person" means the State of Ohio, any political subdivision, public or private corporation, individual, partnership or other legal entity.
- (j) "Psia" means pounds per square inch absolute.
- (k) "Service line" or "service connection" means the complete line or connection between the City's main up to and including the meter connection. "Service line" or "service connection" consists of two parts:
 - (1) The service line connection which consists of the connection at the main, necessary pipe and appurtenances to extend to the property line or the curb cock location, curb cock and curb box. The service line connection shall be made by the City or its representative, at the customer's expense subject to the provisions of Section [927.10](#). The service line connection shall remain the property of the City; and
 - (2) The customer service line which consists of the pipe from the outlet of the curb cock to the meter connection. The customer service line shall be installed and maintained by the customer.
- (l) "Therm" means 100,000 Btu.

(m) "Transmission and distribution system" means gas facilities owned by the City which are interconnected with the interstate pipelines which transport gas to the City and are used to deliver gas to the customer.

(n) "Unaccounted for gas" means the volume of gas retained by the City from Distribution Delivery Service - Schedule "D" and pre-existing self-help contract customers to offset the amount of gas which enters the City's transmission and distribution system for such customers but cannot be accounted for through such customers' meter reading.

(o) "Unit of gas" means the designation of Btu, Ccf, decatherm or therm by which gas is sold or transported for billing purposes.

(p) "Volume of gas" means the number of units of gas expressed in Btus, Ccf, decatherms or therms.

(Ord. 2003-3-23. Passed 3-26-03.)

947.02 UNITS OF GAS MEASUREMENT.

The unit of gas measurement for Residential Service - Schedule "R" and General Service - Schedule "G" shall be a volume measured in increments of Ccf. The unit of gas measurement for Distribution Delivery Service - Schedule "D" shall be a volume measured in increments of therms. The unit of gas for pre-existing self-help contract customers shall be a volume measured in increments of decatherms.

(Ord. 2003-3-23. Passed 3-26-03.)

947.10 SERVICE FEES.

In addition to the charges imposed by this chapter, the following service fees are hereby established:

(a) Gas Tap Fee. A gas tap fee shall be charged to each customer requesting a gas tap permit based on the size of the service line used to make the gas tap as follows:

<u>Service Line Diameter (inches)</u>	<u>Gas Tap Fee</u>
1 or less	\$400
1 1/4	\$500
2	\$700
3	\$1,500
4	\$2,000
6	\$4,000

(b) Gas Fee.

(1) New connections made to the gas mains shall be subject to the meter fee based on the size of the gas meter installed in accordance with the following table; and

(2) Existing structures being provided with gas service where the usage and the capacity has increased to the extent that a larger gas meter is required shall be subject to the meter fee based upon the difference between the new meter size and the prior meter size in accordance with the following table.

<u>Meter Size (cfh)</u>	<u>Gas Meter Fee</u>
250	\$300
425	\$500
630	\$700
800	\$1,200
1,000	\$1,300
1,400/1,500	\$1,850
2,000	\$2,000
3,000	\$3,000
5,000	\$5,000
7,000 and above	\$7,000

(3) For a multi-family residential structure wherein each dwelling unit has a separate individual meter, the gas meter fee shall be calculated on the basis of an equivalent size single meter of adequate capacity to supply the gas usage demand for the structure. The gas demand and equivalent meter size to satisfy such demand shall be calculated by an engineering analysis of the size and type of the multi-family structure in accordance with regulations promulgated by the Director of Gas and Water.

(4) The gas tap and meter fees shall be paid at the time application is made for a building permit in the case of a new structure, or a plumbing or heating permit in the case of an existing structure.

(c) Involuntary Disconnection: Reconnection Fee. In the event gas service to customers under Residential Service - Schedule "R" or General Service - Schedule "G" is involuntary discontinued for any reason other than the City's inability to serve, the City shall be under no obligation to restore service at that location until the City first receives payment of a reconnection fee which is equal to the sum of the monthly customer service charge for each of the months between the time the service was discontinued and the time service is restored up to a maximum of six monthly customer charges, any remaining payments due for service provided prior to the discontinuation of service and the service turn-on fee as set forth in this section.

(d) Voluntary Disconnection: Reconnection Fee. In the event gas service to customers under Residential Service - Schedule "R" or General Service - Schedule "G" is voluntarily discontinued for any reason, the City shall be under no obligation to restore service at that location until the City first receives payment of a reconnection fee which is equal to the sum of the monthly customer service charge for each of the months between the time the service was discontinued and the time service is restored up to a maximum of six monthly customer charges, any remaining payments due for service provided prior to the discontinuation of service, and thirty-five dollars (\$35.00).

(e) Miscellaneous Fees. The following fees shall be charged to Schedule "R" and "G" customers for the following services performed, or arranged to be performed, by the Department of Gas and Water.

