



CITY OF HAMILTON
Codified Ordinance CHAPTER 939
Water

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939.01 RATES.

(a) The following rates are hereby established for water furnished to consumers of the City’s waterworks system for use on such customer’s metered premises commencing on the dates set forth below:

Users within City of Hamilton					
Monthly Customer Charge (By Meter Size)					
	Effective Date				
Meter Size	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
5/8"	\$8.00	\$9.00	\$10.00	\$11.00	\$12.00
3/4"	\$8.00	\$9.00	\$10.00	\$11.00	\$12.00
1"	\$11.20	\$12.60	\$14.00	\$15.40	\$16.80
1 ½"	\$19.20	\$22.50	\$27.00	\$30.80	\$34.80
2"	\$22.70	\$27.00	\$32.00	\$37.40	\$42.00
3"	\$80.00	\$103.50	\$125.00	\$143.00	\$162.00
4"	\$84.00	\$108.00	\$133.00	\$151.80	\$174.00
6"	\$136.00	\$171.00	\$210.00	\$242.00	\$288.00
8" or greater	\$144.00	\$198.00	\$250.00	\$291.50	\$360.00

Volumetric Charge (By Usage)					
	Effective Date				
Usage	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
0 to 1,000 cubic feet (per 100 cubic feet)	\$2.08	\$2.12	\$2.17	\$2.23	\$2.30
1,001 to 50,000 cubic feet (per 100 cubic feet)	\$2.05	\$2.10	\$2.14	\$2.21	\$2.28
50,001 to 2,400,000 cubic feet (per 100 cubic feet)	\$1.93	\$2.02	\$2.07	\$2.17	\$2.22
Over 2,400,000 cubic feet (per 100 cubic feet)	\$1.30	\$1.34	\$1.38	\$1.44	\$1.51

Suburban Rates for Water Customers located outside City of Hamilton and defined within Sections [939.01](#)(c) & (d)

Monthly Customer Charge (By Meter Size)					
	Effective Date				
Meter Size	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
5/8"	\$12.00	\$13.50	\$15.00	\$16.50	\$18.00
3/4"	\$12.00	\$13.50	\$15.00	\$16.50	\$18.00
1"	\$16.80	\$18.90	\$21.00	\$23.10	\$25.20
1 1/2"	\$28.80	\$33.75	\$40.50	\$46.20	\$52.20
2"	\$34.05	\$40.50	\$48.00	\$56.10	\$63.00
3"	\$120.00	\$155.25	\$187.50	\$214.50	\$243.00
4"	\$126.00	\$162.00	\$199.50	\$227.70	\$261.00
6"	\$204.00	\$256.50	\$315.00	\$363.00	\$432.00
8" or greater	\$216.00	\$297.00	\$375.00	\$437.25	\$540.00

Volumetric Charge (By Usage)					
	Effective Date				
Usage	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
0 to 1,000 cubic feet (per 100 cubic feet)	\$3.13	\$3.18	\$3.26	\$3.36	\$3.44
1,001 to 50,000 cubic feet (per 100 cubic feet)	\$3.09	\$3.15	\$3.22	\$3.33	\$3.41
50,001 to 2,400,000 cubic feet (per 100 cubic feet)	\$2.90	\$3.03	\$3.11	\$3.26	\$3.33
Over 2,400,000 cubic feet (per 100 cubic feet)	\$1.95	\$2.01	\$2.08	\$2.16	\$2.27

