

ORDINANCE NO. O2018-12

**AN EMERGENCY ORDINANCE ESTABLISHING SECTION 558
“TAMPERING WITH WATER AND SEWER SERVICE PROHIBITED”
OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**

WHEREAS, the City of Gallipolis is desirous of promoting the health and welfare of the Citizenry by enforcement of the provisions adopted by these Codified Ordinances (as amended from time to time); and,

WHEREAS, an integral part of the enforcement of said code provisions is the enforcement of penalties, fines, executions, and legal remedies for tampering with the water and sewer services of the City; and,

WHEREAS, the City of Gallipolis is desirous of instituting additional incentives and safeguards for the prohibition of tampering with the water and sewer services of the City; and,

WHEREAS, the City Manager has recommended in writing the passage of this Ordinance as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety and property and in order to provide for the usual operations of the municipal departments.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Gallipolis, Ohio:

SECTION 1: That Section 558 is hereby established and shall read as follows:

“558.01 TAMPERING WITH WATER SERVICE PROHIBITED

No person shall open, close, adjust, or interfere with a fire hydrant, valve, regulator, gauge, gate, disc, curb cock, stopcock, meter, or other regulator, operating or measuring device, lock or appliance in or attached to the wells, tanks, reservoirs, conduits, pipes, mains, service pipes, house pipes, or other pipes or apparatus of the City of Gallipolis, with intent to cause the escape of water or to injure or destroy such property. No person shall tap, sever, open, or make unauthorized connections with a main or pipe used or intended for the transmission of water. This section does not apply to the agent or employee for that purpose, of the owner or operator of the appliances referred to in this section, and does not apply to anything done by or under authority of any regularly constituted fire department or by order of the City Manager or Code Enforcement Officer.

558.02 PENALTY

Whoever violates this section shall be guilty of a fourth degree misdemeanor upon a first offense. Subsequent offenses shall be charged as first degree misdemeanors. In addition to all other penalties, the City Manager, in his sole discretion, may elect not to provide water and/or sewer service to any person found guilty of a violation of this section.”

BE AND HEREBY IS ESTABLISHED, AND;

SECTION 2: That this Ordinance shall take effect and be in full force upon passage as an emergency measure.

PASSED: March 20, 2018

ATTEST:

Annette M. Landers
Clerk of the City Commission
Annette M. Landers

Michael Fulks
President of the City Commission
Michael Fulks

The foregoing Ordinance is hereby approved as to form.

Adam R. Salisbury
Gallipolis City Solicitor
Adam R. Salisbury