

CODIFIED ORDINANCES OF JAMESTOWN
PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

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TITLE ONE - Street and Sidewalk Areas

Chap. 905. General Provisions.
 Chap. 909. Excavations.
 Chap. 913. Sidewalks.
 Chap. 917. Trees.

CHAPTER 905 General Provisions

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CROSS REFERENCES

Assessments - see Ohio R.C. 701.05, Ch. 727
 Power to establish and care for streets - see Ohio R.C. 715.19, 717.01, 723.01
 Openings by the Municipality - see Ohio R.C. 723.02
 Dedication and acceptance - see Ohio R.C. 723.03
 Change of name, vacating and narrowing streets - see Ohio R.C. 723.04 et seq.
 Sprinkling - see Ohio R.C. 723.16 et seq.
 Surface treatment - see Ohio R.C. 723.23, 723.31
 Compulsory service connections - see Ohio R.C. 729.06 (sewer and water), 743.47 (gas)

905.01 CONDITIONS PRECEDENT TO IMPROVING STREETS.

No department of this Village shall accept, lay out, open, improve, grade, pave, curb or light any street or other way, unless the street or way has been accepted or opened or otherwise has received the legal status of a public street or way prior to the effective date of this section; or unless the street or way corresponds in location and extent with a street or way shown on a recorded plat which has been legally accepted by Council.
 (1994 Code 95.01)

905.02 UNLOADING ON STREET, SIDEWALK.

No person shall unload any heavy material in the streets of the Village, by throwing or letting the same fall upon the pavement of any street, alley, sidewalk or other public way, without first placing some sufficient protection over the pavement.
(1994 Code 95.08)

905.03 STREET AND SIDEWALK OBSTRUCTION.

No person shall place any obstruction on any public street, alley, sidewalk, or other public way unless authorized to do so by the Mayor.
(1994 Code 95.09)

905.04 MATERIALS ON STREET OR SIDEWALK.

No person shall encumber any street or sidewalk. No owner, occupant or person having the care of any building or lot of land, bordering on any street or sidewalk, shall permit the same to be encumbered with barrels, boxes, cans, articles, or substances of any kind, so as to interfere with the free and unobstructed use thereof.
(1994 Code 95.10)

905.05 RAMPED CURBING FOR HANDICAPPED.

All new curbs that are authorized by the Village, and all existing curbs which are part of any reconstruction, shall have a ramp with a nonslip surface built into the curb at each pedestrian crosswalk so that the sidewalk and street blend to a common level. These ramps shall be not less than 40 inches wide and shall, insofar as feasible, be constructed in accordance with the standard drawings and specifications for curb ramps of the State Department of Transportation.
(1994 Code 95.12)

905.06 FLAGPOLE ALONG RIGHT OF WAY.

(a) A property owner in the Village may install a wooden flagpole in a sidewalk or sodded area, for displaying the American flag only, between the sidewalk and curb along the right of way of any public street or highway adjacent to his property. A property owner may also install underground lighting for the display of the flag. Installation of the flagpole and holder shall meet the following specifications:

- (1) The flagpole holder shall be embedded in concrete, flush with the sidewalk or sodded area and possess a cap or cover which shall be used when the holder is not used for the purpose of displaying the American flag;
- (2) The holder shall not exceed 2 inches in diameter and shall be installed not less than one foot from the curb;
- (3) Underground lighting for the flagpole shall be situated within a reasonable distance to the holder and meet all underwriters' requirements governing installation. The highest part of the lighting fixture shall at all times be flush with the sidewalk or sodded area in which it is embedded;
- (4) At no time shall the flag, flagpole, or holder limit or restrict the view of pedestrian or vehicular traffic, nor shall a flag, flagpole, or holder be installed in such manner that it comes in physical contact, or is likely to come in physical contact, with overhead wiring.

(b) The Village may require the issuance of a permit for installation of flagpoles but shall not charge the property owner a permit fee or an inspection fee in excess of one dollar (\$1.00) per installation.
(1994 Code 95.13)

905.07 CONSTRUCTION FOR NEW DEVELOPMENT.

(a) All new development within the Village whether through planned unit development pursuant to Chapter 1145 of the Zoning Ordinance, or any other development, either industrial, commercial or residential, shall include as a part of the construction plan and the requirement for zoning approval, the construction of sidewalks, curbs, gutters and street lights.
(Ord. 5-1992. Passed 7-20-92.)

(b) The specifications for the construction of all sidewalks, curbs, gutters and street lights shall be approved by the Village Zoning Inspector or the Village Engineers pursuant to the applicable provisions of the Zoning Ordinance or Village of Jamestown Standards and any amendments thereto and shall be in conformity with the general provisions of the Zoning Ordinance and the Village of Jamestown Standards.
(Ord. 3-1998. Passed 12-21-98.)

905.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor.

CHAPTER 909 Excavations

909.01	Opening permit required.	909.04	Barriers around excavations.
909.02	Cash deposit; bond.	909.05	Warning lights.
909.03	Restoration of pavement.	909.99	Penalty.

CROSS REFERENCES

Liability for damage - see Ohio R.C. 723.49 et seq.
 Changing established grade - see Ohio R.C. 727.07
 Digging, excavating and piling earth on streets - see Ohio R.C.
 5589.10
 Barricades and warning lights - see GEN. OFF. 521.03

909.01 OPENING PERMIT REQUIRED.

No person shall dig in or disturb the surface of any public street or alley without first having secured a permit from the Mayor. The application for such permit shall be approved by the Village Engineer. The fee for such permit shall be five dollars (\$5.00), and the permittee shall cause the excavation to be made at his own expense. No excavation shall be permitted which will cause a permanent change in the established grade.
 (1994 Code 95.02)

909.02 CASH DEPOSIT; BOND.

(a) At the time of securing a permit for street excavation, the applicant shall provide a bond or otherwise guarantee construction performance as prescribed in Chapter 1307 of the Building Code and as approved by the Village Engineers as adequate to replace the paving.

(b) After the bond or guarantee is provided and the permit is obtained, the applicant shall be permitted to refill the excavation and replace the pavement, subject to inspection and approval of the Village Engineers. The bond or guarantee shall be returned upon satisfactory completion of the work.
 (Ord. 3-1998. Passed 12-21-98.)

909.03 RESTORATION OF PAVEMENT.

All refilling of excavations and all resurfacing of openings in the streets shall be done by the proper officers and employees of the Village, except as otherwise provided in these Codified Ordinances, and the cost of such refilling and resurfacing shall be charged to the holder of the permit under which the openings were made. Such part of such deposit as may remain after deducting the cost of refilling and resurfacing shall be returned to the applicant upon the completion of resurfacing. If the cost of such resurfacing is more than the amount deposited, such excess shall be collected from the applicant.

(1994 Code 95.04)

909.04 BARRIERS AROUND EXCAVATIONS.

Any person engaged in or employing others in excavating, or opening any street, sidewalk, alley, or other public way, shall have the excavation or opening fully barricaded at all times to prevent injury to persons or animals.

(1994 Code 95.05)

909.05 WARNING LIGHTS.

Any person engaged in or employing others in excavating or otherwise in any manner obstructing a portion or all of any street, sidewalk, alley or other public way, at all times during the night season, shall install and maintain at least two illuminated red lamps which shall be securely and conspicuously posted on, at or near each end of such obstruction or excavation, and if the space involved shall exceed 50 feet in extent, then there shall be at least one additional lamp for each added 50 feet or portion thereof excavated or obstructed.

(1994 Code 95.06)

909.99 PENALTY.

Whoever violates any provisions of this chapter is guilty of a minor misdemeanor.

CHAPTER 913
Sidewalks

**913.01 Sidewalk construction,
repair or replacement.**

**913.02 Owner's duty to repair
sidewalk.**

913.03 Removal of ice and snow.

913.99 Penalty.

CROSS REFERENCES

Construction or repair at owner's expense - see Ohio R.C. 729.01
et seq.