Suburban Rates for All Other Water Customers located outside City of Hamilton and not included in Sections 939.01(c) & (d)					
Monthly Customer Charge (By Meter Size)					
	Effective Date				
Meter Size	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
5/8"	\$16.00	\$18.00	\$20.00	\$22.00	\$24.00
3/4"	\$16.00	\$18.00	\$20.00	\$22.00	\$24.00
1"	\$22.40	\$25.20	\$28.00	\$30.80	\$33.60
1 1/2"	\$38.40	\$45.00	\$54.00	\$61.60	\$69.60
2"	\$45.40	\$54.00	\$64.00	\$74.80	\$84.00
3"	\$160.00	\$207.00	\$250.00	\$286.00	\$324.00
4"	\$168.00	\$216.00	\$266.00	\$303.60	\$348.00
6"	\$272.00	\$342.00	\$420.00	\$484.00	\$576.00
8" or greater	\$288.00	\$396.00	\$500.00	\$583.00	\$720.00

Volumetric Charge (By Usage)					
	Effective Date				
Usage	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
0 to 1,000 cubic feet (per 100 cubic feet)	\$4.17	\$4.24	\$4.35	\$4.47	\$4.59
1,001 to 50,000 cubic feet (per 100 cubic feet)	\$4.11	\$4.20	\$4.29	\$4.43	\$4.55
50,001 to 2,400,000 cubic feet (per 100 cubic feet)	\$3.87	\$4.04	\$4.15	\$4.35	\$4.43
Over 2,400,000 cubic feet (per 100 cubic feet)	\$2.60	\$2.68	\$2.77	\$2.88	\$3.02

The Minimum Monthly Charge for all water customers of the City shall be equal to the Monthly Customer Charge.

(Ord. 2014-12-115. Passed 12-17-14.)

(b) In connection with the issuance of various bonds, notes and/or other debt obligations issued for the benefit of the waterworks system, the City has established and maintained a Water Rate Stabilization Fund. The rates established by subsection (a) hereof shall be increased in any fiscal year by the percentage certified by the City Manager to the Director of Finance and the Director of Gas and Water Department to be necessary to cause there to be appropriated to the credit of the Water Rate Stabilization Fund in such fiscal year an amount necessary to replenish revenues previously withdrawn from the Water Rate Stabilization Fund and to maintain compliance with all covenants of the City undertaken as part of the issuance of any such debt obligation.

(Ord. 2002-7-65. Passed 7-24-02.)

(c) Notwithstanding subsection (a) hereof, commencing the first full metering period after September 1, 1992, the rates to be charged customers of the City's waterworks system for water received at a premises located within the corporate limits of the City of Fairfield, Ohio, shall be one hundred fifty percent (150%) of the in-city rate for such service.

(Ord. 99-6-58. Passed 6-23-99.)

(d) Notwithstanding subsection (a) hereof, commencing the first full metering period after April 1, 2007, the rates to be charged customers of the City's waterworks system for water received at a premises located within the Sharon Park Subdivision within St. Clair Township, Butler County, Ohio, shall be one hundred fifty percent (150%) of the in-city rate for such service.

(Ord. 2007-3-21. Passed 3-28-07.)

(e) Water Leaks; Credits/Adjustments. In the event of a documented loss of water through a fault in the water service at a point or points between the shut-off in right-of-way and the structure, including any pipes on or within the structure, because of a broken pipe on his/her premises, when any water customer in any given billing period has used an amount of water which is more than 150% of the average amount of water which has been used on such premises in a similar period prior to the most recent month period, he/she may apply in writing for an adjustment. The customer shall be responsible for the amount less than 150% average defined above, at the appropriate rate as determined in [939.01](#) (a) for their usage amount. Any amount of water usage that is eligible for a credit and meets the conditions defined below shall be charged at the Tier 4 rate determined in [939.01](#) (a).

The intent of this water credit/adjustment is to provide customers with some relief for catastrophic losses of water and is not intended to subsidize customers for high water usage due to lack of maintenance or a change in activities and usage patterns at a home or commercial establishment. The City, as authorized by this Ordinance, has the right to limit water credits/adjustments in situations that are deemed to have occurred as a result of the lack of proper

maintenance or negligence by the customer/account holder (or third party, such as a renter/tenant, contractor, etc.) which results in a water loss (e.g., leaking toilets, faucets, and appliances).

