CODIFIED ORDINANCES OF SHADYSIDE

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CHAPTER 901
Excavations

901.01 Permit required; application; deposit.
901.02 Refilling; inspection; barricades and warning lights.
901.03 Use of deposit; period of permit validity.

901.04 Excavations in winter.
901.05 Permit fee.
901.99 Penalty.

CROSS REFERENCES
Liability for damage - see Ohio R.C. 723.49 et seq.
Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10
Covers, barricades and warning lights - see GEN. OFF. 521.03

901.01 PERMIT REQUIRED; APPLICATION; DEPOSIT.

No person, firm or corporation shall make any excavation or dig into any street, alley or public ground of the Municipality for any purpose, until such person, firm or corporation has made application in writing to the Street Commissioner for a permit and the permit has been issued.

The application shall specifically describe the location of the proposed excavation, and shall designate its purpose and the approximate superficial area of the street or alley to be excavated. No permit shall be granted until the applicant has deposited with the Clerk the sum of one hundred dollars ($100.00) to five hundred dollars ($500.00) to insure that the street or alley shall be put in as good condition as it was before the excavation was made.
The amount of the deposit shall be commensurate with the excavation and shall be set by the Commissioner within the above stated limits.
(Ord. 871. Passed 12-10-73.)

901.02 REFILLING; INSPECTION; BARRICADES AND WARNING LIGHTS.

All trenches or excavations shall be refilled immediately after the work for which the excavation is made is completed. The trench or excavation shall be refilled in layers of not more than four inches in thickness, and each layer thoroughly rammed with a rammer of not less than twenty pounds in weight. When the trench or excavation is refilled as provided herein, the Street Commissioner shall be notified to inspect the same and if approved by him the applicant then shall repave the excavated section with the same material as originally covered the street or alley, all of which shall be done under the supervision of the Commissioner and subject to his approval. All excavations shall be properly and safely guarded by the person obtaining the permit with suitable barriers and lights, and the excavation shall at no time blockade an entire street or alley.
(Ord. 871. Passed 12-10-73.)

901.03 USE OF DEPOSIT; PERIOD OF PERMIT VALIDITY.

(a) If the refilling and paving is done in a manner satisfactory to the Street Commissioner, he shall then notify the Clerk of that fact, whereupon the Clerk shall return the deposit hereinbefore provided by the applicant. If the applicant fails to refill and repave the street or alley or, if in the opinion of the Commissioner the refilling and repaving is done in an unsatisfactory manner, then the Commissioner shall refill and repave the street or alley so that it is in the same condition as it was before the excavation was made and the deposit hereinbefore provided for shall be used to defray the expense of such refilling and repaving and the balance only of such deposit shall be returned to the applicant.

(b) In the event that the deposit made by any applicant for a permit is not sufficient to defray the cost of restoring the street or alley to its former condition, then the balance charged against the applicant shall be paid by him to the Clerk upon demand, and no further permit shall be granted to the applicant until such sum is paid. Permits shall be good for thirty days from and after the date of issue, and must be in possession of the person in charge of or doing the work. (Ord. 871. Passed 12-10-73.)

901.04 EXCAVATIONS IN WINTER.

No permit shall be granted to any person, firm or corporation to dig into any paved street or alley, except in the case of extreme emergency of which the Street Commissioner shall be the sole judge, at any time between November 30 and March 1 following.
(Ord. 871. Passed 12-10-73.)

901.05 PERMIT FEE.

Blank applications shall be furnished by the Clerk. A fee of three dollars ($3.00) shall be charged for each permit issued, which shall be paid into the Municipal Treasury.
(Ord. 871. Passed 12-10-73.)

901.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars ($100.00).
CHAPTER 905
Dust Treatment, Top Dressing of Streets

905.01 Council permission required.  905.03 Approval of specifications and type of treatment.
905.02 Petition for oiling or dust treatment.  905.99 Penalty.

CROSS REFERENCES
Surface treatment - see Ohio R. C. 723.23, 723.31

905.01 COUNCIL PERMISSION REQUIRED.
No person, firm or corporation shall place or cause to be placed oils, tar derivatives or other surfacing material of any kind upon any street or alley without first securing the consent and approval of Council and then such materials shall be applied under the supervision of the Street Superintendent. (Ord. 736. Passed 5-9-66).

905.02 PETITION FOR OILING OR DUST TREATMENT.
The oiling or any other dust treatment of any street or alley shall be done only upon written petition of sixty percent of the property owners upon each block or other area greater than a block. Such streets or alleys as described in the petition shall be treated in a manner approved and authorized by Council. (Ord. 736. Passed 5-9-66.)

905.03 APPROVAL OF SPECIFICATIONS AND TYPE OF TREATMENT.
The type and specifications for any oiling, dust treatment or top dressing of any street or alley shall be as approved by Council, upon the recommendation of the Streets and Alleys Committee of Council. (Ord. 736. Passed 5-9-66.)

905.99 PENALTY.
Whoever violates any provision of this chapter shall be fined not more than one hundred dollars ($100.00).
CHAPTER 909
Sidewalks

909.01 Width. 909.04 Existing sidewalks.
909.02 Specifications. 909.99 Penalty.
909.03 Tree lawns.

CROSS REFERENCES
Construction and repair at owner's expense - see Ohio R.C.
729.01 et seq.
Sidewalk obstructions and damage - see GEN. OFF. 521.04
Duty to keep sidewalks clean and in repair - see GEN. OFF.
521.06

909.01 WIDTH.
The width of sidewalks measuring from the outside of the curb to the abutting property line, on each side of all streets and avenues excepting Central Avenue, shall be one-fifth of the total width of such street or avenue on which the same is constructed.
(Ord. 29. Passed 6-22-14.)

909.02 SPECIFICATIONS.
All sidewalks hereafter constructed within the Municipality shall be constructed of concrete, except that a sidewalk adjoining a driveway or parking lot in a commercial zone may be constructed of concrete or asphaltic concrete. The sidewalk shall correspond with the established line and grade of the street, and shall have a rise back from the curb to the abutting property line at the rate of not less than one-eighth inch nor more than one inch in each foot. The materials entering into the construction of any curb or sidewalk, when the same is laid by the abutting property owner shall be first approved by the Street Superintendent. (Ord. 1106. Passed 5-13-85.)

909.03 TREE LAWNS.
(a) Width. A space may be left between the curb and sidewalk proper for a grass plat, at the option of the abutting property owner when such sidewalk is constructed by him, or at the option of the Municipality when constructed by it. The sidewalk proper, or the paved part thereof, when a space for a grass plat is provided for, shall not be less than five feet in width, the inside line of which shall be one foot from the property line on streets of fifty feet or more in width. (Ord. 29. Passed 6-22-14.)