Notice to construct or repair sidewalks - see Ohio R.C. 729.03
et seq.

913.01 SIDEWALK CONSTRUCTION, REPAIR OR REPLACEMENT.

(a) Any and all initial construction, repair or replacement of new or existing sidewalks shall require approval of the plans and receipt of a permit for construction as issued by the Zoning Inspector for the Village.

The Zoning Inspector shall require to be deposited prior to issuing any permit, both the detailed specifications meeting all specifications and requirements set forth in this section, and a cash deposit of twenty-five dollars (\$~~50~~25.00), which shall be refunded to the applicant after ninety days so long as the construction is completed pursuant to the application and approved through inspection by the Zoning Inspector. The applicant may file for an extension of said ninety-day construction deadline as needed, which extension shall be in writing and shall be approved by the Zoning Inspector for the Village.

(b) All construction, repair and replacement of new and existing sidewalks shall meet the following construction specifications:

- (1) These construction specifications shall coincide with Ohio R.C. 729.12;
- (2) Must contain a four inch (4") pea gravel base and #6 wire meshing;
- (3) Must be a minimum of forty-eight inches in width or match the existing sidewalk;
- (4) Concrete must be a minimum of four inches deep and be blocked in a minimum of 48 x 48 inch square sections;
- (5) Strength of concrete shall be a minimum of 3,000 pounds per square inch to coincide with Greene County Code 208.02.04;

- (6) There shall be a 2 - 5 degree angle on the sidewalk for water run-off;
- (7) Sidewalks shall be one continuous run from property line to property line from side to side, and front to back along streets as designated by Council;
- (8) Sidewalks shall be continuous from the edge of the applicant's property line and shall be located pursuant to the specifications and application as approved by the Zoning Inspector;
- (9) All sidewalks intersecting at the corner of any street shall be constructed to enable handicap access from the street to the sidewalk.

(c) All sidewalk repair and the requirements of construction thereon shall be established by the following notice procedure:

- (1) Sidewalks must be repaired at the landowner's expense if deemed unsafe by Council;
- (2) All notices of repair shall be given to the landowner(s) in writing by ordinary mail or by such other procedure as may be established by Council;
- (3) Unsafe sidewalks shall be defined as any sidewalk in need of repair due to holes, cracks, unlevel sections or broken sections that would hinder the free and unobstructed movement of pedestrians, traffic or such other use, creating a hazard of the ordinary use of such sidewalk. Cracks, broken sections or unlevel sections shall be considered absolutely unsafe if such condition creates a horizontal gap in the section of more than one inch, or a vertical difference between the two sections of one-half inch or more.
(Ord. 2-1993. Passed 12-6-93.)

913.02 OWNER'S DUTY TO REPAIR SIDEWALK.

It shall be the duty of the owner or owners of all lots or lands abutting on sidewalks within the Village to keep sidewalks in a good state of repair, free from any and all defects that could cause a hazard to the pedestrians of the Village. It shall be the duty of the owners to prevent the existence of any unevenness in the surface of such sidewalks for any reason or cause whatsoever.
(1994 Code 95.14)

913.03 REMOVAL OF ICE AND SNOW.

It shall be the duty of the owner or of the occupant of each and every parcel of real estate in the Village abutting upon any sidewalk to keep the sidewalk abutting his premises free and clear of snow and ice, and to remove therefrom all snow and ice accumulated thereon within a reasonable time, which will ordinarily not exceed twelve hours after the abatement of any storm during which the snow and ice may have accumulated.
(1994 Code 95.11)

913.99 PENALTY.

Whoever violates this chapter is guilty of a minor misdemeanor.

Village of Jamestown
Ordinance 5-2013

WHEREAS, the Village of Jamestown Council has the responsibility to ensure the general health, welfare and safety of its residents, and

WHEREAS, the current regulations regarding the length of time given to property owners to respond to tree trimming and litter issues need changed,

THEREFORE, section 917.01(d) of the Village of Jamestown Codified Ordinances shall now read "If the property owner fails to trim or remove the trees and/or shrubbery within 15 days, as ordered, Council may cause the trees or shrubbery to be trimmed or removed as ordered, and the cost thereof shall be a lien upon such real estate".

AND, section 551.02 (b) shall now read "Upon a finding by Council that litter has been placed on lands in the Village, and has not been removed, and constitutes a detriment to public health, Council shall cause a written notice to be served upon the owner and, if different, upon the lessee, agent, or tenant having charge of the littered land, notifying them that litter is on the land, and that it must be collected and removed within five (5) days after the service of the notice".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE SHALL
TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY LAW.

Passed

11-4-2013

James D. Pugh

Mayor

Marsha Hains

Clerk-Treasurer

Village of Jamestown
Ordinance 4-2013

WHEREAS, the Village of Jamestown Council has the responsibility to ensure the general health, welfare and safety of its residents, and

WHEREAS, the current regulations regarding the trimming of trees above sidewalks needs amended within the Village of Jamestown,

THEREFORE, section 917.01(b) of the Village of Jamestown Codified Ordinances shall now read "All trees shall be trimmed so as to have a clear height of seven feet above the surface of sidewalks and 13.6 feet above the surface of the street or roadway, and the branches of all trees in front of and along lots and lands near which street lights are placed shall be trimmed so as not to obstruct the free passage of light from said lights to the street and sidewalk."

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY LAW.

Passed 9/3/13

Mayor

Marsha Hain
Clerk-Treasurer

Village of Jamestown
Ordinance 2-12

WHEREAS, the Village of Jamestown Council has the responsibility to ensure the general health, welfare and safety of its residents, and

WHEREAS, the current regulations regarding the trimming of trees needs amended to take into account for the taller trucks and equipment that are permissible on the streets and other roadways within the Village of Jamestown,

THEREFORE, section 917.01(b) of the Village of Jamestown Codified Ordinances shall now read "All trees shall be trimmed so as to have a clear height of ten feet above the surface of sidewalks and 13.6 feet above the surface of the street or roadway, and the branches of all trees in front of and along lots and lands near which street lights are placed shall be trimmed so as not to obstruct the free passage of light from said lights to the street and sidewalk."

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE SHALL
TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY LAW.

Passed

6/4/12

Mayor

Marsha Hains
Clerk-Treasurer

VILLAGE OF JAMESTOWN, OHIO
ORDINANCE 08- 3-08

AN ORDINANCE AMENDING CHAPTER 917 ENTITLED "TREES" OR PART EIGHT ENTITLED "STREETS, UTILITIES & PUBLIC SERVICES" OF THE CODIFIED ORDINANCES OF THE VILAGE OF JAMESTOWN.

WHEREAS, the Village of Jamestown has a continuing need to properly enforce the maintenance of trees and shrubbery within the Village; and

WHEREAS, properly maintained trees and shrubbery not only beautifies the Village, but also protects the life and property of the citizens and guests of the Village; and

WHEREAS, the costs to enforce property maintenance continue to increase, requiring assurance of reimbursements of said costs; and

WHEREAS, the Village Council finds it necessary to amend Chapter 917 accomplish these purposes,

NOW THEREFORE, the Village of Jamestown hereby ordains:

SECTION 1 That Chapter 917 of the Codified Ordinances of the Village of Jamestown entitled "Trees" is hereby emended as follows:

917.01 TRIMMING OF TREES AND CHRUBBERY TO PREVENT OBSTRUCTION

- (a) The owner of every lot or parcel of land, including the land between the sidewalk and curb, upon which a tree, plant or shrubbery stands, with any part thereof upon or overhanging a public street or sidewalk, shall conform to the provisions of this section. Otherwise, the city shall cause such tree, plant or shrubbery to be trimmed or cut down and removed in accordance with this chapter and assess the costs thereof against the owner of such lot or parcel of land pursuant to 917.02, in addition to the penalty provided in section 917.99.
- (1) The owner shall trim or cause to be trimmed such tree, plant or shrubbery to a height of at least ten feet above the sidewalk and twelve feet above the street.
- (2) The owner shall trim or remove, as the case may require, every dead, decayed or broken tree, plant or shrubbery, or part thereof, so that the same shall not fall to the street or sidewalk or onto Village owned property.
- (3) The owner shall cut down and remove any tree, plant or shrubbery, or any part thereof, as necessary to;
- (A) Provide a clear and unobstructed view of traffic from all directions at any street intersection; or
- (B) To provide a clear and unobstructed distribution of light from street lamps to the street and sidewalk; or
- (C) To abate any nuisance necessary to protect the life, limb or property of persons, drivers of any vehicles, or pedestrians, using the street, sidewalk, or Village property.