A water credit/adjustment may be considered under the following conditions:

(1) In order to qualify for a water credit/adjustment, the customer must be current on their utility account, or installment billing account, if applicable;

(2) The customer promptly reports the leak to the City; and

(3) The customer provides proof of such loss to the satisfaction of the City; and

(4) The customer provides proof that the source of the leak has been repaired not later than five (5) days after notification to the City; and

(5) If the customer is covered by homeowners or some other comparable type of property/casualty loss insurance, the credit will be reduced, based upon reimbursement from this coverage; and

(6) For any credit/adjustment provided by the City, the City shall have the right to consider the cost of the repair in the calculation of the credit/adjustment; and

(7) Credit for this loss shall be limited to two (2) monthly billing cycles; and

(8) The customer's water meter size must be one inch or less; and

(9) The customer's utility account must show two months of usage after the repair and the usage must have returned to normal usage levels; and

(10) There has been no prior water leak and the effected premise address must not have had a leak adjustment within the twenty-four (24) months immediately preceding the reported leak.

(Ord. 2014-5-37. Passed 5-14-14.)

939.02 WATER MAIN COST PARTICIPATION.

(a) The City will pay the difference in cost between a water main of a size necessary to serve a development under single ownership and/or control and a water main of a larger size required by our overall water system planning.

(b) The determination as to whether or not to participate in paying a part of the cost of water mains shall be based on the relationship of the cost to the benefit to be gained in the form of providing for orderly and reasonable growth of the City. The determination as to when to participate shall be based on the comparative benefit to the City of lines which are the subject of requests for City participation. (Ord. 2012-7-63. Passed 7-11-12.)

939.03 EQUITY CONNECTION FEE.

At its discretion and expense, the City may, from time to time, construct additional mains and service facilities in public rights of way or easements.

When an improvement or addition to a utility system made by the City at its expense makes service possible in a new location where such service did not previously exist, or improves already existing service, but such improvement or addition is not made for the purpose of benefitting the utility system as a whole, such as by improving the reliability, longevity, capacity or interconnective network of the utility system, such addition or improvement shall be known as a "local main extension".

When an improvement or addition to a utility system made by the City at its expense is made for the purpose of benefitting the utility system as a whole, such as by improving the reliability, longevity, capacity or interconnective network of the utility system, but such improvement or addition can also safely be tapped to make service possible in a new location where such service did not previously exist, or improve already existing service, such an addition or improvement shall be known as a "feeder main extension".

When a connection or tap is made to the City's water system in a public right of way or easement by an abutting owner or developer for the purpose of providing new service, and where the owner of the lot or parcel to receive such new service has not previously paid an equitable share of the City's cost of extending the main into which the connection or tap is made, the owner of the abutting lot shall pay the City an equity connection fee in order to assist in the recovery of the City's cost of extending the main into which the abutting owner has connected or will connect. The equity connection fee shall be determined as follows:

(a) Local Main Extension. Where a tap or connection is made to what has previously been constructed as a local main extension, a uniform fee of ten dollars (\$10.00) per lineal foot of frontage of the lot or parcel abutting the water main shall be paid to the City. In the event such lot or parcel of real estate abuts a street, alley, right of way or easement in which such water main is located on more than one side, the frontage used shall be the shortest lot line distance that such lot or parcel of real estate has abutting the street, alley, right of way or easement in which the connecting main is located; and in the event such abutting lot or parcel of real estate is not rectangular, the frontage used shall be the number of lineal feet produced by averaging the front line and the rear lot line, or one-half of the front lot line if the lot or parcel forms a triangle.

(b) Feeder Main Extension. Where a tap or connection is made to a feeder main extension or residential or commercial building, which existed at the time the feeder main project was advertised for bids, along the abutting right of way or easement, shall be permitted to connect to such feeder main for an equity connection fee of ten dollars (\$10.00) per lineal foot for the lesser of either the actual footage of the lot or parcel of real estate or 100 feet of frontage along such abutting right of way or easement. All subsequent attachments are subject to the local main extension fees for actual frontage.