(b) Exception. The improved part of the sidewalk on the south side of West Thirty-Ninth Street from Central Avenue to Adams Street shall be five feet in width. The inner portion thereof shall be located seven feet from the property line and the outer portion thereof at the line of the curb or twelve feet from the property line.
(Ord. 154. Passed 7-28-24.)
909.04 EXISTING SIDEWALKS.
The provisions of this chapter shall not apply to any existing sidewalks when the same is constructed at grade, until repairs become necessary, at which time all the provisions of this chapter shall apply to such sidewalk and space in the same manner as for new sidewalks. (Ord. 29. Passed 6-22-14.)

909.99 PENALTY.
Whoever violates any provision of this chapter shall be fined not more than one hundred dollars ($100.00).
CHAPTER 913
Curbs

913.01 Damage prohibited. 913.99 Penalty.
913.02 Expansion joint required.

CROSS REFERENCE
Driving over or against curbs - see TRAF. 331.37

913.01 DAMAGE PROHIBITED.
No person shall crack, break, deface, cut or otherwise injure, in any manner, any of
the curbs along the improved streets in the Municipality.
(Ord. 351. Passed 9-12-38.)

913.02 EXPANSION JOINT REQUIRED.
No person shall construct or permit to be constructed on his premises a concrete walk
or driveway from the concrete sidewalk to the street curbing unless he provides an expan-
sion joint of proper width at the curb so as to protect the curb from the effect of the ex-
pansion of the walk or driveway. (Ord. 316B. Passed 2-8-37.)

913.99 PENALTY.
Whoever violates any provision of this chapter shall be fined not more than one hundred
dollars ($100.00).
CHAPTER 917
Trees

917.01 Removal of overhanging limbs. 917.04 Tree planting on public
917.02 Tree roots. right-of-ways prohibited.
917.03 Carolina Poplars prohibited. 917.99 Penalty.

CROSS REFERENCES
Power to regulate - see Ohio R.C. 715.20
Injury or destruction - see GEN. OFF. 541.06

917.01 REMOVAL OF OVERHANGING LIMBS.
No person shall permit or allow the limbs or branches of any tree growing or standing
upon or along the front or rear of his property to grow, be or remain over any sidewalk, street
or alley unless the limbs or branches have a clearance of at least eight feet above the surface of
such sidewalk, street, alley or public grounds.

The Street Superintendent may notify any person that the limbs or branches of any tree
upon or along his property do not have an overhead clearance of eight feet. If the owner
refuses or neglects to trim the trees so as to leave an overhead clearance of eight feet within
three days after the notice is given, then each day that such limbs and branches remain
untrimmed after the expiration of the three days shall constitute a separate offense.
(Ord. 253. Passed 8-10-31.)

917.02 TREE ROOTS.
No person shall permit the roots of any tree growing or standing upon or along the
front or rear of his property to grow, be or remain in such a condition as to break the uniform
and even surface of the sidewalk or pavement of any improved sidewalk, street or alley.
(Ord. 254. Passed 8-10-31.)

917.03 CAROLINA POPLARS PROHIBITED.
(a) All property owners shall, on or before January 1, 1923 cut or cause to be cut
down or to be grubbed out all trees known as the Carolina Poplar on their property abutting
upon any street or alley through which any public sewer is now laid or may hereafter be laid.
Such property owner shall also cut down or grub out any such trees standing on their lots or
lands, if such trees are near enough to any public sewer as to be likely to send their roots to
such sewer.

(b) No person shall plant or set out any Carolina Poplar tree upon any lot or land
abutting any street or alley or allow or permit any such tree to remain on any lot or land
abutting any street or alley on or after January 1, 1923.
(c) If any Carolina Poplar trees are found upon any street or alley after January 1, 1923, the Clerk of Council shall notify the abutting property owner in writing or by publication, to cut down or grub out such trees within fifteen days from the date of the service or publication of such notice, and if the property owner does not cut down or remove such trees, the same may be removed by the Street Superintendent and the cost of so removing them shall be charged or assessed against the abutting property owner, after notice as herein set out.

(d) All the terms and provisions of this section shall apply to any other tree by whatever name known, the roots of which have a tendency to or are likely to interfere with the sewer system of the Municipality but no one shall be held to have violated the terms of this section with reference to any other kind of a tree other than Carolina Poplars until notice has been served on him by the Clerk of Council as provided in subsection (c) hereof.

(Ord. 107. Passed 5-8-22.)

917.04 TREE PLANTING ON PUBLIC RIGHT-OF-WAYS PROHIBITED.

No person shall hereafter plant, transplant or move any tree upon the public right of way of any street, avenue or alley within the Village, or authorize or procure any person to do so. The public right of way means the entire width between the property lines on either side of all streets, avenues or alleys within the Village.

The Street Superintendent may notify any person to immediately remove any tree planted, transplanted or moved in violation of the provisions of this section. If the person refuses or neglects to remove the tree within three days after the notice is given, then each day that the tree remains after the expiration of the three days shall constitute a separate offense.

(Ord. 1374. Passed 12-22-97.)

917.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars ($100.00).

Each day during or on which a violation occurs or continues shall be deemed a separate offense.
TITLE THREE - Utilities
Chap. 921. Utilities Generally.
Chap. 925. Sewer Regulations.
Chap. 927. Sewer Rates.
Chap. 929. Water.

CHAPTER 921
Utilities Generally

921.01 Connections required prior to street improvement; notice to connect.

921.02 Inspector of sewer and water services; duties; right of entry.

CROSS REFERENCES
Compulsory connections - see Ohio R.C. 729.06, 743.37
Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10
Excavations - see S.U. & P. S. Ch. 901

921.01 CONNECTIONS REQUIRED PRIOR TO STREET IMPROVEMENT; NOTICE TO CONNECT.

(a) When Council declares by resolution that it is conducive to the general welfare and necessary to improve any street, alley or public grounds in a permanent and final manner, all water lines, gas lines, sewer lines and any other lines which must be laid on or in such streets, shall be constructed at the time and in the manner hereinafter set out.

If any such lines and the connections from the curb line to the main water or sewer lines or other main lines in any street, alley or public grounds will be required to be laid within ten years from the date of passage of the resolution to improve such street, alley or public grounds, then such lines and connections shall be laid to the inner curb line or line of the improvement before the permanent improvement is made.

(b) There shall be one sewer line, one water line, one gas line or one of any other kind of line needed for each lot of land bounding and abutting upon any street, alley or public grounds which is to be improved. This requirement shall include any such connections that will be required to be made from such lot to the sewer, water or other public improvements within ten years from the date of passage of a resolution to improve a street or public grounds.