(b). Council shall cause a written notice to be given to property owners ordering them to trim or remove trees and/or shrubbery so that trees and shrubbery shall conform to the provisions of subsection (a) hereof.

917.02 WRITTEN RETURN TO COUNTY AUDITOR; AMOUNT A LIEN UPON PROPERTY

Whenever Council is required to take action pursuant to Section 917.01, then after the work is done, the Village shall give five days notice, by regular mail, to the owner of such lot or parcel of land, to pay the cost of such trimming or removal of trees and/or shrubbery, or parts thereof, including the charges for services, the amount paid for labor, the fees of the officers serving notices, along with a proper description of the premises. In the event the same is not paid within 30 days after the mailing of the notice, then Council shall make a written return to the County Auditor of the action under 917.01 with a statement of the charges for services, the amount paid for labor, the fees of the officers serving notices, along with a proper description of the premises. These amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the Village with the General Fund.

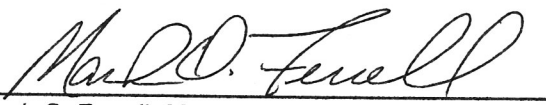
917.99 PENALTY

Whoever violates this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues. **Any civil penalties imposed are deemed separate and distinct from the herein referenced criminal penalties.**

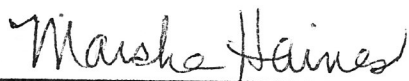
SECTION 2 This Ordinance shall take effect and be in force from and after the earliest date allowed by law.

Passed: 08.04.08

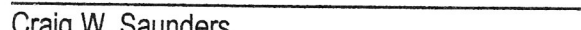
Effective:


Mark O. Ferrell, Mayor
Village of Jamestown Council

Attest:


Marsha Haines
Clerk of Village Council

Seen and Approved as to Form:


Craig W. Saunders
Village Solicitor

CHAPTER 917
Trees

917.01 Trimming of trees and shrubbery to prevent obstruction.

917.99 Penalty.

CROSS REFERENCES

Power to regulate shade trees and shrubbery - see Ohio R.C. 715.20
Assessments for tree planting or maintenance - see Ohio R.C. 727.011
Injury or destruction - see GEN. OFF. 541.06

917.01 TRIMMING OF TREES AND SHRUBBERY TO PREVENT OBSTRUCTION.

(a) It shall be unlawful for any person to plant, grow or maintain any shade tree or trees or shrubbery which will obstruct the proper distribution of light from street lamps or which will obstruct the view of traffic approaching an intersection by operators of vehicles approaching said intersection from another direction.

(b) All trees shall be trimmed so as to have a clear height of ^{13'6"}ten feet above the surface of sidewalks and twelve feet above the surface of the street or roadway, and the branches of all trees in front of and along lots and lands near which street lights are placed shall be trimmed so as not to obstruct the free passage of light from said street lights to the street and sidewalk.

(c) Council shall cause a written notice to be given to property owners ordering them to trim or remove trees and/or shrubbery so that the trees and shrubbery shall conform to the provisions of subsections (a) and (b) hereof.

(d) If the property owner fails to trim or remove the trees and/or shrubbery as ordered, Council may cause the trees or shrubbery to be trimmed or removed as ordered, and the cost thereof shall be a lien upon such real estate.
(1994 Code 93.50)

917.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor.
(1994 Code 93.99(A))

Village of Jamestown
Ordinance # 1-2020

An ordinance amending Jamestown Rules and Regulations
Ordinance 3-2013 regarding charges for services.

WHEREAS, the Jamestown Board of Public Affairs has within its power the authority to control and regulate the operation of the Jamestown Water and Sewer Departments; and

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown Water and Sewer Systems in Jamestown, Ohio, and

WHEREAS, Jamestown Council adopted, by ordinance, a set of rules and regulations for the Jamestown Water and Sewer Department (#3-2013)

WHEREAS, the council of the Village of Jamestown amends the ordinance by the addition of #39: "A service fee of \$50 will be charged to any customer requesting a "call-out" of village employees to check a meter, check for leak, read a meter, turn water on or off, check for backed up sewer, et. after 4:00 p.m. UNLESS the problem is found to be the responsibility of the village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE
SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY
LAW.

Passed 2/3/20

Fiscal Officer Mark Hainy

Village of Jamestown
Ordinance # 4-2015

An ordinance amending Jamestown Rules and Regulations
Ordinance 3-2013 regarding water and sewer lateral lines.

WHEREAS, the Jamestown Board of Public Affairs has within its power the authority to control and regulate the operation of the Jamestown Water and Sewer Departments; and

WHEREAS, Jamestown Council adopted, by ordinance, a set of rules and regulations for the Jamestown Water and Sewer Department (#3-2013)

WHEREAS, the council of the Village of Jamestown amends Section 4, as attached hereto, regarding the responsibility of water and sewer laterals.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY LAW.

Passed

12/7/15

Fiscal Officer

Mark Hain

Section 4. **Property owner to Pay Cost of Service Connections**

All service connections or pipes for supplying water or sanitary sewer laterals for collecting wastewater must be installed at the property owners expense. This includes service saddle, corporation stop, copper/plastic service line, curb stop, service box, meter and associated fittings, meter pit, meter pit lid and cover. All materials must be approved by the Jamestown Water Department.

Water and sanitary sewer laterals on private property are owned by the property owner who is responsible for the repair and maintenance of said laterals. Proper permits must be obtained from the plumbing department of the appropriate jurisdiction before repair or replacement.

Water and sanitary sewer laterals within the public right-of-way or within a utility easement are owned by the Village of Jamestown. Property owners are responsible for the routine cleaning of sanitary sewer laterals to the main. Any property owner claiming to need a repair of the water or sanitary sewer lateral within the public right-of-way/or utility easement must notify the Village of Jamestown Water and Sewer Department.

If a representative of the Water and Sewer Department determines a repair to the water or sanitary sewer lateral is necessary the Water and Sewer Department will make the necessary repairs. During the repair, if it is discovered that the repair is necessary due to damage caused by the property owner (or by a contractor retained by the owner), the property owner shall be responsible for the reimbursing the Water and Sewer Department all cost associated for the repair of the lateral.

The Water and Sewer Department will not initiate repairs to a water or sanitary lateral within these areas that it determines not necessary. If a property owner is in disagreement with the Water and Sewer Department, the property owner may elect to excavate the lateral to expose it for inspection. If it is discovered that the lateral is damaged and is in need of repair, the Water and Sewer Department will reimburse the property owner all associated costs provided the damage was not caused by the property owner or by a contractor retained by the owner. All work done shall be in the presence of a

representative of the Village of Jamestown Water and Sewer Department. The owner (or contractor) is responsible for providing advance notice a minimum of one workday prior to commencing work.