The equity connection fee shall be paid in full to the City before a water tap permit is issued and the connection is made.

Where a reimbursement agreement still in full force and effect exists with a developer, the fee shall be as prescribed in the reimbursement agreement or legislation adopted pursuant thereto.

(Ord. 93-9-109. Passed 9-22-93.)

939.04 WATER TAP FEES AND METER CHARGE FEES.

(a) The Director of Gas and Water of the City shall prepare and publish annually on the effective date of this section and on January 1 of each year thereafter, a water tap fee schedule which shall set forth the actual cost of labor and materials multiplied by a factor of 1.3. The following fees are current as of the effective date of this section:

<u>Tap Size</u>	<u>Fee</u>
3/4"	\$270
1"	\$330
1 1/2"	\$760
2"	\$1,000
4"	\$2,640
6"	\$3,090
8"	\$3,920
12"	\$7,120

(b) The Director shall prepare and publish annually, on the effective date of this section and on January 1 of each year thereafter, a water meter charge fee schedule which shall set forth the actual cost of labor and materials multiplied by a factor of 1.3. The following fees are current as of the effective date of this section:

<u>Meter Size</u>	<u>Fee</u>
5/8"	\$240
3/4"	\$260
1"	\$330
1 1/2"	\$490
2"	\$560
Meter Pit & Lid	\$210

(Ord. 2008-5-45. Passed 5-14-08.)

(c) The water tap and meter fee shall be paid in full to the City before a water 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.)

939.041 WATER CONSUMED DURING CONSTRUCTION OF STRUCTURES.

(a) In order to compensate the City for each ninety-day period in which water is consumed during the course of construction preceding the installation of a water meter, a nonrefundable temporary tap fee shall be assessed and collected in connection with the issuance of a building permit for the construction of any structure which is to be supplied with water before a water meter is installed and which is not already served through a permanent water meter which is approved or installed by the City.

(b) Each temporary tap fee shall be valid for a period of ninety days. The first such fee shall commence and be due and payable on the date a building permit is issued. A renewal temporary tap fee, in the same amount as the original, shall be due and payable at the expiration of the first and every subsequent ninety-day temporary tap fee period, unless prior to that date a permanent water meter, which is acceptable to the City, has been installed and is in operation.

(c) The temporary tap fee, which shall never be less than nineteen dollars (\$19.00), shall be one dollar (\$1.00) per 100 square feet of structure, or portion thereof, under construction. Square footage of the structure under construction shall be computed using the exterior dimensions of the structure according to the plans submitted to the Construction Services Division and shall include the sum of all floors of the building including the basement.

(d) No structure shall receive a final plumbing inspection approval unless and until a permanent water meter is installed therein and is in operation.

(Ord. 92-4-28. Passed 4-8-92.)

939.05 RATE FOR WATER HAULERS AND OFF-PREMISES USE.

Water haulers may purchase water from the City at the North Water Treatment Plant either by a coin-operated water dispenser or a block meter. Any water hauler intending to use a block meter shall make application to the Director of Public Utilities and deposit the sum of two hundred dollars (\$200.00) at the time of such application.

The rates, and the effective date for each rate, for every 1,000 gallons of water purchased by water haulers shall be as follows:

<u>Rate</u>	<u>Effective Date of Rate</u>
\$3.45	November 15, 1990
3.73	June 15, 1991
4.02	June 15, 1992
4.34	June 15, 1993
4.69	June 15, 1994
5.07	June 15, 1995

(Ord. 90-11-99. Passed 11-14-90.)