All such connections shall be made in the usual and normal manner of making connections and in accordance with all applicable ordinances of the Municipality and shall be approved by an official duly appointed or authorized to inspect such connections.
(c) All such connections shall be made by the property owners within twenty days after the service upon him of the notice hereinafter provided for, or after the first publication of such notice for all nonresident owners of the Municipality or for all persons who cannot be found. If the said connections are not made within the time as above set out, then all of such connections shall be made by the Municipality and the cost of making the connections and the cost of the service of the notice together with a penalty of five percent, shall be assessed against each piece of property for which connections are made, which assessment shall be certified and collected as all other assessments are collected. Unless there is filed with the Clerk of Council by the owner of any such lot a written statement to the effect that he does not desire any connection and will not desire any connection within a period of ten years from the date of the passage of the resolution to permanently improve any street, alley or public grounds, it shall be taken for granted that such connection is desired and that the connection will be made either by the property owner or be made by the Municipality.

(d) The Clerk is hereby appointed and directed to serve a notice of the passage of the resolution to improve any given street, alley or public grounds, and also to serve a notice upon the owner of each lot or parcel of land abutting upon such improvement, which does not have such lines installed as above set out, directing the owner to make the proper connection of any lines from his premises to the main line in the street. Such notice shall be served as provided for the service of summons in civil action, or by publication in case of all nonresidents of the Municipality or for all persons that can not be found. (Ord. 300. Passed 10-16-35.)

921.02 INSPECTOR OF SEWER AND WATER SERVICES; DUTIES; RIGHT OF ENTRY.

(a) There is hereby created the position of Inspector of Sewer and Water Services who shall be employed by the Municipality and who shall be under the supervision of the Board of Trustees of Public Affairs.

The Inspector shall be compensated the same as all extra part-time employees, not to exceed forty hours per week, and such compensation shall be paid out of the Sewer Fund or Water Fund, or both, in such proportion as may be determined to be actually chargeable against each of the respective funds.

(b) It shall be the duty of the Inspector to check compliance with the various water and sewer regulations as provided by the rules and regulations established by the Board; by ordinances of the Municipality; by statutes of the State and by rules and regulations of any agency of the State applicable thereto. For the purpose of making such inspections the Inspector shall have the right to enter upon any premises having either water or sewer connections in the Municipality between 8:00 a.m. and 7:00 p.m., except on Saturday between 8:00 a.m. and 5:00 p.m.; and except on Sundays or holidays. (Adopting Ordinance)

(c) Such Inspector shall be deputized as a member of the police force of the Municipality but his police power shall be limited solely to the enforcement of sewer and/or water regulations, and then only on warrant duly issued, except that he shall have the right arrest for breach of peace committed in his presence.
(d) The refusal of any person, firm or corporation served by water and/or sewer connections in the Municipality to permit an examination of such premises as hereinbefore provided, shall be deemed a justification for the Municipality to discontinue water and sewer services to such premises until such right of inspection is granted by the owner thereof. (Ord. 848, Passed 5-14-73.)
(d) The refusal of any person, firm or corporation served by water and/or sewer connections in the Municipality to permit an examination of such premises as hereinbefore provided, shall be deemed a justification for the Municipality to discontinue water and sewer services to such premises until such right of inspection is granted by the owner thereof. (Ord. 848, Passed 5-14-73.)
CHAPTER 925
Sewer Regulations

925.01 Description and purpose.  
925.02 Definitions.  
925.03 Use of public sewers required.  
925.04 Private wastewater disposal.  
925.05 Building (house) sewers, private sewers and connections.  
925.06 Use of public sewers.  
925.07 Control of industrial wastewaters.  
925.08 Authority of Board.  
925.09 Powers and authority of inspectors.  
925.99 Tampering; penalty.

CROSS REFERENCES
Compulsory sewer connections – see Ohio R.C. 729.06
Assessments – see Ohio R.C. 729.07 et seq.
Sewerage rates – see Ohio R.C. 729.49
Regulations to control house sewers and connections – see Ohio R.C. 729.51
Weekly deposit of sewer rentals collected – see Ohio R.C. 729.52
Untreated sewage – see Ohio R.C. 3701.59
Interference with sewage flow – see Ohio R.C. 4933.24

925.01 DESCRIPTION AND PURPOSE.

The wastewater system of the Municipality consists of trunk, interceptor and collection sewers laid in streets, alleys, rights of way and easements, and a wastewater treatment plant, the location of which are shown upon plans and drawings filed in the Office of the Board of Trustees of Public Affairs, and all other appurtenances which are used in whole or in part in connection with the collection, treatment and disposal of wastewater; and all other extensions, additions and improvements which may be made to such system. Its purpose is to provide for the collection and treatment of domestic wastewater and such industrial wastewaters as are permitted by this chapter, in order to protect the health, safety and general welfare of the residents of the Municipality. The purpose of this chapter is to protect the wastewater collection and treatment facilities by controlling the quantity, quality and manner of discharge of wastewater into the sanitary sewerage system; and to satisfy existing requirements of the State and Federal Environmental Protection Agencies. (Ord. 1020. Passed 12-22-80.)
925.02 DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

1. "Sewer district" means any of the sanitary sewer districts and their extension or extensions and/or any drainage area or areas now existing or subsequently created by Council or by the Commissioners of Belmont County, and covered by contract providing for Municipal service to the area under contract.

2. "Facilities Planning Area (Service Area)" means the area which has been delineated by the Ohio Environmental Protection Agency for sanitary sewer service, and which is shown and fully described in the Shadyside Facilities Plan.


4. "County" means Belmont County, Ohio.

5. "Board" means the Board of Trustees of Public Affairs, or its designated representative.

6. "Superintendent" means the administrator and chief operator of the Water and Sewer Departments or his designated representative.

7. "Person" means any individual, firm, company, association, society, corporation or group. In case of a corporation, "person" means a company officer directly in charge of discharges to sewers.

8. "Owner" means any person in title or having any interest in real property in the Facilities Planning Area, including any of the sanitary sewer districts and their extensions and/or drainage area or areas now existing or subsequently created by Council or by the Commissioners of Belmont County, and covered by contract providing for Municipal service to the area under contract.

9. "Water Department" means the department responsible for managing the water works of the Municipality.

10. "Sewer Department" means the department responsible for the operation and maintenance of the sewerage works or wastewater system.

11. "Water works or system" means all facilities for water supply, filtration plant, pumping plant, storage reservoirs, water lines and services, and booster stations for obtaining, treating and distributing potable water.

12. "Sewerage works" or "wastewater system" means all facilities for collecting, pumping, treatment and disposing of wastewater, including industrial wastewater.

13. "Wastewater treatment plant" means any arrangement of devices and structures used for treating wastewater, both domestic and nondomestic.