JAMESTOWN WATER DEPARTMENT

RULES AND REGULATIONS

Section 1. **Application for installing of services and furnishing of water**

- A. All applications for installation of service must be made in writing at the office of the Jamestown Water Department on forms furnished by the department, signed by the owner of the property or his/her duly authorized agent and must state truly and fully the uses to which the water is to be supplied and the correct lot and street number of the premises.
- B. Water will not be turned on until an application has been signed by the property owner or his/her duly authorized agent, agreeing to comply with the rules and regulations of the Jamestown Water Department and to be responsible for the payment of all bills for water used on said premises.

Section 2. **Building Purposes**

All water used for building purposes will be furnished through a meter and billed directly to the owner of said property.

Section 3. **Service Connections**

Anyone making a tap or correction to the Village water mains or distribution piping must be authorized to do so by the Superintendent of the Jamestown Water Department.

Section 4. **Property Owner to Pay Cost of Service Connections**

All service connections or pipes for supplying water from the village mains must be installed at the expense of the property owner. Service connections consist of that portion of the service lying between the mains to and including meter and meter pit. This includes service saddle, corporation stop, copper/cts plastic service line, curb stop and service box, meter and associated fittings, and meter pit with lid and cover. All materials must be approved by Jamestown Water Department. Maintenance of service connections, including repair or replacement, will be done at the property owner's expense. All work done on service connections must be completed by the Water Superintendent or someone authorized by the Water Superintendent to do said work.

Section 5. Pipe in Private Streets, Alleys or Courts

Water lines in private streets, alleys or courts, when repaired, must be of a permanent nature and installed at the expense of the property owner or owners under the supervision of Jamestown Water Department and of material approved by the Superintendent of the Water Department. No temporary work will be allowed.

Section 6. Water Connections

All water connections hereafter constructed or to be relaid from the water main to the meter setting shall be of the following specified material. For ordinary house service $\frac{3}{4}$ " K copper/cts plastic pipe shall be used from the main through the meter setting. All pipe used from the meter into the residence (where applicable) must be approved by the Water Superintendent. All materials used in service connections exceeding $\frac{3}{4}$ " must be approved by the Water Superintendent and materials used between the curb stop and the structure to be serviced must also be approved by the Water Superintendent.

Section 7. Application for Extending Service

No plumber or other person shall extend a service from the curb shutoff to any premise unless the owner thereof or his/her authorized agent has secured the necessary permits from the Village Water Department, or the Board of Public Affairs.

Section 8. Inspection of Services

The plumber doing service work between the curb shutoff and the premises to be served must have the work inspected by the Village Water Department before it is covered up and must notify the Water Department in time for said inspection.

Section 9. Street Openings

In excavating for service connections, the street must be opened in such a manner as to cause the least inconvenience to the public, and a free passage of water into the gutters shall be provided. No excavation in any street or public place may be left open overnight without a proper barricade and warning lights, so set as to warn pedestrians or travelers, and the public safety shall in all cases be protected. The refilling of ditches and the repaving of streets shall be done in such a way and with materials prescribed by the Water Superintendent.

Section 10. Shut-Offs for Repairs

The Water Department shall have the right to shut off the water for repair or tests and will not be responsible for any accidents or damages which may result from a discontinuance of service. Persons using steam boilers, gas engines or other equipment whose operation depends on a supply of water direct from the service pipes should have in mind the foregoing rules and provide storage of sufficient water to operate a reasonable length of time.

Section 11. No Cross Connections or By-Pass Connections to be Allowed

To prevent the pollution of the water supply of the Village of Jamestown through connections to the water works mains. (Ordinance 1983-9)

Section 12. Curb and Corporation Cocks Under Control of the Water Department

The curb shut off as well as the corporation cocks shall be under the absolute control of the Water Department and must not be tampered or interfered with or operated by unauthorized persons. Water may be turned on/off into premises by an authorized employee of the Water Department only.

Section 13. Interference with Curb Box or Other Lines

- A. Any contractor or other person doing work in or upon the public streets, and interfering with any curb boxes or other lines, pipes or connections attached to the Village Waterworks, shall promptly restore same to their proper conditions, alignment and grade.
- B. Property owners have a continuing responsibility to maintain curb boxes in such a way as to keep them visible, accessible and in good repair. Any repairs made by the Water Department to a curb box (service box), will be done so at the property owner's expense.

Section 14. Independent Service for Each Property

No single service shall service more than one meter except in special cases which must be approved by the Water Department Superintendent.

Section 15. Stop and Waste Shut Off

All service pipes for domestic supply must be provided with an approved stop and waste cock where it enters the building easily accessible and so installed that the water can be shut off and drained from the pipes and meter. All services larger than $\frac{3}{4}$ " in diameter must have a shut off valve on both sides of the meter so that the meter may be removed without draining all the pipes in the building.

Section 16. Turning on/off Water

No plumber or other person, except the duly authorized agent of the Water Department, shall turn water on/off into any premises.

Section 17. Addition and Alterations

No addition or alterations in any pipe between the water main and the meter or the change of any meter shall be made without permission by the Superintendent of the Water Department.

Section 18. Service to be Discontinued

Any property owner wishing to have his/her water service discontinued shall notify the Village Office. The regular rate will be charged until such notice is given and must be paid before service is again turned on.

Section 19. Access to Property

The Superintendent or his/her authorized employees of the Water Department shall have access at all reasonable hours to the premises supplied with water for the purpose of reading meters and to see that all rules are observed or to make any necessary examination of plumbing and water fixtures. In case the meter cannot be read in a reasonable length of time not to exceed 4 quarters, the service may be shut off until a reading is obtained and bill paid.

Section 20. Leaky Fixtures and Pipes

Water will not be furnished where there are leaky pipes or fixtures and the Water Department reserves the right to shut the water off until necessary repairs are made.

Section 21. Meters to be Furnished

The water meters will be furnished by the Village at the expense of the property owners and will be set, removed or adjusted by employees of the Water Department only. The location of said meter must be satisfactory to the Water Department and the plumbing must be so arranged that the meter can be set in place without disturbing any of the water piping. Meters will not be permitted to be installed in inaccessible places.

Section 22. Meters to be Accessible

The property owner shall maintain a passage way to the meter and keep the meter accessible for reading or removal at all times.

Section 23. Meters Damaged or Stolen

If a meter installed on the premises is stolen, damaged by freezing, fire, hot water, or is damaged in other way due to the act of neglect of the consumer or property owner, the cost of repairs or replacement shall be paid by the property owner. If the meter seal is found broken or other proof of tampering with the meter is found, the bill for the period in question will be estimated and the service may be shut off until all just charges are paid.

Section 24. Cost of Repairs

The cost of repairing meters damaged by freezing or other cause chargeable to the owner or tenant must be paid before another meter is installed. The cost of repairing meters damaged by hot/frozen water will be charged to the property owner and must be paid promptly or the supply will be shut off until bill is paid.

Section 25. Test of Meters: Charge

- A. The Water Department reserves the right to test a customer's water meter when deemed necessary. Any meter testing done at the discretion of the Water Department will be done at no expense to the property owner where said meter is in operation.
- B. Where a consumer so demands, in writing, the Water Department will test a meter for accuracy. The Water Department will guarantee the accuracy of the meter against overcharge within two percent. Proper refunds will be made for charges based on reading of a meter which is shown to overcharge the consumer. When the meter being tested is found to be accurate within two percent, a charge for the testing of the meter will be levied against the property owner. This charge is not to exceed any actual expense incurred by the Water Department for the testing of said meter.

Section 26. Leaks in Fire Lines and Inactive Services

The cost of repairing leaks in fire lines and inactive services must be paid by the owner of the property connected with said service.

Section 27. When Service Connections Will Not be Repaired

When a service connection is found to have deteriorated to the extent that permanent repairs cannot be made, a new service will be required to be installed at the expense of the property owner. The failure of the owner upon notification to authorize such a new service to be installed will be deemed sufficient cause for discontinuing the supply of water to the premises without further notice.