The Indenture of Trust and Mortgage dated as of November 15, 1991 between the City of Hamilton and Star Bank, N.A., as Trustee, entered into pursuant to authorization contained in Ordinance No. OR91 -8-84, as amended, establishes a Water Rate Stabilization Fund. The rates established by the preceding paragraph shall be increased in any fiscal year by the percentage certified by the City Manager to the Director of Finance and the Director of Public Utilities to be necessary to cause there to be appropriated to the credit of the Water Rate Stabilization Fund in such fiscal year the amount required by the Indenture to be credited with respect to such fiscal year, the increase to take effect commencing the month after such certification. Such percentage shall be the same percentage as that certified for the purposes of Section [939.01](#)(g).

(Ord. 91-11-142. Passed 11-20-91.)

939.06 FREE SERVICE TO CHILDREN'S HOME.

The Director of Public Utilities shall make no charge for water furnished to the Butler County Children's Home as per the agreement in the deed recorded in Vol. 82, page 92-93, Butler County Deed Records, Butler County Recorder's Office, Butler County Court House, Hamilton, Ohio.

(Ord. 6140. Passed 3-2-60.)

939.07 EXEMPTIONS FROM CHARGE.

The Director of Public Utilities shall make no charge for water furnished to the following: fire hydrants, sewer flushing and public drinking fountains. (Ord. 6131. Passed 2-3-60.)

939.08 BACKFLOW AND BACK-SIPHONAGE.

(EDITOR'S NOTE: Legislation pertaining to backflow and backsiphonage prevention is now codified in Chapter 941.)

939.09 RESPONSIBILITY FOR REPAIRS TO WATER PIPE.

The water customer must keep in repair the water pipe from the curb cut-off valve to the meter. The Director of Public Utilities is authorized to cut off water service to any customer who fails to repair such water pipe after notice to do so. (Ord. 6106. Passed 10-7-59.)

939.10 CONNECTION BETWEEN WATER WORKS AND OTHER WATER SUPPLY.

No person shall make, maintain or use any physical connection between any part of the distribution system of the City water works and that of any other water supply.

(1931 Code §32.2712)

939.11 LIABILITY OF LANDLORD.

The owner of private property which is served by the water works system by pipes connected with such system to convey water thereto, shall, as well as the lessee of the premises, be liable to the City for all water from such system used upon such premises.

(Ord. 5471. Passed 9-2-53.)

939.12 POLLUTION.

No person shall in any manner pollute the water in any basin, well, reservoir, pipe, main or place from which water is used or supplied to the City water works. (1931 Code §32.9612)

939.13 ANNUAL SERVICE CHARGE FOR UNMETERED WATER USED FOR FIRE PROTECTION.

The following annual service charge is hereby established for any private premises located inside or outside the City for unmetered water service used for fire protection to be based upon the size of the service branch at the water main:

Inside City - Fire Line Annual Service Charge					
	Effective Date				
Branch Size (inches)	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
3 and under	\$90.00	\$96.00	\$102.00	\$108.00	\$114.60
4	\$134.40	\$142.80	\$151.20	\$160.80	\$170.40
6	\$308.40	\$326.40	\$345.60	\$366.00	\$388.20
8	\$430.80	\$457.20	\$484.80	\$513.60	\$544.20
10 and over	\$520.80	\$552.00	\$585.60	\$620.40	\$657.60

Outside City - Fire Line Annual Service Charge - Defined in Section 939.01(c) & (d)					
	Effective Date				
Branch Size (inches)	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
3 and under	\$135.00	\$144.00	\$153.00	\$162.00	\$171.90
4	\$201.60	\$214.20	\$226.80	\$241.20	\$255.60
6	\$462.60	\$489.60	\$518.40	\$549.00	\$582.30
8	\$646.20	\$685.80	\$727.20	\$770.40	\$816.30
10 and over	\$781.20	\$828.00	\$878.40	\$930.60	\$986.40