14. "Influent" means wastewater, raw or partially treated, flowing into any wastewater treatment device or facilities.

15. "Effluent" means wastewater, water or other liquid, after some degree of treatment, flowing out of any treatment device or facilities.

16. "OEPA" means the Ohio Environmental Protection Agency.
(17) "U.S. EPA" means the United States Environmental Protection Agency.
(18) "Federal Act" means the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, and any amendments thereto, including the Clean Water Act of 1977 (P.L. 95-217); as well as any guidelines, limitations and standards promulgated by the U.S. Environmental Protection Agency pursuant to the Act.
(19) "NPDES Permit" means the National Pollution Discharge Elimination System Permit.
(20) "Wastewater" means the spent water of a community from the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.
(21) "Sanitary or domestic wastewater (sewage)" means a combination of water-carried wastes from residences, business buildings, institutions, commercial, industrial and manufacturing establishments contributed by reason of human occupancy.
(22) "Industrial wastewater", sometimes called "process wastewater" means the liquid wastes from industrial manufacturing processes, trade or business establishments, or from the development, recovery or processing of natural resources, as distinct from "sanitary or domestic wastewater".
(23) "Normal strength wastewater", as defined for the purpose of determining surcharges means wastewater having an average daily suspended solids concentration of not more than 250 mg/l, an average daily \( \text{BOD}_5 \) of not more than 200 mg/l, and containing not more than 100 mg/l of Freon soluble matter (grease and oil).
(24) "Clean wastewater" or "unpolluted water" means water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable for disposal to storm sewers or natural drainages or directly to surface waters.
(25) "Cooling water" means the water discharged from any system of condensation, air conditioning, cooling, refrigeration or other sources. It shall be free from odor and oil and shall contain no polluting substances. Cooling water shall be considered industrial wastewater if it is discharged to the sanitary sewer system.
(26) "Pollutant" means dredged spoil, solid waste, incinerator residue, wastewater, garbage, wastewater sludge, munitions, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural wastes discharged into water.
(27) "Compatible pollutants" means \( \text{BOD}_5 \), suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES Permit if the publicly owned treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree.
(28) "Incompatible pollutant" means any pollutant which is not a "compatible pollutant" as defined in subsection (27) hereof.

(29) "Toxic pollutants" shall include but not necessarily be limited to aldrin-dieldrin, benzidine, cadmium, cyanide, DDT-endrin, mercury, polychlorinated biphenyls (PCB's) and toxaphene. Pollutants included as "toxic" shall be those promulgated as such by the United States Environmental Protection Agency.

(30) "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

(31) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

(32) "Organic" means containing carbon compounds.

(33) "Pathogenic bacteria" means bacteria which may cause disease.

(34) "Sewers" means any pipe or conduit for conveying wastewater.

(35) "Public sewer" means a common sewer which is owned and controlled by a public authority.

(36) "Sanitary sewer" means a sewer which carries sanitary and/or industrial wastewater and to which storm, surface and ground waters are not intentionally admitted.

(37) "Storm sewer" or "storm drain" means a sewer which carries storm, surface waters and drainage, but which excludes sanitary wastewater and industrial wastewater, other than unpolluted wastewater and cooling water.

(38) "Combined sewer" means a sewer which is designed to carry sanitary wastewater, industrial wastewater and storm water.

(39) "Interceptor sewer" means a sewer which receives wastewater from one or more lateral or local sanitary sewers.

(40) "Building drain" means that part of the lowest horizontal piping of a drainage system carrying wastewater which receives discharge from soil, waste and other drainage pipes inside the walls of the building, and conveys it to the building sewer which begins five feet outside the inner face of the building wall.

(41) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal also called "house connection".

(42) "User" means any person or premises that discharges, causes or permits the discharge of wastewater into a public sewer and receives wastewater treatment services.

(43) "Industrial plant" means any facility which discharges industrial wastewater. Associated service industries shall be considered as industrial plants. For example, commercial power plants (electric), commercial laundries, filling stations, waterworks and other establishments having industrial wastewater discharge.
"Major contributing industry" means an industrial user of the publicly owned treatment works that:
(a) Has a flow of 50,000 gallons or more per average work day;
(b) Has a flow greater than five percent (5%) of the flow carried by the municipal system receiving the waste;
(c) Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act; or
(d) Is found by the permit issuance authority, in connection with the issuance of an NPDES Permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

"Significant contributing industry" means an industrial user which contributes greater than ten percent (10%) of the design flow or design pollutant loading of the treatment works.

"Pretreatment" means the treatment of industrial wastewaters prior to introduction into publicly owned wastewater treatment facilities.

"Control manhole" means a structure that is accessible for the purpose of observing, measuring and sampling the wastewater flow in a building sewer. A control manhole may be used for inspecting and/or maintaining the building sewer.

"Slug" means any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds, for any period of duration longer than fifteen minutes, more than five times the average twenty-four hour concentrations or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment plant.

"Standard Methods" means the laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.


"Mg/l" means milligrams per liter.
"ppm" means parts per million by weight or milligrams per liter.

"Biochemical oxygen demand (BOD5)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° Celsius, expressed in milligrams per liter.

"Chemical oxygen demand (COD)" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures expressed in milligrams per liter.
(55) "Suspended solids" means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "Standards Methods" and referred to as "nonfilterable residue".

(56) "Total solids" or "total residue" means the sum of suspended and dissolved solids.

(57) "pH" means the logarithm (base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution. Low values indicate the presence of acids or acid-forming salts. High values indicate the presence of alkaline material. A pH of 7.0 is considered neutral.

(58) "Floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

(59) "Grease and oil" means any material which is extractable from an acidified sample of a wastewater by Freon, Hexane or other designated solvent.

(60) "Volatile organic matter" means the material in the wastewater solids transformed to gases or vapors when heated at 550 °Celsius for fifteen to twenty minutes.

(61) "Watercourse" or "waterway" means a channel in which a flow of water occurs, either continuously or intermittently.

(62) "Natural outlet" means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

(63) "May" is permissive; "shall" is mandatory.

(Ord. 1020. Passed 12-22-80.)

925.03 USE OF PUBLIC SEWERS REQUIRED.

(a) Prohibitive Dumping. Except for sanitary landfills designated by the Municipality, no person shall place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Municipality, or in any area under the jurisdiction of the Municipality, any human or animal excrement, garbage, trash or other objectionable waste as determined by the Municipality.

(b) Unlawful Discharge. No person shall discharge to any natural outlet or storm sewer within the Municipality, or in any area under the jurisdiction of the Municipality, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
(c) Privies, Septic Tanks, Cesspools, Etc. Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage or other wastewater. In no case shall a property owner be authorized to improve, extend or expand an existing septic system; however, he shall be permitted to clean and repair the existing system until such time that a public sanitary sewer becomes available.

