

RULE AND REGULATION NO. 18-02
Division of Water
Department of Public Utilities

October 2018

SUBJECT: WATER SERVICE TAP REQUIREMENTS

Pursuant to the authority granted under Columbus City Codes Chapter 1101, the Director of the Department of Public Utilities hereby adopts, establishes, and publishes this rule and regulation to be effective at the earliest date allowed by law. This rule and regulation supersedes Division of Water Rule and Regulation 15-03, published February 7, 2015, in the *Columbus City Bulletin*, Columbus, Ohio. This rule and regulation is in addition to any established requirements that have not been superseded or rescinded by this or any previous act.

APPLICATION:

This regulation applies to every building, structure, or parcel of land requiring Water Service from the City of Columbus, Division of Water, including retail contract areas. This rule and regulation excludes Water Service in wholesale contract areas.

DEFINITIONS:

Owner: A person or entity whose name appears on the recorded deed of ownership with the pertinent County Auditor's Office.

Water Service: water supplied from a tap and service line connected to the City of Columbus, Division of Water distribution system.

Private Water System: A water system, owned and maintained by the property owner, extending from the tap, as defined by City Code, onto the premises to be served. It shall include the connection to the tap and all necessary piping and appurtenances before, after and including the meter for both the domestic and fire protection service lines.

GENERAL REGULATION:

The following are required to receive Water Service from the City of Columbus, Division of Water.

1. An application for Water Service shall be submitted for all new service connections or when a change occurs to an existing tap's service area. A plat or deed shall be submitted as part of the application process.
2. Except as permitted under subparagraphs (a), (b), (c), (d) or (e) below, Water Service from a single tap will only be permitted to buildings or structures located on a single parcel of land and which single parcel of land is identified by a single tax parcel identification number. Whenever any parcel of land is split or divided and the split or divided parcel(s) are assigned separate tax parcel identification numbers, such split or divided parcel(s) shall require a separate tap.

The foregoing limitations notwithstanding, Water Service may be provided by a single tap upon approval of the Director of the Department of Public Utilities under the following circumstances:

- (a) to real property comprised of residential units that are individually owned and are subject to a condominium declaration pursuant to Ohio R.C. Chapter 5311; or
- (b) to residential real property that is authorized by Columbus City Council as a Traditional Neighborhood Development (TND) or as a Planned Unit Development (PUD), and that is subject to a mandatory homeowners association that will be responsible for payment to the City of Columbus for water consumption and any other water-related charges, and for the maintenance of said real property's Private Water System. Authorization of residential real property as a TND or PUD by the legislative authority of a retail contract municipality may, subject to the approval of the Director of the Department of Public Utilities, be acceptable if such zoning is equivalent to the TND or PUD zoning for the City of Columbus, and a mandatory home owners association shall be responsible for payment to the City of Columbus for water consumption and any other water-related charges and for the maintenance of said real property's Private Water System, or
- (c) to real property that is authorized by Columbus City Council as a New Community District (NCD) under Ohio Revised Code Chapter 349, of which at least 50 percent of the total area is comprised of a former landfill or other brownfield site that is, and will in perpetuity remain, subject to oversight by the Ohio Environmental Protection Agency for any filling, grading, excavation, construction, or other related activities. The New Community Authority (NCA) associated with the NCD shall be responsible for payment to the City of Columbus for water consumption and any other water-related charges and for the maintenance of the NCD's Private Water System. The NCA shall notify each owner of property within the NCD of the NCA's responsibilities as related to water service. If the NCD or NCA should at any time cease to exist, construction of separate water service lines for each parcel will be required. If any parcel is removed from the NCD, construction of separate water service lines for such parcel will be required.
- (d)
 - i. to residential real properties that are part of an approved phased development, of which more than one phase has been constructed prior to the adoption of this rule and regulation, with previously constructed phase(s) receiving Water Service from a single tap and that the City of Columbus anticipated the subsequent phases would receive Water Service from a single tap, or
 - ii. to residential real properties constructed for the purpose of providing affordable senior or low-income housing, the owners of which are affiliated with a single non-profit organization recognized by the Director of the Department of Public Utilities as being established for the purpose of providing affordable senior or low-income housing, or
 - iii. to residential real properties owned by a single person or entity that, due to the annexation of one or more of the parcels, are located within different property tax districts and therefore cannot be combined into a single tax parcel, provided that, upon any a subsequent reclassification of property tax districts such that the properties can be combined, the parcels shall be combined within ninety (90) days of such reclassification.

However, the foregoing “i, ii, iii” only apply provided that the tap is sized sufficiently for all properties to be served by it, and further provided that all properties receiving Water Service from such tap are subject to binding covenants or other declarations running with the land containing terms as required by the Director of the Department of Public Utilities, including but not limited to the following provisions:

- a restriction on the transfer of the properties to different owners
- waterline cross easements for access, maintenance and repair
- common management of water and sewer accounts by a single owner
- compliance with applicable drinking water rules

The recorded instrument shall be recorded prior to plan approval, and shall not be modified or terminated without the prior written approval of the Director of the Department of Public Utilities. If the terms of the recorded instrument are not met, each property will be subject to termination of Water Service, and construction of separate water service lines for each parcel will be required; or

(e) to any tract of land that includes a building or structure that is listed on the National Register of Historic Places or the Columbus Register of Historic Properties, and the Water Service to said property as a result of practical difficulties owing to the historic character of the property and its registration cannot be separated readily, and the owner of all such divided historic parcels of land, buildings or structures have executed binding covenants or other declarations running with the land for the benefit of the City that shall obligate all property owners jointly and severally for the payment of the water consumption and any other water-related charges to the City and maintenance of said real property’s Private Water System.

3. Unless approved by the Director of the Department of Public Utilities, a Private Water System shall not cross through a public right of way, public access easement, or water main easement.
4. There shall be only one (1) City owned meter per tap; and one (1) tap per City owned meter and all outlets shall be after the meter.

APPROVED: RC Westerfield
RICHARD C. WESTERFIELD, P.E., Ph.D.
ADMINISTRATOR
DIVISION OF WATER

10/30/18
DATE

APPROVED: Tracie Davies by AMT
TRACIE DAVIES
DIRECTOR
DEPARTMENT OF PUBLIC UTILITIES

10.30.2018
DATE

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