Section 28. **Leaks Will Not be Allowed**

Water service pipe between the curb box and the residence must be maintained at the expense of the property owner. Accordingly, the property owner will be held responsible for any leakage which may occur in such service mains and the Water Department reserves the right to turn off the water in cases where such leakage exists. All water that passes through a meter shall be charged for, whether used or wasted or lost by leakage, except that the Board of Public Affairs may make such abatement as seems to them right and proper in the case of a leak, when it does not appear that the owner or user could be reasonably expected to know of the leak, or to have had a fair chance to stop the same. The adjustment for excessive water bills, due to leaks, will be considered only if the usage doubled their average amount. The average amount is taken from the last four quarters, excluding the quarter with the high usage. The water bills that qualify for an adjustment will be figured as follows: the average usage will be doubled, then the doubled amount will be subtracted from the actual usage and the difference will be divided by two, which is the total number of gallons that will receive the adjustment. The sewer adjustment policy will remain the same, being the sewer amount can be lowered to the average of the last four quarters sewer usage, excluding the quarter with the high usage.

Section 29. **Service Connections for Fire Protection**

- A. The installation of fire extinguisher service connections to supply water to sprinkler systems or private fire hydrants for fire extinguishing only, will be permitted when applications and plans for such services have been submitted to the Water Department and approved by the Superintendent, but no connection will be allowed larger than six inches in diameter and must be provided with backflow prevention that meets current regulations and plumbed for bypass meter, or where required a full sized meter set in concrete meter vault with iron cover and vault drained to owner.
- B. Water for such extinguishing purposes will be furnished as per rates established by the Board of Public Affairs.
- C. The Water Department will furnish all material and do all work necessary for the installation of such fire extinguishing services from the main to the curb, the cost of said work to be paid by the property owner promptly upon rendering of the bill.
- D. When any premise has one or more fire service connections each service shall be equipped with the appropriate backflow prevention device that is easily accessible, so set that water can flow into the premise but cannot flow out.
- E. Pipes intended for protection against fire must not be tapped or used for general water supply on any premises.

Section 30. Use of Fire Hydrants

The fire hydrants are intended primarily for the use of the Fire Department and must not in any way be interfered with. Permission to use is given reluctantly and can only be obtained from the Village Water Superintendent. Drawing of water from fire hydrants by unauthorized persons is strictly prohibited and violations of this rule may cause arrest and fine when no permit has been issued for same.

Section 31. Conservation of Water Supply

In case of serious fire, water shortage, or when for any cause it is necessary, in the judgment of the Fire Chief, to conserve the water supply by limiting the use thereof, such order as he shall make or as shall be made by the Water Superintendent or Mayor to that end, shall be obeyed by all users of water affected by such order, and the village shall not be responsible for any damages resulting from any such limited use. (Ordinance 1988-1)

Section 32. Water Bills, How Rendered

Water bills will be made out in the name of the property owner, unless the tenant pays \$100 deposit to have the service in their name, but owner shall not thereby be relieved from payment of any delinquency that might occur. In rendering first or final bills where consumers move out or in at odd dates in the month, the full monthly minimum charge for the month will be billed, unless the usage is over the 3,000 gallons monthly minimum at which time the amount will be calculated on actual usage.

Section 33. Water Bills, When Due

Water bills are due, and payable monthly or quarterly, as billed, at the Security National Bank or mailed to the Water Department on or before the 1st day of the next month after the date of bills. If not paid when due, the water supply will be discontinued and will not be resumed until all past due accounts are paid.

Section 34. Bills must be paid in the Order Contracted

Accounts for water service must be paid in the order in which they are contracted. Accordingly, the Board of Public Affairs may refuse to accept payment of an account, except when each account is paid in the order incurred, for instance; payment of a current account will not be accepted until all prior accounts for the same premises or person have been paid.

Section 35. Water May be Shut off against Delinquents

Whenever a water bill becomes delinquent, the supply of water may be shut off from any premises of such owner or consumer, regardless of whether such indebtedness was incurred at the premises where service is discontinued or at any other property of such owner or consumer. In the event the owner or consumer restores the water service to the premise in question before the delinquent bill is paid, the owner or consumer will be required to pay all the outstanding water indebtedness, including the most recent water bill against that property. Payment must be rendered by way of cash, money order or an official certified bank check.

Section 36. Estimating of Water

- A. If a meter fails to register, the consumption of water will be estimated from the consumption of a period when water was supplied under similar conditions and was correctly measured.
- B. When the meter reader cannot gain entrance into a residence, a postage-paid card is left at the residence requesting the resident read the meter and return the card to the Water Department. Failure to return the card by the billing date results in an estimated bill covering a period when the water was supplied under similar conditions and was correctly measured. All meters must be read by Village personnel at least once every 4 quarters.

Section 37. Lien upon Real Estate to Secure Delinquent Accounts

- A. The Board of Public Affairs shall require the owner of the premises served with water for the payment thereof, and in the event of default of payment, the village shall place a lien upon the premises to secure payment of the amount due, and the premises may be sold to enforce the same.
- B. On and After the 2nd day of the following month of the date of the bill for water service each account shall be considered in default, and the amount owing shall constitute a lien upon the premises from 8:00 o'clock A.M. on such day. At any time thereafter the Board of Public Affairs may discontinue water service to enforce payment.

Section 38. Non-user of water

In the event any premise connected with and discharging sanitary sewage into the Village sanitary sewer system is not a user of water supplied by the Village Water Department, then any water so used shall be measured by a meter approved by the Village and provided and installed at the expense of the property owner. The sewage charge will be based on readings taken by the Village meter reader from said meter.

TITLE THREE - Utilities

- Chap. 925. Utilities Generally.
 - Chap. 929. Water and Sewer Rates.
 - Chap. 933. Sewer Regulations.
 - Chap. 937. Water Regulations.
-

**CHAPTER 925
Utilities Generally**

- | | | | |
|---------------|---|---------------|--|
| 925.01 | Water Department; rules and regulations. | 925.03 | Water and sewer tap-in permits; fees. |
| 925.02 | Water and sewer rates. | | |
-

925.01 WATER DEPARTMENT; RULES AND REGULATIONS.

The rules and regulations of the Water Department of the Village, i.e., "Exhibit A" attached to Ordinance 89-1, and any amendments thereto are adopted by reference and made a part of this chapter as if fully set forth herein.
(1994 Code 50.01)

925.02 WATER AND SEWER RATES.

The water and sewer rates for all users of the water and sewer system of the Village shall be recommended by the Board of Public Affairs and approved and established by the Village Council from time to time.
(1994 Code 50.02)

925.03 WATER AND SEWER TAP-IN PERMITS; FEES.

The fees for water and sewer tap-in permits shall be recommended by the Board of Public Affairs and approved and established by the Village Council from time to time. Such fees shall not include the cost of materials and labor in installing the system.
(1994 Code 50.03)

(c) No person, business, industry or other user of Village water shall use water from the Village water system when the Mayor has prohibited or restricted such use. Provided notification is given, the Water Board may terminate water service to the user of the water in violation of the prohibitions or restrictions. Such termination may continue until the use is no longer prohibited and/or restricted. The Village, including its agents and employees, shall not be liable nor responsible for any damage resulting from the termination of water service nor for damage due to prohibitions or restrictions placed on water usage by the Mayor. (Ord. 88-3. Passed 10-17-88.)

937.99 PENALTY.

Any person violating any provision of Section 937.02 shall be fined not more than \$100.00 for such violation. When any such violation shall be continuous for more than one day, each 24 hours thereof shall constitute a separate, distinct and additional violation. In addition thereof, such person shall be liable to the Village for any expense, loss or damage occasioned by reason of such violation. (Ord. 88-3. Passed 10-17-88.)