(d) Public Sanitary Sewer Available. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Municipality, or in any area under the jurisdiction of the Municipality and abutting on any street, alley or right of way in which there is now located or may in the future be located a public sanitary sewer, is hereby required at his expense to install suitable plumbing and toilet facilities therein, and to connect such facilities directly with the proper public sanitary sewer in accordance with the provisions of this chapter, within six months after such service is certified in writing to be available by the Municipality, and provided that such public sanitary sewer is either within 100 feet of the property line, or within 300 feet of the building served. A copy of such certification shall be sent to each property owner to be connected.

(e) Notice of Connections. If the connection is not made within the six months connection period, the Board of Trustees of Public Affairs shall cause written notice to be given to each property owner which connections are to be made, which notice shall state the number and size of connections required. The Board may also compel the making of sewer and water connections whenever it deems it necessary by reason of contemplated street paving. The notice to be served on the property owners shall be served in the manner provided for the serving of summons in civil actions, and the report of the person serving the notice or a certified copy thereof shall be prima-facie evidence of the serving of the notice. If any of such owners are nonresidents of the Municipality, or cannot be located the notice may be given by publication twice in a newspaper of general circulation within the Municipality.

(f) Injunctive Action. If the connections are not constructed within ninety days after such service of notice or day of first publication thereof, the Municipality may petition the Common Pleas Court for a mandatory injunction requiring compliance by the owner with the provisions of this section. (Ord. 1020. Passed 12-22-80.)

925.04 PRIVATE WASTEWATER DISPOSAL.
(a) When Permitted. Where a public sanitary sewer is not available under the provisions of Section 925.03(d), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
(b) **Permit.** Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit from the County Health Department. The application for such a permit shall be made on a form furnished by the County, which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the County. A permit and inspection fee shall be paid to the County at the time the application is filed, such fee to be determined by the County.

(c) **Design and Inspection.** The design and inspection of a private wastewater disposal system shall comply with all recommendations and requirements of the County.

(d) **Operation and Maintenance of Private Disposal Facilities.** The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Municipality or the County. All privies, privy vaults, septic tanks, cesspools and other disposal facilities shall be kept free from odor so as not to cause a nuisance to persons and properties within the vicinity.

(e) **Connection to Public Sewer.** At such time as a public sanitary sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sanitary sewer in compliance with the conditions of this chapter, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be abandoned and filled with suitable materials.

(Ord. 1020. Passed 12-22-80.)

925.05 BUILDING (HOUSE) SEWERS, PRIVATE SEWERS AND CONNECTIONS.

(a) **Control of Sewer Systems.** The sanitary sewer system of the Municipality or in any area under the jurisdiction of the Municipality, shall be under the charge and control of the Board of Trustees of Public Affairs under whose supervision the sewer system shall be used by property owners. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Board.

(b) **Classes of Permits.** There shall be two classes of building sewer permits:

1. For residential and commercial service, and
2. For service to an industrial user.

In either case, the owner or his agent shall make application on a special form furnished by the Municipality. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Board. A permit and inspection fee of five dollars ($5.00) for a residential or commercial building sewer permit and ten dollars ($10.00) for an industrial sewer permit shall be paid to the Municipality at the time the application is filed.

(c) **Permit Limitations.** Permits granted under this chapter shall be for a specific wastewater, and such permits shall be granted only after approval of plans as set forth herein. Subsequent wastewaters of a different quantity, quality or characteristics shall be covered by separate permits.
(d) Permit Refusal. The Board may refuse to issue a permit for a new connection to the sanitary sewer system unless there is available capacity in all downstream facilities, including treatment plant capacity for BOD5 and suspended solids removal. Capacity shall be determined on the basis of design criteria previously approved or established by OEPA.

(e) Connection Charges. In addition to the permit and inspection fee specified in subsection (b) hereof, all new users connecting to the Municipal sanitary sewer either inside or outside the Municipality, shall pay the connection charge as called for in Chapter 927.

(f) Cost of Building Sewer. All costs and expenses incidental to the installation and connection of the building sewer to the public sewer shall be borne by the owner. The owner shall indemnify the Municipality from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(g) Building Sewer Limitations. Every building which is the source of the heretofore described acceptable wastewater shall be provided with a separate and independent building sewer. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. In the case of industry, several buildings may be served by one building sewer provided the sewer is adequately sized and provided it is approved by the Board.

(h) Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Board or its representative, to meet all requirements of this chapter.

(i) Combined Sewers. The construction of or extension to combined sewers is hereby prohibited, unless approved by the OEPA.

(j) Private Sanitary Sewers. Private, as opposed to public, sanitary sewers shall continue to be owned by the private owners now owning same until such time as the owner and the Municipality mutually agree to a transfer of ownership to the Municipality. Such sewers shall be controlled by the Municipality but shall be operated and maintained by their owners, unless the Municipality agrees in writing to provide this service in which a proper easement shall be dedicated to the Municipality. Plans and specifications for private sanitary sewers shall be approved by the Board prior to the start of construction. Design and construction shall be in accordance with the appropriate specifications of the American Society of Testing Materials (ASTM) and the Water Pollution Control Federation (WPCF) Manual of Practice No. 9 and specifically with subsection (k) hereof.
(k) Design and Construction of Building Sewers. The minimum size and slope, alignment and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the Municipality, or its designated representative, and approved by the Board. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials and the Water Pollution Control Federation Manual of Practice No. 9 shall apply. Specifically, building sewers shall not be less than six inches in diameter for businesses and apartment complexes and not less than four inches in diameter for single family residences, shall be constructed at a grade of not less than one-eighth of an inch to the horizontal foot, preferably one-quarter inch per foot where conditions permit a steeper slope, and shall be in accordance with the following:

1. Pipe and fittings shall be SDR35 PVC ASTM D3034 with gasketed type joints.
2. For concrete sanitary sewer pipe flexible watertight joints conforming to ASTM Designation: C-443 are required.
3. If satisfactory materials other than clay or concrete are used for sanitary sewer pipe, the joints shall meet standards equal to the standards set forth above for clay and concrete pipe.
4. Manholes shall be either poured-in-place concrete or precast concrete manhole sections. Precast concrete manhole sections shall conform to ASTM Designation: C-478 and the joints between sections shall conform to ASTM Designation: C-443.