Outside City - Fire Line Annual Service Charge - All Other Fire Line Customers					
	Effective Date				
Branch Size (inches)	1/1/2015	1/1/2016	1/1/2017	1/1/2018	1/1/2019
3 and under	\$180.00	\$192.00	\$204.00	\$216.00	\$229.20
4	\$268.80	\$285.60	\$302.40	\$321.60	\$340.80
6	\$616.80	\$652.80	\$691.20	\$732.00	\$776.40
8	\$861.60	\$914.40	\$969.60	\$1,027.20	\$1,108.40
10 and over	\$1,041.60	\$1,104.00	\$1,171.20	\$1,240.80	\$1,315.20

The service charge for fire protection contained within this Ordinance shall be calculated as an annual charge; however, billing for the annual service charge shall be annually, monthly, or other duration, but not more frequently than monthly, and shall be solely at the option of the City.

(Ord. 2014-2-115. Passed 12-17-14.)

939.14 WATER SERVICE CURTAILMENT.

In the event an emergency condition exists in the Water 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 satisfy the full water 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:

- (a) Request all customers to reduce domestic, industrial and commercial usage and to refrain from the use of water for car washing and lawn watering; or
- (b) Implement mandatory reduction, interruption or curtailment of water service if the voluntary option set forth in subsection (a) hereof is inadequate in the determination of said Director or his designee to assure a continued water supply for reduced domestic needs to residential customers, for the sanitary needs for customers and for an adequate firefighting capacity for the Hamilton Fire Division.

Failure of a customer to comply with a curtailment request can result in that customer being physically disconnected from the City’s water distribution system.

The Director of Gas and Water shall promulgate such rules and procedures as he deems necessary to implement the water curtailment process as authorized and set forth herein.

(Ord. 99-12-131. Passed 12-8-99.)

939.15 MISCELLANEOUS FEES AND CHARGES FOR WATER SERVICE.

(a) General Charges and Fees. There is hereby established the following schedule of miscellaneous charges and fees for water service customers of the City’s water utility:

<u>Service</u>	<u>Fee</u>
Special meter reading and/or special appointment	\$15.00
Water hydrant use	\$50.00 minimum
Water meter testing less than 1" service line diameter	\$80.00
Water meter testing greater than 1" service line diameter	Cost of labor and materials multiplied by a factor of 1.3

(Ord. 2007-5-42. Passed 5-23-07.)

(b) Water Main Inspection Fees. After the water mains have been approved, such persons or property owners constructing the water mains, whether within or outside the City, shall before laying or constructing the water 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 water mains until the persons have signed an application agreeing to all the following conditions: such persons, property owner or sub-dividers shall post with the City a sum of money for inspection, equal to a base charge of \$790.00 for the first 1,000 feet of main to be constructed plus \$0.60 per foot in excess of 1000 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.

Any excess remaining after completion of the water mains to the satisfaction of the Director shall be returned to the property owners, persons or sub-dividers. No construction or laying of the water mains that are to be connected to the City water system shall be carried on without the inspection required in this section.

(Ord. 2008-5-45. Passed 5-14-08.)

**939.16 UNFUNDED GOVERNMENTAL AND REGULATORY
(INCLUDING ENVIRONMENTAL) MANDATES WATER UTILITY
ADJUSTMENT RIDER “A” (RIDER A).**

(a) Unfunded Governmental and Regulatory (Including Environmental Mandates Adjustment UGRMA).

(1) Scope. The Utility shall recover through application of the UGRMA all expenditures for operating, capital improvements, investments and related debt service principal and interest payments that are paid or payable to parties other than Utility employees which are associated with the Utility’s compliance with governmental and regulatory mandates that are not included or recovered in base water rate charges (Governmental and Regulatory Costs). Governmental and Regulatory Costs shall include Utility debt service payments (including principal and interest payments) associated with the deferral of Governmental and Regulatory Costs. Governmental and Regulatory Costs will be credited to reflect proceeds received from insurance carriers or other entities for amounts that represent reimbursement of costs associated with governmental and regulatory caused compliance projects. Governmental and Regulatory Costs shall not include the salaries of Utility employees, or any benefits related thereto.