16-112

Village of Jamestown

Ordinance 3-2016

An ordinance establishing new water rates for users of the Village of Jamestown water system

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown water system for current expenses as well as capital improvements needed in the future, and

WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio, and

1. An increase in the water rate of Twenty-Five percent (25%) which equals \$6.25 per 1,000 gallons for all users of the Jamestown water system;
2. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$56.25 per quarter;
3. Retention of the surcharge to non-residential users equal to ten percent (10%) if they had service prior to August 16, 1999, that is equal to \$ 6.88 per 1,000 gallons (\$61.92 minimum charge per quarter);
4. Retention of the surcharge to non-residential users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$7.82 per 1,000 gallons (\$ 70.38 minimum charge per quarter)
5. Implementation of the increased charges will be effective with usage beginning January 1, 2017 and reflected on the bill for quarter ending April 1, 2017 and due by May 1, 2017

WHEREAS, the Village of Jamestown Council has determined that such increase is in the best interest of the general health and welfare of the Village of Jamestown,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE
SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY
LAW.

Passed 12/5/14

Mark Harris
Clerk-Treasurer

15-136

Village of Jamestown Ordinance 6-2015

An ordinance establishing new water rates for users of the Village of Jamestown water system

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown water system for current expenses as well as capital improvements needed in the future, and

WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio, and

1. An increase in the water rate of ten percent (10%) which equals \$5.00 per 1,000 gallons for all users of the Jamestown water system;
2. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$45.00 per quarter;
3. Retention of the surcharge to non-residential users equal to ten percent (10%) if they had service prior to August 16, 1999, that is equal to \$ 5.50 per 1,000 gallons (\$49.50 minimum charge per quarter);
4. Retention of the surcharge to non-residential users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$6.25 per 1,000 gallons (\$ 56.25 minimum charge per quarter)
5. Implementation of the increased charges will be effective with usage beginning January 1, 2016 and reflected on the bill for quarter ending April 1, 2016 and due by May 1, 2016

WHEREAS, the Village of Jamestown Council has determined that such increase is in the best interest of the general health and welfare of the Village of Jamestown,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE
SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY
LAW.

Passed _____

Clerk-Treasurer

Village of Jamestown Ordinance 1-2015

An ordinance establishing new water rates for users of the Village of Jamestown water system

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown water system for current expenses as well as capital improvements needed in the future, and

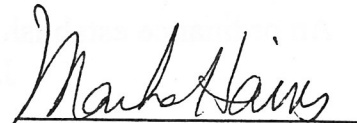
WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio, and

1. An increase in the water rate of ten percent (10%) which equals \$4.55 per 1,000 gallons for all users of the Jamestown water system;
2. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$40.95 per quarter;
3. Retention of the surcharge to non-residential users equal to ten percent (10%) if they had service prior to August 16, 1999, that is equal to \$ 5.00 per 1,000 gallons (\$45 minimum charge per quarter);
4. Retention of the surcharge to non-residential users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$5.69 per 1,000 gallons (\$ 51.21 minimum charge per quarter)
5. Implementation of the increased charges will be effective with usage beginning January 1, 2015 and reflected on the bill for quarter ending April 1, 2015 and due by May 1, 2015

WHEREAS, the Village of Jamestown Council has determined that such increase is in the best interest of the general health and welfare of the Village of Jamestown,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE
SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY
LAW.

Passed 1-5-2015


Clerk-Treasurer

Village of Jamestown
Ordinance 6-2013

An ordinance establishing new water rates for users of the Village of Jamestown water system

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown water system for current expenses as well as capital improvements needed in the future, and

WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio, and

1. An increase in the water rate of five percent (5%) which equals \$4.14 per 1,000 gallons for all users of the Jamestown water system;
2. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$37.26 per quarter;
3. Retention of the surcharge to non-residential users equal to ten percent (10%) if they had service prior to August 16, 1999, that is equal to \$ 4.55 per 1,000 gallons (\$40.95 minimum charge per quarter);
4. Retention of the surcharge to non-residential users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$5.18 per 1,000 gallons (\$46.62 minimum charge per quarter)
5. Implementation of the increased charges will be effective with usage beginning January 1, 2014 and reflected on the bill dated "quarter ending April 1, 2014"

WHEREAS, the Village of Jamestown Council has determined that such increase is in the best interest of the general health and welfare of the Village of Jamestown,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE
SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY
LAW.

Passed 11-18-2013

Mark Harris
Clerk-Treasurer

Village of Jamestown
Ordinance 5-2012

An ordinance establishing new water rates for users of the Village of Jamestown water system

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown water system for current expenses as well as capital improvements needed in the future, and

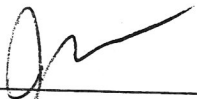
WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio, and

1. An increase in the water rate of five percent (5%) which equals \$3.94 per 1,000 gallons for all users of the Jamestown water system;
2. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$35.46 per quarter;
3. Retention of the surcharge to non-residential users equal to ten percent (10%) if they had service prior to August 16, 1999, that is equal to \$ 4.33 per 1,000 gallons (\$38.97 minimum charge per quarter);
4. Retention of the surcharge to non-residential users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$4.93 per 1,000 gallons (\$44.37 minimum charge per quarter)
5. Implementation of the increased charges will be effective with usage beginning January 1, 2013 and reflected on the bill dated "quarter ending April 1, 2013"

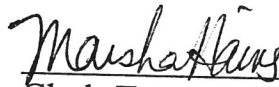
WHEREAS, the Village of Jamestown Council has determined that such increase is in the best interest of the general health and welfare of the Village of Jamestown,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE
SHALL TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY
LAW.

Passed 12/3/12



Mayor



Clerk-Treasurer

Village of Jamestown

Ordinance 10-09

An ordinance establishing new water rates for users of the Village of Jamestown water system

WHEREAS, the Jamestown Board of Public Affairs has the responsibility to ensure the financial stability of the Jamestown water system for current and future operating expenses,

WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio effective April 1, 2010 to be billed July 1, 2010

1. An increase in the water rate of $7\frac{1}{2}$ percent (7.5%) which equals \$3.49 per 1,000 gallons for all users of the Jamestown water system;
2. An increase in the sewer rate of $7\frac{1}{2}$ percent (7.5%) which equals \$4.84 per 1,000 gallons for all users of the Jamestown sewer system;
3. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$31.41 per quarter;
4. Retention of the minimum quarterly charge for sewer based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$43.56 per quarter;
5. Retention of the surcharge to non-residential water users equal to ten percent (10%) if service was established prior to August 16, 1999, that is equal to \$ 3.84 per 1,000 gallons (\$34.56 minimum charge per quarter);
6. Retention of the surcharge to non-residential sewer users equal to ten percent (10%) if service was established prior to August 16, 1999, that is equal to \$ 5.32 per 1,000 gallons (\$47.88 minimum charge per quarter);
7. Retention of the surcharge to non-residential water users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$4.36 per 1,000 gallons (\$39.24 minimum charge per quarter)
8. Retention of the surcharge to non-residential sewer users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$6.05 per 1,000 gallons (\$54.45 minimum charge per quarter)

9. An increase in the sewer rate of which equals \$2.71 per thousand gallons for wastewater collected from Shawnee Hills and charged to Greene County Sanitary Engineering Department

WHEREAS, the Jamestown Board of Public Affairs recommends the following rate increase for all users of the Jamestown water system in Jamestown, Ohio effective April 1, 2011 to be billed July 1, 2011