5. Revisions of the specifications referred to herein will be accepted provided the revision up-grades the quality of the sewer construction.
6. Sanitary sewer specifications shall include provisions for testing the tightness of the sewer by an infiltration or exfiltration process or by any other approved process. The testing, as well as the sewer construction, must be under the direction of a qualified engineer or a competent inspector directed by an engineer.
7. Building sewers shall be constructed in accordance with specifications equal to those indicated above.
8. Sanitary sewer plans submitted for approval shall either be accompanied by separate contract specifications or sewer specifications on the plans.
9. All new sanitary sewers and replacements of existing sanitary sewers shall include a lateral cleanout and outside trap with the cleanout located on the main side of the trap.

Building sewers constructed of cast iron soil pipe with leaded joints shall be not less than four inches in diameter. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
(l) Illegal Connections. No person shall make connections of roof downspouts, exterior foundation drains, areaway drains, driveway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn, is connected directly or indirectly to a public sanitary sewer.

(m) Building Sewer Connections. The connection of the building sewer into the public sanitary sewer shall conform to the same requirements as specified in subsection (k) hereof. All such connections shall be made gastight and watertight. Any deviations from the prescribed procedures and materials must be approved by the Board before installation.

(n) Inspection. The applicant for the building sewer permit shall notify the Board when the building sewer is ready for inspection and connection to the public sanitary sewer. The connection shall be made under the supervision of the Board or its authorized representative. The connection to the public sanitary sewer and the connection between the building drain and the building sewer, as well as the full length of the building sewer, shall remain uncovered until approved by the Board or its representative.

(o) Safety and Restoration. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed in the course of construction shall be restored in a manner satisfactory to the Municipality and in accordance with Municipal standards. (Ord. 1519. Passed 6-13-05.)

925.06 USE OF PUBLIC SEWERS.

(a) Prohibition of Unpolluted Water. No person shall discharge or cause to be discharged, either directly or indirectly, any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. Any such connections shall be subject to immediate removal by the owner of the premises so connected and at the owner’s expense.

Subfoundation building drains connected to sanitary sewers before the effective date of this section will not be required to be removed unless it is established by the Board of Trustees of Public Affairs that such connection is detrimental to the satisfactory operation of the sewage works and that such removal is cost-effective in accordance with guidelines established by U.S. EPA. Any such connections made after the effective date of this section shall be prohibited and shall be removed.

Should the owner of such an illegally connected premises fail to remove the connection within ninety days after the date of official notice to do so, the Board shall cause the connection to be removed and the cost thereof shall be billed to the owner of the premises. If such cost is not paid within sixty days, the Municipality shall certify such cost to the County Auditor as an assessment upon the property.
(b) **Illegal Discharges to Natural Outlet or Storm Sewer.** No person shall discharge or cause to be discharged to any natural outlet or storm sewer any sanitary or industrial wastewater, unless such discharge is under a NPDES Permit issued by the OEPA.

(c) **Allowable Discharge of Unpolluted Water.** Storm water and all other unpolluted drainage, such as from air conditioning, swimming pools, etc., shall be discharged into such sewers as are specifically designed and designated as storm sewers or to a combined sewer or a natural outlet approved by the Board. Industrial, uncontaminated cooling water or unpolluted wastewater may be discharged, on approval of the Board to a storm sewer, combined sewer or natural outlet. If such waters are polluted with insoluble oils or grease or suspended solids, they shall be treated for removal of the pollutants and the clear water discharged as specified.

(d) **Protection of Sanitary and Building Sewers During Construction.** No person constructing a sanitary sewer, building sewer or house connection shall leave same open, unsealed or incomplete in such fashion as to permit storm, surface or subsurface water to enter such sewers.

(e) **Obstruction in Sewers.** No garbage or obstruction of any kind shall be placed or thrown in any receiving basin, manhole or sewer, and persons so offending shall be subject to penalty for each offense.

(f) **Substances Prohibited.** No person shall discharge or cause to be discharged, either directly or indirectly, any of the following described waters or wastes to any public sewer:

1. Any gasoline, benzine, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
2. Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
3. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interferences with the proper operation of the sewerage works such as, but not limited to, ashes, unground bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. The accidental discharge of any prohibited liquid or solid materials into any public sewer or natural outlet, either directly or indirectly, shall be reported to the Board immediately by the individual company or industry responsible for the discharge.
(g) **Substances Limited.** The following described substances, materials, waters or wastes shall be limited in discharge to any public sewer to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property or constitute a nuisance. The Board may set limitations lower than the limitations established in the regulations below if in its opinion more severe limitations are necessary to meet the above objectives. Deliberate dilution with unpolluted water to meet the concentrations established in the regulations below shall not be acceptable. In forming its opinion as to the acceptability, the Board give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of wastes or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Board are as follows:

1. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
2. Wastewater containing more than 100 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, products of mineral oil origin, or floatable oils, fat, wax or grease (Freon soluble).
3. Wastewaters containing oil or grease or other substances which will solidify or becomes discernibly viscous at temperatures between 32 degrees and 150 degrees Fahrenheit.
4. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers. The installation and operation of any garbage grinder equipped with a motor of three-quarter horsepower or greater will be subject to the review and approval of the Board.
5. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant, including but not limited to cyanides, hexavalent chromium, copper, zinc, cadmium, nickel and phenols in the wastes as discharged to the public sewer. The following concentrations shall not be exceeded in industrial wastewaters discharged to any public sewer:
<table>
<thead>
<tr>
<th>Substance or Material</th>
<th>Allowable Discharge (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cyanide (CN)</td>
<td>0.5</td>
</tr>
<tr>
<td>Hexavalent Chromium</td>
<td>1.0</td>
</tr>
<tr>
<td>Total Chromium</td>
<td>5.0</td>
</tr>
<tr>
<td>Copper</td>
<td>1.0</td>
</tr>
<tr>
<td>Zinc</td>
<td>1.0</td>
</tr>
<tr>
<td>Cadmium</td>
<td>0.2</td>
</tr>
<tr>
<td>Nickel</td>
<td>2.0</td>
</tr>
<tr>
<td>Phenols</td>
<td>0.2</td>
</tr>
<tr>
<td>Lead</td>
<td>0.5</td>
</tr>
<tr>
<td>Mercury</td>
<td>0.02</td>
</tr>
<tr>
<td>Silver</td>
<td>0.2</td>
</tr>
<tr>
<td>Arsenic</td>
<td>0.5</td>
</tr>
<tr>
<td>Barium</td>
<td>5.0</td>
</tr>
<tr>
<td>Fluoride (F)</td>
<td>5.0</td>
</tr>
<tr>
<td>Iron (dissolved)</td>
<td>15.0</td>
</tr>
<tr>
<td>Manganese (dissolved)</td>
<td>5.0</td>
</tr>
<tr>
<td>Sulfate (S)</td>
<td>10.0</td>
</tr>
<tr>
<td>Total Phosphorus (P)</td>
<td>10</td>
</tr>
</tbody>
</table>

These maximum concentrations may be changed as necessary by the Board or State regulatory agencies based on new information concerning inhibitory substances or to protect treatment plant processes. Industrial discharges covered by federal pretreatment requirements shall meet those limitations specified under the effluent guidelines published under Section 307(b) and (c) of the Federal Act or the above concentrations, whichever is more stringent. Major contributing industries discharging incompatible pollutants into the public sewers shall be regulated as provided in subsection (h) hereof.