<u>Service</u>	<u>Miscellaneous Fee</u>
Special meter reading and/or special appointment at request of customer	\$15.00
Gas meter testing less than 400 CFH meter size	\$80.00
Gas meter testing greater than 400 CFH meter size	cost of labor and materials multiplied by a factor of 1.3

(f) Gas Main Inspection Fee. After the gas mains have been approved, such persons or property owners constructing the gas mains, whether within or outside the City shall, before laying or constructing the gas mains, obtain a permit to do so from the Director of Gas and Water or such officer as may be designated to grant such permit. However, no permit shall be issued for the laying or construction of the gas mains until the persons have signed an application agreeing to all the following conditions: Such persons, property owners or developers shall post with the City a sum of money for inspection equal to a base charge of \$560 for the first 1,000 feet of main to be constructed plus \$0.60 per foot in excess of 1 000 feet and shall be the inspection fee for such work for the protection of the City that such work is done in compliance with City specifications. The City shall appoint an inspector for daily inspection of laying and construction and his compensation shall be paid from the sum posted with the City by the property owners, persons or sub-dividers. The Inspector shall receive the hourly rate in accordance with the classification and pay plan ordinance and shall be under the direction of the Director of Gas and Water. Any excess remaining after completion of the gas mains to the satisfaction of the Director shall be returned to the property owners, persons or sub-dividers. No construction or laying of the gas mains that are to be connected to the City's system shall be carried on without the inspection required in this section.

(g) The gas tap and meter fee shall be paid in full to the City before a gas tap permit is issued. However, arrangements can be made with the Customer Service Department to pay these fees over a one year period which will appear as 12 installments on the monthly utility bill.

(Ord. 2012-7-63. Passed 7-11-12.)

947.11 TERMS AND CONDITIONS OF SERVICE.

(a) Payment, Penalty and Disconnection. Payment for all rates and other applicable charges shall be made in accordance with Section [927.09](#). In the event any utility account becomes delinquent, penalties shall be assessed against all delinquent amounts and utility service shall be subject to disconnection in accordance with Section [927.10](#) herein.

(b) (EDITOR'S NOTE: Former subsection (b) was repealed by Ordinance 2003-8-70, passed August 13, 2003.)

(c) Customer Obligation. The customer is responsible for the customer's side of the point of delivery, generally considered to be the outlet side of the curb cock, for the service supplied or taken, as well as for the installation of gas equipment and appliances used in connection therewith. The customer shall not attach or use any appliance or equipment which is unsafe or may result in the injection of air, water or other foreign matter into the gas lines so as to interfere, in any manner, with service to other customers.

(d) No Person Shall Sell to Another. No person shall supply or sell gas for use in any location other than that specified in the application for service as the location where service is to be received. Violation of this subsection shall constitute a misdemeanor of the first degree.

(e) Right to Shut Off Gas. The City shall have the right to discontinue gas service to a customer or a premises under the following conditions:

(1) For refusing access to an employee of the City who has provided identification to the customer and stated the reasonable purpose for desiring such access;

(2) For failure to furnish or maintain the required security deposit, (see Section [927.02](#));

(3) For violation of any Rules and Regulations of the Department of Gas and Water and the Department of Public Utilities; or

(4) If any bill is not paid in total within thirty days after the payment date specified on the bill.

The City shall have the right to discontinue service and the right to disconnect and remove from the premises of any customer the meter and any other property belonging to the City for theft of gas, non-use of gas, nonpayment of bills for gas when bills are due, fraudulent representation or practice, tampering with the gas utility meter or piping in order to affect billing or metering, or whenever deemed necessary by the City for safety reasons.

(f) Volume of Gas Delivered by Meter; Meter Tests. Volumes of gas delivered shall be determined on the basis of the meter registration and bills shall reflect the units of gas so registered. Any mistake in reading the meter registration shall not affect the liability for gas delivered as determined by a correct subsequent reading of the registration. When the meter is not read, the City may estimate the volume of gas delivered and render a bill for such volume. A

meter registering between three percent (3%) fast and three percent (3%) slow shall be deemed for all purposes to be registering correctly. A meter registering incorrectly shall be replaced by the City at its expense. Periodically, the City may test meters, using standard industry practices, to determine accuracy of meter registration. If the customer requests a meter test and if the meter is found to be correct, as defined above, the date of the test shall be stamped on the meter and the customer shall pay the applicable gas meter testing fees as set forth in Section [947.10](#).

(g) Customer Service Line. The customer shall own and maintain the customer service line. The City shall have the right to prescribe the size, location and termination points of the customer's service line and the meter connection. The City shall have no obligation to install, maintain or repair such customer service line.

(h) Meter and Regulation Facilities. When changes in building or arrangements therein render the meter inaccessible or exposed to hazards, the City shall, at the customer's expense, arrange for the relocation at a site acceptable to the City of the meter and regulation facilities, together with any portion of the customer's service line necessary to accomplish such relocation. The customer shall not permit anyone who is not an authorized agent of the City to connect or disconnect the City's meters, regulators or any portions of the service line. The meter and regulation facilities are not part of the customer service line and shall remain the property of the City.

(i) Internal Piping and Gas-Burning Equipment and Appliances. The customer shall own and maintain, in an operable and safe order, the internal piping from the outlet of the meter to all gas-burning equipment and appliances. The customer shall own and maintain all gas-burning equipment and appliances.

