



devotion to public use that services and products are available to the public generally and indiscriminately. Southern Ohio Power Co. v. Public Utilities Commission, 110 Ohio St. 246, 143 N.E. 700 (1924). Hence, the term "public utility" implies service to the public, and the principal determinative characteristic of a public utility is that of service to, or readiness to serve, an indefinite public. Motor Cargo, Inc. v. Board of Township Trustees, supra.

In the case of a municipality seeking application for a permit to construct a water tower, the question to be answered is whether this is a public utility within the purview of Section 519.21, Revised Code, and as such, exempt from the regulations of a township zoning act. Where a city operates a water supply system for the benefit of its citizens, it is clear that the water supply system would qualify as a public utility under the aforementioned definitions. The entire water system being a public utility and the water tower in question being an integral part of that system, it is my opinion that this structure is a part of a zoning utility.

Therefore, it is my opinion and you are accordingly advised that the Zoning Board of Jefferson Township may not deny the application of the City of Galion for a permit to construct a water tower, such water tower being part of a public utility and within the purview of Section 519.21, Revised Code, and as such exempt from the regulations of the Township Zoning Act.