1. An increase in the water rate of 7 ½ percent (7.5%) which equals \$3.75 per 1,000 gallons for all users of the Jamestown water system;
2. An increase in the sewer rate of 7 ½ percent (7.5%) which equals \$5.20 per 1,000 gallons for all users of the Jamestown sewer system;
3. Retention of the minimum quarterly charge for water based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$33.75 per quarter;
4. Retention of the minimum quarterly charge for sewer based upon the use of 9,000 gallons, that is, usage from 0 gallons to 9,000 gallons will cost \$46.80 per quarter;
5. Retention of the surcharge to non-residential water users equal to ten percent (10%) if service was established prior to August 16, 1999, that is equal to \$ 4.13 per 1,000 gallons (\$37.17 minimum charge per quarter);
6. Retention of the surcharge to non-residential sewer users equal to ten percent (10%) if service was established prior to August 16, 1999, that is equal to \$ 5.72 per 1,000 gallons (\$51.48 minimum charge per quarter);
7. Retention of the surcharge to non-residential water users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$4.69 per 1,000 gallons (\$42.21 minimum charge per quarter)
8. Retention of the surcharge to non-residential sewer users equal to twenty-five percent (25%) if they acquired service after August 16, 1999, that is equal to \$6.50 per 1,000 gallons (\$58.50 minimum charge per quarter)
9. An increase in the sewer rate of which equals \$3.09 per thousand gallons for wastewater collected from Shawnee Hills and charged to Greene County Sanitary Engineering Department

WHEREAS, the Village of Jamestown Council has determined that such increase is in the best interest of the general health and welfare of the Village of Jamestown,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF JAMESTOWN, OHIO, THAT THIS ORDINANCE SHALL
TAKE EFFECT AT THE EARLIEST PERIOD ALLOWED BY LAW.

Passed 12-21-09

Mark Jewell

Mayor

Marsha Hain

Clerk-Treasurer

CERTIFICATE

I, Marsha Haines, Clerk of the Village of Jamestown, Ohio do hereby ratify that the foregoing ordinance was duly posted in the manner provided by RC731.25, there being no newspapers printed in this village. Said Ordinance was posted in five of the most public places in said village, to be as follows: Jordans SuperValu, Jamestown Municipal Building, Jamestown Library, Greeneview Schools Board Office, and D & B Hardware for a period of not less than fifteen (15) days prior to this taking effect thereof, to wit, from 22nd day of December, 2009 to the 6th day of January, 2010

Marsha Haines
Marsha Haines

CHAPTER 929
Water and Sewer Rates

929.01 Water rates.
929.02 Sewer rates.

929.03 Tap-in fees.

CROSS REFERENCES

Sewer rates - see Ohio R.C. 729.49

Water rates - see Ohio R.C. 733.29

929.01 WATER RATES.

The water rate for users of the Water System of the Village of Jamestown shall be:

- (a) \$2.95 per 1,000 gallons of usage for the water rate.
 - (b) A minimum quarterly charge based upon the usage of 9,000 gallons, i.e., \$26.55 for water.
 - (c) All present customers outside the Village limits will remain at the 10% surcharge, and all new customers outside the Village who are connected to the system after the effective date of this section will be charged a 25% surcharge.
 - (d) Any new nonresident applying for water/sewer taps must first be approved by Village Council, beginning with all applications received on the effective date of this section and thereafter.
 - (e) Implementation of the new rates shall be effective with usage beginning October 1, 1999, and thereafter.
- (Ord. 6-1999. Passed 8-16-99)

929.02 SEWER RATES.

The sewer rate for users of the Sewer System of the Village of Jamestown shall be:

- (a) Effective with July 1, 2002 sewer usage:
 - (1) \$3.70/1,000 gallons for Village users.
 - (2) \$4.07/1,000 gallons for nonresident users receiving direct Village service prior to August 16, 1999.
 - (3) \$4.63/1,000 gallons for nonresident users receiving direct Village service after August 16, 1999.
- (b) Effective with July 1, 2003 sewer usage:
 - (1) \$4.50/1,000 gallons for Village users.
 - (2) \$4.95/1,000 gallons for nonresident users receiving direct Village service prior to August 16, 1999.
 - (3) \$5.63/1,000 gallons for nonresident users receiving direct Village service after August 16, 1999.

All minimum quarter bills based on 9,000 gallons of usage for subsections (b)(1), (2) and (3) hereof.
- (c) Implementation of the new rates shall be effective with usage beginning July 1, 2002 and thereafter in increments as specified.
(Ord. 3-2002. Passed 5-6-02.)

929.03 TAP-IN FEES.

(a) The tap-in fee for water applications is hereby established at the sum of one thousand dollars (\$1,000), which fee shall not include the cost of materials and labor in installing the system.

(b) The tap-in fee for sewer applications is hereby established at the sum of one thousand dollars (\$1,000), which fee shall not include the cost of materials and labor in installing the system.
(Ord. 5-01. Passed 8-6-01.)

CHAPTER 933 Sewer Regulations

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| 933.01 Discharges prohibited.
933.02 Connections to sewer system required. | 933.99 Penalty. |
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CROSS REFERENCES

Power to construct sewerage system - see Ohio R.C. 715.40, 717.01
 Compulsory sewer connections - see Ohio R.C. 729.06
 Management and control of sewerage system - see Ohio R.C. 729.50
 Regulations to control house sewers and connections - see Ohio R.C. 729.51
 Untreated sewage - see Ohio R.C. 3701.59
 Interference with sewage flow - see Ohio R.C. 4933.24
 Sewerage districts - see Ohio R.C. 727.44 et seq.
 Assessments - see Ohio R.C. Ch. 729
 Household sewage disposal systems - see OAC Ch. 3701-29

933.01 DISCHARGES PROHIBITED.

All discharge of surface, drainage or runoff water into the sanitary sewer system is hereby prohibited. (Ord. 7-1982. Passed 7-19-82.)

933.02 CONNECTIONS TO SEWER SYSTEM REQUIRED.

All persons or corporations owning real estate within the Village, upon which there is constructed, either a dwelling (single or multiple), a business building or a manufacturing building, shall be required to cause said property and building to be tapped on to the Village sewer system, if a sewer main or lateral is available to said property. Availability to said property is defined to mean any situation in which the main or lateral is adjacent to the property line of said owner or lies within the public right of way of a street or alley, which street or alley is adjacent to said property line.
 (Ord. 1980-6. Passed 12-15-80.)

933.99 PENALTY.

Any person or corporation violating any provision of this chapter shall be guilty of a minor misdemeanor, and each day's violation shall be a separate offense.

CHAPTER 937 Water Regulations

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| <p>937.01 Backflow prevention device.</p> <p>937.02 Conservation of water supply; emergency restrictions.</p> | <p>937.99 Penalty.</p> |
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CROSS REFERENCES

Power to provide and regulate water system - see Ohio R.C. 715.08, 717.01, 743.01

Water pollution - see Ohio R.C. 715.08, 743.25

Compulsory water connections - see Ohio R.C. 729.06, 743.23

Management and control of water works - see Ohio R.C. 735.28 et seq.

Weekly deposit of water works money collected - see Ohio R.C. 743.06

Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22

Fluoridation - see Ohio R.C. 6111.13

Water pollution control - see Ohio R.C. Ch. 6111

Water supply - see OAC 4101:2-51-37

Backflow - see OAC 4101:2-51-38

937.01 BACKFLOW PREVENTION DEVICE.

(a) If, in the judgment of the Superintendent of Water, an approved backflow prevention device is necessary for the safety of the public water system, the Superintendent of Water will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Superintendent of Water and shall have inspections and tests made of such approved devices as required by the Superintendent of Water.

(b) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of Jamestown may enter the supply or distributing system of said Municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent of Water of Jamestown and by the Ohio Environmental Protection Agency.

(c) It shall be the duty of the Superintendent of Water to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Superintendent of Water shall deem necessary.

(d) The Superintendent of Water of Jamestown, or his or its duly authorized representative, shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distributing system of Jamestown for the purpose of inspecting the piping system or systems thereof. On demand, the owner, lessees or occupants of any property so served shall furnish to the Superintendent of Water any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Superintendent of Water, be deemed evidence of the presence of improper connections as provided in this section.