(j) Standards for Customer's Property. The customer's service line, house lines, fittings, valve connections and appliance venting shall be installed with materials and workmanship which meet the requirements of the City and shall be subject to inspection or test by the City. The City shall have no obligation to establish service until after such inspection and test demonstrates compliance with such requirements of the City with respect to the facilities in place at the time of the test. The first inspection or test at any premises, including service lines and house lines, shall be without charge. In the case of leakage, error, patent defect or other unsatisfactory or unsafe condition resulting in the disapproval of the line(s) by the City, the necessary correction shall be made at the customer's expense and the facilities shall then be inspected and tested again by the City. If the customer's service line, house lines, fittings, valve connections and gas-burning appliances or equipment on the customer's property are damaged, defective or in such condition as to constitute a hazard, the City, upon notice to the customer of such defect or condition, may discontinue gas service until such defect or hazardous condition has been rectified by the customer in compliance with the reasonable requirements of the City. The customer shall notify the City promptly of any additions, changes, alterations, remodeling or reconstruction affecting the gas movement on the customer's property.

(Ord. 2003-3-23. Passed 3-26-03.)

947.13 RULES AND REGULATIONS.

All customers shall comply with the Rules and Regulations of the Department of Public Utilities and the Department of Gas and Water as have been or may be promulgated pursuant to Section [927.09](#) by the Director of Public Utilities of the City, as the same may be amended from time to time.

(Ord. 2003-3-23. Passed 3-26-03.)

947.14 PRE-EXISTING SELF-HELP CONTRACT CUSTOMER PROVISIONS.

The monthly charge for Pre-Existing Self-Help Contract Customers shall be the sum of the charges set forth below:

(a) Except for the volumetric charges set forth in Section [947.05\(b\)\(2\)](#), the provisions contained in Section [947.05](#) herein apply to customers who have a contract in effect on June 1, 1993 for the distribution delivery of gas entered into under the formerly denominated “Self-Help Program” so long as such contracts, as they may be extended pursuant to their terms, may be in effect. For these contracts, the following volumetric charge shall be the standard distribution delivery fee or charge for the purposes of such contracts:

For each of the first 22,500 decatherms \$0.828

For each of the next 30,000 decatherms 0.500

For each additional decatherm 0.200

(b) Unfunded Governmental and Regulatory Mandates Utility Adjustment (UGRMA) Charge: The UGRMA charge is the UGRMA charge for each Ccf commencing (date mandate becomes active) in accordance with Section [947.20](#).

(Ord. 2009-5-41. Passed 5-27-09.)

947.15 SERVICE CONTRACTS.

Nothing in this chapter is intended to alter or eliminate the authority contained in Section [927.01](#) to enter into service contracts or respecting fees and charges for services performed by the City.

(Ord. 2003-3-23. Passed 3-26-03.)

947.16 SERVICE FOR PREMISES OUTSIDE CORPORATE LIMITS.

Nothing in this chapter is intended to confer any right to service for premises outside the corporate limits of the City.

(Ord. 2003-3-23. Passed 3-26-03.)

947.19 GAS SERVICE CURTAILMENT.

(a) In the event an emergency condition exists in the Gas Division of the City's Gas and Water Department, whether physical, economical or otherwise, beyond the control of the Division or Department to immediately remedy and because of which the Division or Department cannot fully satisfy the full gas requirements of its customers, then it shall be necessary for the Director of Gas and Water or his designee, upon authorization of the City Manager or his designee, to:

(1) Request all customers to voluntarily conserve gas usage by reducing the temperature/thermostat settings of their heating equipment and curtailing other gas usage, if time permits; or

(2) Implement mandatory curtailment, reduction or interruption of gas service to permit if practicable maintenance of limited gas service to residential properties, hospitals, nursing homes and the like, if the voluntary option set forth in subsection (a)(1) hereof is inadequate to reduce system demand to a level determined by said Director or his designee to be safe or appropriate.

(b) The Director of Gas and Water shall promulgate such rules and procedures as deemed necessary to implement the gas curtailment process as authorized and set forth herein. Additionally, a gas curtailment plan may be applied to all "General Service" customers and to those "Distribution Delivery Service" customers who cannot specifically attest to and guarantee their total gas supply from their independent supplier for each day of the curtailment period.

(c) If a Distribution Delivery Service customer's supplier fails to deliver into Hamilton's system that customer's full requirements, which it has specifically guaranteed for the curtailment period on a daily basis, the City through its Gas Division management may either:

(1) Execute the provisions included in that customer's existing transportation contract with the City; or

(2) Physically disconnect that customer from the City's gas distribution system.

(d) If a curtailment process is implemented for certain "General Service" customers, the City will provide, on a best efforts basis, "plant protection" gas to those customers. Plant protection gas, for this purpose, is considered to be a very small portion of the normal gas usage for the existing conditions.

(e) Failure of a customer to comply with a curtailment request can result in that customer being physically disconnected from the City's gas distribution system.

(Ord. 2003-3-23. Passed 3-26-03.)