(6) Any waters or wastes containing taste or odor-producing substances exceeding limits which may be established by the Board or any local or State regulatory agencies.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in compliance with applicable State or federal regulations.

(8) Quantities of flow, concentrations or both which constitute a "slug" as defined herein.

(9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(10) Any waters or wastes which by interaction with other waters or wastes in the public sewer system, release noxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

(11) Any waters or wastes that contain more than 10 mg/l of the following gases: hydrogen sulfide, sulfur dioxide, or nitrous oxide.
(12) Any waters or wastes having a pH in excess of 9.5.

(13) Any waters or wastes containing strong acid from pickling wastes, or concentrated plating solutions whether neutralized or not.

(14) Any waters or wastes containing suspended or dissolved solids of such character and quantity such that unusual provisions, attention, or expense is required to handle such materials at the wastewater treatment plant.

(15) Any water or wastes having excessive discoloration, such as, but not limited to dye wastes and spent tanning solutions.

(16) Any waters or wastes containing unusual BOD₅, COD or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.

(b) Authority for Control of Wastewater Discharges. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in subsections (f) and/or (g) hereof, and which in the judgment of the Board may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, including violation of applicable water quality standards, or which otherwise create a hazard to life or constitute a public nuisance, the Board shall:

(1) Reject the wastes.
(2) Require pretreatment to an acceptable condition for discharge to the public sewers.
(3) Require control over the quantities and rates of discharge, and/or
(4) Require payment to cover the added cost of handling and treating the wastes under the extra strength surcharge provisions of Chapter 927.

All industrial wastewaters discharged to the public sewers by major contributing industries shall as a minimum meet the national pretreatment standards or best practical control technology currently available for incompatible pollutants as published in Title 40, Code of Federal Regulations, Part 122, unless the Municipality is committed, in its NPDES Permit, to remove a specified percentage of the incompatible pollutant. In those instances the applicable pretreatment standards may be correspondingly reduced to levels determined by the Board, or its duly authorized representative or State regulatory agencies.

If the Board requires pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Board and State regulatory agencies and subject to the requirements of all applicable codes, ordinances and laws. No permit will be granted until such pretreatment facilities have been placed in operation and have demonstrated their effectiveness by test. The cost of such testing, sampling and analyzing shall be borne by the wastewater contributor.
The approval of proposed pretreatment facilities by the Board does not guarantee that these facilities or equipment will function in the manner described by their manufacturer; nor shall it relieve a person, firm or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

(i) **Grease and Oil Interceptors.** For grease, oil and inorganic material such as sand, grit, etc., interceptors shall be provided when, in the opinion of the Board, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in subsection (g)(2) hereof, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Board, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Board. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

(ii) **Operation of Pretreatment Facilities.** Where a pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense, and shall be subject to periodic inspection by the Board. The owner shall maintain operating records, and shall submit to the Board a quarterly summary report of the character of the influent and effluent to show the performance of the treatment facilities.

(k) **Analyses.** All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods" of "EPA Methods". Reference is made to EPA "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR 136). Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the Board.

(l) **Special Conditions.** No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Municipality and any industrial concern whereby an industrial wastewater of unusual strength or character may be accepted by the Municipality for treatment, subject to possible payment therefor by the industrial concern for subsequent treatment. Any Industrial concern may appeal any determination made by the Board in the enforcement of this chapter. Any contract with an industry shall be governed by all sewer service charges and regulations as established in the Municipality's ordinances.

(Ord. 1020. Passed 12-22-80.)
925.07 CONTROL OF INDUSTRIAL WASTEWATERS.

(a) Submission of Basic Data. Within sixty days after passage of this section, each person whose operation entails the discharge of industrial wastewater to a public sewer shall prepare and file with the Municipality a written statement setting forth the nature of the operation contemplated or presently carried on, the amount and source of water required for use, the proposed point of discharge of such wastewater into the wastewater collection system of the Municipality, the estimated amount to be so discharged and a fair statement setting forth the expected bacterial, physical, chemical and other known characteristics of such wastewater. Within a reasonable time of receipt of such statement, it shall be the duty of the Municipality to make an order stating such minimum restrictions as in the judgment of the Board of Trustees of Public Affairs may be necessary to adequately guard against unlawful uses of the Municipality's wastewater system. If such a statement has been previously filed with the Municipality to the satisfaction of the Board, the requirements of this subsection will be waived.

(b) Extension of Time. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by subsection (a) hereof, a request for extension of time may be presented for the consideration of the Board. All requests for extension of time shall be submitted in writing stating the reasons for such a request. Under no circumstances shall the extension of time exceed thirty days after approval of the extension by the Board.

(c) Control Manholes. Each person discharging industrial wastewater into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastewater, including sanitary wastewater.

Control manholes or access facilities shall be located and built in a manner acceptable to the Board. If measuring devices are to be permanently installed they shall be of a type acceptable to the Board. Control manholes, access facilities and related equipment shall be installed by the person discharging the wastewater at his expense, and shall be maintained by him so as to be in safe condition, accessible and in proper operating condition at all times. Plans for the installation of such facilities shall be approved by the Board prior to the beginning of construction.

In the event no special manhole has been required, the control manhole may be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(d) Wastewater Volume Determination. The volume of flow used for computing industrial wastewater charges shall be the metered water consumption of the industrial user as shown in the records of water meter readings maintained by the Municipality, except as herein provided in the following paragraphs.
If the person discharging industrial wastewater into the public sewers procures any part, or all, of this water from sources other than the Municipal water system, all or part of which is discharged into the public sewers, the person shall install and maintain at this expense water meters of a type approved by the Board for the purpose of determining the volume of water obtained from those other sources.

The person discharging industrial wastewater into the public sewers may install and maintain at his expense metering devices for determining the volume of wastewater being discharged to the public sewer, from which the industrial wastewater charges would be computed. The measuring devices shall be of a type acceptable to the Board.

The Board may require the installation of devices for measuring the volume of wastewater discharged if these volumes cannot otherwise be determined from the metered water consumption records.

Any metering device for determining the volume of wastewater discharged to the public sewer shall be installed, owned and maintained by the industrial user. Following approval and installation, such meters may not be removed without the consent of the Board.