The UGRMA will be applied monthly as a volumetric charge (\$ per hundred cubic feet) to water customers total monthly billings so as to recover anticipated Governmental and Regulatory Costs during the period such expenditures are projected to be incurred by the Utility (Recovery Period).

The total amount of any over or under recovery of Governmental and Regulatory Costs for preceding collection periods will be included as Governmental and Regulatory Reconciliation Adjustment and thereby reflected in the UGRMA for the Recovery Period.

(2) Calculation. The formula for calculating the UGRMA, expressed as a volumetric charge (\$ per hundred cubic feet), is:

$$\text{UGRMA} = (\text{EC} + \text{ERA})/\text{S}$$

Where:

EC = Governmental and Regulatory Costs (\$) to be recovered from water customers during the Recovery Period.

ERA = Governmental and Regulatory Reconciliation Adjustment is a dollar adjustment that reflects the difference between actual Governmental and Regulatory Costs incurred during preceding collection periods and the actual revenues collected by the UGRMA during the same collection period.

S = Projected Sales (hundred cubic feet) billed to water customers during the Recovery Period.

(b) Application.

(1) The Utility shall annually review the UGRMA calculation and make projections for the Recovery Period. The Utility shall, when it deems necessary, make adjustments to the UGRMA applied to customers for such period as it deems necessary to accomplish the purposes of this Rider in a timely manner.

(Ord. 2007-12-161. Passed 12-27-07.)

939.17 ECONOMIC DEVELOPMENT COST WATER UTILITY ADJUSTMENT RIDER “B” (RIDER B).

(a) Economic Development Cost Adjustment (EDCA).

(1) Scope. The Water Utility (Utility) shall recover economic development expenditures through the application of the EDCA including the sum of the Economic Development Agreement (EDA) Annual Rebates and all expenditures including funds transferred from the Utility to the City of Hamilton Department of Administrative Division of Economic Development, operating, capital improvements, investments and related debt service principal and interest payments that are paid or payable to parties other than Utility employees which are associated with the Utility’s economic development activities that are not included or recovered in base water rate charges and Unfunded Governmental and Regulatory (including environmental) Mandates Water Utility Adjustment (Rider A). Economic Development expenditures will be credited to reflect proceeds received from other entities for amounts that represent reimbursement of costs associated with economic development projects. Economic Development expenditures shall not include the salaries of Utility employees, or any benefits related thereto. Economic Development expenditures recovered by the EDCA shall be determined to be for a public purpose and benefit to the Utility. “Public purpose” and “Utility benefit” shall be determined by the Law Director and the Finance Director and approved by the Hamilton City Council. The EDCA will be applied monthly and added to water customers monthly billings to recover the Economic Development Cost Adjustment.

(2) Application. The Utility shall review the Economic Development Cost Adjustment calculation and shall make annual projections for the succeeding period January to December (Collection Period). The Utility shall, when it deems necessary, make adjustments to the EDCA applied to customers for such period as it deems necessary to accomplish the purpose of this Rider in a timely manner.

(3) Calculation. The formula for calculating the economic development cost adjustment (EDCA) is:

$$EDCA = (EDC * (MWF * RCM/PTWM))/RCM/12 + RA$$

Where:

$(EDC * (MWF * RCM/PTWM))/RCM/12$ = the Economic Development cost component, expressed in dollars per meter per month.

RA = Reconciliation Adjustment as determined below, expressed in dollars per meter per month.

$$RA = (AEDC * MWF * AM/ATWM))/AM/12 - (PPEDC * (MWF * PCM/ATWM))/PCM/12$$

(4) Definitions.

EDC = PEDC- BEDC

PEDC= Projected Economic Development expenditures in the Collection Period.