(e) The Superintendent of Water of Jamestown is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this section.

(Ord. 9-1983. Passed 6-6-83.)

937.02 CONSERVATION OF WATER SUPPLY; EMERGENCY RESTRICTIONS.

(a) When, for any reason, the supply of water from the Village water system is inadequate to meet the demand or projected demand for water, including the maintenance of necessary water reserves and projected reserves necessary for fire suppression activities as determined by the Mayor, the Mayor shall declare that the use of water by all users of Village water for purposes not essential to the health, safety and welfare of the residents of the Village is prohibited or restricted during specified hours and/or days, or for a specified time period, or for a continuing time period until notice is given that such uses are no longer prohibited and/or restricted. Water uses not essential to the health, safety and welfare include, but are not limited to, lawns and gardens, vehicle washing, manufacturing facilities, cooling facilities, commercial laundries and commercial vehicle washing facilities. Restrictions shall be placed on any or all of the nonessential water uses consistent with the severity of the situation, as determined by the Mayor.

(b) Publication one time of such a declaration of prohibition and/or restrictions in a newspaper of general circulation within the Village shall constitute official notice to all users of Village water. The Village shall also provide the declarations to appropriate television and radio stations and may provide mailings to water users for information purposes. The prohibitions and/or restrictions of water usage shall remain in full force to all users of Village water until notice of the prohibitions and/or restrictions are removed by the Mayor by having such a notice published one time in the same newspaper of general circulation within the Village. The Village shall also publicize said removal of restrictions and/or prohibitions with appropriate television and radio stations.

VILLAGE OF JAMESTOWN, OHIO
ORDINANCE 4-09

AN ORDINANCE AMENDING SECTION 951.01 OF THE CODIFIED ORDINANCE OF JAMESTOWN, OHIO, UPDATING AND CLARIFYING PROCEDURAL REQUIREMENTS FOR BURIAL OF INDIGENT VILLAGE RESIDENTS.

WHEREAS, the Village of Jamestown is required by state law to pay for burial costs of certain indigent Village residents; and

WHEREAS, the Village of Jamestown continues to put in place cost saving measures and procedures to ensure the responsible expenditure of public funds;

NOW THEREFORE, the Village of Jamestown ordains:

Section 1: Codified Ordinance of Jamestown 951.01 is hereby amended to read as follows:

- “(A) Before the Village shall be liable for the payment of any burial expenses arising under Ohio Revised Code 9.15, it shall be necessary for either the surviving spouse, next of kin, the funeral director in charge of the burial of the deceased person, or the administrator of the nursing home wherein the person died to file with the Village Fiscal Officer an application and affidavit for consideration by the Village Council.
- (B) The Village Council shall review each application and affidavit within a reasonable time after receipt. The Village Council shall approve payment only when said application and the affidavit meet the following requirements:
- (1) That the decedent was not an inmate of a penal, reformatory, benevolent or charitable institution of this county or state;
 - (2) That the decedent did not die as a patient of any hospital of this or any other state;
 - (3) That the body of the decedent was not claimed by any person for private interment at his own expense or delivered for the purpose of medical or surgical study or dissection in accordance with Ohio Revised Code 1713.34;
 - (4) That the decedent was a legal resident of the Village of Jamestown at the time of his or her decease;
 - (5) That the decedent and decedent's next of kin are “indigent.”

Section 2: This ordinance shall take effect and be in force from and after the earliest date allowed by law.

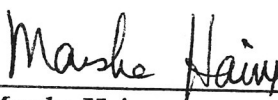
Passed: 3-16-09

Effective:

Village of Jamestown


by: Mark Ferrell, Mayor

Attest:


Marsha Haines
Village Clerk

CERTIFICATE

I, Marsha Haines, Clerk of the Village of Jamestown, Ohio do hereby ratify that the foregoing ordinance was duly posted in the manner provided by RC731.25, there being no newspapers printed in this village. Said Ordinance was posted in five of the most public places in said village, to be as follows: Jordans SuperValu, Jamestown Municipal Building, Jamestown Library, Greeneview Schools Board Office, and D & B Hardware for a period of not less than fifteen (15) days prior to this taking effect thereof, to wit, from 17th day of March, 2009 to the 1st day of April, 2009

Marsha Haines
Marsha Haines

TITLE FIVE - Other Public Services

Chap. 951. Indigent Burial Assistance.

Chap. 955. Parks and Recreation.

CHAPTER 951
Indigent Burial Assistance**951.01 Requirements.****951.02 Appeals.****CROSS REFERENCES**Indigent burial assistance - see Ohio R.C. 5101.521

951.01 REQUIREMENTS.

Before the Village shall be liable for the payment of any burial expenses arising under Ohio R.C. 5101.521, it shall be necessary for either the surviving spouse, one of the children or one of the grandchildren of the dead person or the funeral director in charge of the burial of the dead person or the nursing home wherein the person died (if that is the case) to file with the Village Fiscal Officer, application and affidavit, which affidavit shall meet the following requirements:

- (a) That the body of the dead person was found in the Village;
- (b) That the dead person was not an inmate of a penal, reformatory, benevolent or charitable institution of this State;
- (c) That such body was not claimed by any person for private interment at his own expense or delivered for the purpose of medical or surgical study or dissection in accordance with Ohio R.C. 1713.34;
- (d) That such dead person was not eligible for burial assistance under Ohio R.C. 5101.52; or
- (e) That such dead person was a legal resident of the Village at the time of his decease. (1994 Code 96.01)

951.02 APPEALS.

After the filing of the application and affidavit, Council shall promptly determine the extent of its liability, if any, relating to the burial. Should the application be denied, if the applicant, within ten days after being notified of the denial, files a written request for appeal with the Fiscal Officer of the Village, Council shall grant such appeal and permit the applicant a formal hearing before Council, at which time he may present pertinent testimony or evidence to support his application. (1994 Code 96.02)

CHAPTER 955 Parks and Recreation

955.01 Municipal Park hours.

955.99 Penalty.

955.02 Park rules and regulations.

CROSS REFERENCES

Land appropriation for parks - see Ohio R.C. 715.21, 719.01

Playgrounds - see Ohio R.C. 755.12 et seq.

Board of Park Trustees - see Ohio R.C. 755.19 et seq.

Power to regulate vehicle speed in parks - see Ohio R.C. 4511.07(E)

Vandalism - see GEN. OFF. 541.04

955.01 MUNICIPAL PARK HOURS.

The Municipal Park, (i.e., the Jamestown Community Park), at the corners of Sycamore, Adams and Nelson Streets in the Village, shall open at one-half hour after sunrise, close one-half hour before sunset, and shall remain open in between those hours daily.
(1994 Code 97.01)

955.02 PARK RULES AND REGULATIONS.

(a) All use and possession of alcohol, motorbikes, bicycles, tricycles, skateboards or roller skates is prohibited on or within the Jamestown Community Park as it exists along Sycamore Street between Adams and Nelson Streets within the Village, except skateboards, bicycles and roller skates may be used within the designated Skate Park, a fenced-in area which was formerly used as a tennis court at the Jamestown Community Park.
(Ord. 1-2003. Passed 2-3-03.)

(b) No pets or domesticated animals of any type are permitted on or within the Jamestown Community Park.

(c) A sign giving notice to the patrons of the park concerning the rules and regulations set out herein shall be established and placed on the grounds of the Jamestown Community Park in conformity with "Exhibit A" attached to Ordinance 7-1986 and incorporated into this section by reference. (1994 Code 97.02(B),(C))

(d) No person shall litter the Jamestown Community Park by, but not limited to, tossing rocks and other debris on the tennis courts and basketball courts and discarding bottles and paper wrappers on park grounds.
(Ord. 6-2000. Passed 12-4-00.)

955.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor.