
1101.03 Termination of water service.

- (a) After twenty-one (21) days' notice, the Director may terminate water services to any person or real estate using city water in violation of this chapter for any of the following conditions:
- (1) Nonpayment of accounts pursuant to City Code Section 1105.12
 - (2) Violation of any rule and regulation promulgated pursuant to City Code Section 1101.01
 - (3) Violation of City Code Section 1105.038
 - (4) Violation of City Code Chapter 1113
- (b) The notice shall indicate the basis upon which service is being terminated and date after which service will be terminated if the violations are not corrected, or applicable payment or payment agreements are not received by the Division of Water pursuant to City Code Section 1105.12. The notice shall also indicate the hearing rights afforded to any person affected by the termination notice by which the person may contest the water service termination. The notice shall be mailed or hand delivered to the address of the customer of record and to the service address.
- (c) Any affected person desiring a hearing concerning a termination of water service under this section or billing dispute under City Code Section 1105.12(E) must request a hearing with the director by submitting a written and signed request to the Division of Water no later than ten (10) days after receipt of a termination notice, or ten (10) days after the due date of the bill in question, whichever date is later. Failure of an affected person to file a request for hearing within the allotted ten (10) day period shall constitute a waiver by that person of their right to a hearing under this section. A request for hearing shall include as a minimum: name, address and telephone number of affected person; date; a statement requesting a hearing; and a description of the nature of the dispute, including the location of the affected property. The director or designee shall convene a hearing on the matter within ten (10) days of receiving the request for hearing. If a hearing cannot be scheduled within this ten (10) day period, then the water service termination shall be automatically stayed, pending the holding of a hearing on this matter. The director shall adopt regulations establishing procedures by which hearings will be conducted pursuant to this section. For the purposes of this section the meaning of "affected person" shall include, but is not limited to, an owner, occupant, resident or tenant of the affected property.
- (d) This section is not applicable to emergency termination of water services pursuant to City Code Section 1101.06, water service termination for the purpose of enforcing the termination of sewer services pursuant to City Code Section 1145.83, voluntary termination of water services pursuant to City Code Section 1101.07, water service termination for the purpose of enforcing the Lead Service Line Replacement Program pursuant to City Code Section 1119.06, or disruption of water service due to routine or scheduled maintenance of the water system or emergency circumstances.