BEDC= Economic Development expenditures in the base rates of \$183,512. At the time this rider was written, Economic Development expenditures in base rates were \$0.00 for EDA Annual Rebates and \$183,512 for funds transferred to the City Department of Administrative Division of Economic Development

PPEDC = Economic Development costs to be collected in the preceding Collection Period.

PPTWC= Projected total weighted meters during the preceding Collection Period.

AEDC = Actual Economic Development cost for the preceding Collection Period.

MWF = Meter weighting factor for each meter size in Table 1 below

RCM = Projected average number of meters for a given meter size during the Collection Period.

PCM = Projected average number of meters for a given meter size during the preceding Collection Period.

PTWM = Projected total weighted meters during the Collection Period.

AM = Actual average number of meters in the meter class during the preceding Collection Period.

ATWM = Actual total weighted meters during the preceding Collection Period.

**Table 1
Meter Weighting Factors
(MWF)**

Meter Size	Meter Weighting Factor	Sharon Park Subdivision Meter Weighting Factor
5/8"	1.0	1.5
3/4"	1.1	1.7
1"	1.4	2.1
1 1/2"	1.8	2.7
2"	2.9	4.4
3"	11.0	16.5
4"	14.0	21.0
6"	21.0	31.5
8"	29.0	43.5
10"	37.0	55.5

(Ord. 2010-8-71. Passed 8-11-10; Ord. 2011-8-79. Passed 8-24-11.)

939.18 WATER MAIN REPLACEMENT PROGRAM RIDER.

(a) Water Main Replacement Program Rider (WMRPR).

(1) Scope. The Utility shall recover through application of the WMRPR all expenditures for operating, capital improvements, investments and related debt service principal and interest payments that are paid or payable to parties other than Utility employees which are associated with the Utility's Water Main Replacement Program that are not included or recovered in base water rate charges. Water Main Replacement Costs shall include Utility debt service payments (including principal and interest payments) associated with the deferral of Water Main Replacement Costs. Water Main Replacement costs will be credited to reflect proceeds received from insurance carriers or other entities for amounts that represent reimbursement of costs associated with Water Main Replacement projects. Water Main Replacement costs shall not include the salaries of Utility employees, or any benefits related thereto.

The WMRPR will be applied monthly as an additive to base rates as a fixed charged expressed per meter so as to recover anticipated Water Main Replacement costs during the period such expenditures are projected to be incurred by the Utility (Recovery Period).

The total amount of any over or under recovery of Water Main Replacement costs for preceding collection periods will be included as Water Main Replacement Program Rider and thereby reflected in the WMRPR for the Recovery Period.

(2) Calculation. The formula for calculating the WMRPR, expressed as a fixed charge (\$ per meter), is:

$$\text{WMRPR} = (\text{WMRC} * (\text{MWF} * \text{RCM}/\text{PTWM}))/\text{RCM}/12$$

Where:

WMRC = Projected Water Main Replacement Program expenditures in the Collection Period.

MWF = Meter weighting factor for each meter size in Table 1 below.

RCM = Projected average number of meters for a given meter size during the Collection Period.

PTWM = Projected total weighted meters during the Collection Period.

**Table 1
Meter Weighting Factors
(MWF)**

Meter Size	Meter Weighting Factor	Sharon Park Subdivision Meter Weighting Factor
5/8"	1.0	1.5
3/4"	1.0	1.5
1"	1.3	2.0
1 ½"	2.1	3.1
2"	2.6	3.9
3"	11.0	16.5
4"	14.0	21.0
6"	21.0	31.5
8"	29.0	43.5
10"	37.0	55.5

(b) Application.

(1) The Utility shall annually review the WMRPR calculation and make projections for the Recovery Period. The Utility shall, when it deems necessary, make adjustments to the WMRPR applied to customers for such period as it deems necessary to accomplish the purposes of this Rider in a timely manner.

(Ord. 2010-12-99. Passed 12-8-10.)

939.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than 60 days or both.