(e) **Sampling and Monitoring.** Industrial wastewaters discharged into the public sewers shall be subject to periodic inspection with a determination of character and concentration of such wastes. The determination shall be made as often as may be deemed necessary by the Board, but in no case less than one twenty-four hour composite sample per quarter. The owner shall be responsible for the collection and testing of the aforementioned samples.

Samples shall be collected in such a manner as to be representative of the composition of the wastewater. The sampling shall be accomplished by the use of automatic sampling equipment capable of collecting composite samples, or by other approved means.

Access to sampling locations shall be granted to the Board or its authorized representative at all times. Care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.

(f) **Analyses.** Laboratory procedures used in the examination of industrial wastewaters shall be those set forth in the latest edition of "Standard Methods" or "EPA Methods". However, alternative methods for certain analyses of industrial wastewaters may be used subject to mutual agreement between the Director and the Industrial user. Reference is made to EPA "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40CFR 136).

Determination of the character and concentration of the industrial wastewaters shall be made by the industrial user responsible for the discharge, or the industrial user's qualified agent as provided by the Board. The results of the analyses shall be reported to the Municipality on a quarterly basis on forms approved by the Municipality. The Municipality may make its own analyses on the wastewaters and these determinations, when made, shall be binding as a basis for charges, except under circumstances in the following paragraph.
In case the analyses performed by the industry and the Municipality result in substantially different values, an effort shall be made by the industry to collect samples at the same time the Municipality collects its own samples. The results of the analyses on the samples collected by the Municipality and the industry shall be compared using the same testing procedures as outline in the latest edition of "Standard Methods" and the differences negotiated. (Ord. 1020, Passed 12-22-80.)

925.08 AUTHORITY OF BOARD.

(a) The Board of Trustees of Public Affairs is authorized and directed to adopt and enforce specifications and regulations in accordance with the provisions of this chapter for the purpose of providing control of the installation of sewer connections and the inspection thereof. The Board shall maintain accurate and complete records of all permits issued and inspections made. The Board is empowered to require the abandonment and removal of connections to the public storm sewers which violate the provisions of this chapter.

(b) Council affirms that the sanitary sewers and the sanitary sewer system of the City are under the exclusive control of the Board of Trustees of Public Affairs as provided for in Ohio R.C. 729.56. (Ord. 1020, Passed 10-22-80.)

925.09 POWERS AND AUTHORITY OF INSPECTORS.

(a) The Board of Trustees of Public Affairs and other duly authorized employees of the Municipality bearing proper credentials and identifications, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing or other proper activities in accordance with the terms of this chapter, or any regulations promulgated thereunder. The powers and authority herein granted shall be in addition to powers of inspection otherwise granted by law to the Municipality.

(b) All information in the possession of the owner bearing on the industrial commercial or other process which, in the judgment of the Board affects the wastewater system, shall be made available to the Board or its authorized representative.

(c) While performing the necessary work on private properties referred to in subsection (a) hereof, the Board or its authorized representative shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Municipal employees, and the Municipality shall indemnify the company against loss or damage to its property by Municipal employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 925.07(c). (Ord. 1020, Passed 12-22-80.)
325.99 TAMPERING; PENALTY.

(a) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or otherwise tamper with any structure, appurtenance or equipment which is a part of the Municipality's wastewater system.

(b) Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree and in addition to the penalty provided herein, shall be liable for any damages to the Municipality's wastewater system resulting from their actions. Each day during or on which a violation occurs or continues shall constitute a separate offense.
CHAPTER 927
Sewer Rates

927.01 Purpose and scope.
927.02 Definitions.
927.03 Description of service charges.
927.04 Classes of users.
927.05 User charges, debt service charges and ICR charges.
927.06 Extra strength user surcharges.
927.07 Connection charge.
927.08 Billing and payment.
927.09 Administration and procedures.
927.10 Rejection or pretreatment.
927.11 Appeal procedures.
927.12 Special agreements.

CROSS REFERENCES
Sewerage rates – see Ohio R.C. 729.49
Weekly deposits of sewer rentals collected – see Ohio R.C. 729.52

927.01 PURPOSE AND SCOPE.
(a) The purpose of this chapter is:

(1) To establish user charges and industrial cost recovery ICR charges which will meet the requirements of the U.S. Environmental Protection Agency as published in the Federal Register, September 27, 1978, Volume 43, Number 188; which will generate sufficient revenue to meet all operation, maintenance and equipment replacement costs; and which will recover from specific industrial users of the treatment works the amount of the federal grants allocable to the treatment of wastes from such users;

(2) To establish charges which will generate sufficient revenues to meet all debt service requirements;

(3) To establish extra strength user surcharges for wastewaters exceeding the strength of normal strength wastewater, as defined herein, and including an industrial waste surveillance charge to cover the cost of monitoring each industry discharging wastewater to the sanitary sewer system; and

(4) To establish connection charges for all new users in the service area connecting to the Municipal sanitary sewer system.

(b) Every person, firm or corporation whose premises are served by a connection to the sanitary sewer system, which connection discharges sanitary wastewater, industrial wastewater, cooling water or other liquids, either directly or indirectly, into the wastewater system under the jurisdiction of the Municipality, will be charged for the use of such system. The service charges shall be applied to each and every premises discharging to the sanitary sewer system, and the charges shall be as specified in this chapter.
(c) All provisions of Chapter 925 shall be considered a part of this chapter insofar as the various sections are applicable. (Ord. 1019, Passed 12-22-80.)

927.02 DEFINITIONS.
Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

(a) "Operation and maintenance costs" means all costs associated with the operation and maintenance of the wastewater collection and treatment facilities, including salaries and wages, electric power, gas and oil, chemicals, miscellaneous supplies and equipment, maintenance of equipment and facilities, employee fringe benefits, other necessary expenses and all costs associated with equipment replacement.

(b) "Equipment replacement costs" means expenditures made for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed, with reference to 40 CFR 35.929-1 through 35.929-3.

(c) "Normal strength wastewater" as defined for the purpose of determining surcharges means wastewater having an average daily suspended solids concentration of not more than 250 mg/l, an average daily BOD₅ of not more than 200 mg/l, and containing not more than 100 mg/l of Freon soluble matter (grease and oil).

(Ord. 1019, Passed 12-22-80.)

927.03 DESCRIPTION OF SERVICE CHARGES.

(a) The sewer service charges shall consist of a user charge, industrial cost recovery charges, where applicable, a debt service charge, extra strength user surcharges, where applicable and connection charges. The user charge is payment to the Municipality by all recipients of sewer service for treatment of normal strength wastewater or wastewater of less than normal strength. It is designed to offset the cost of operation and maintenance of the collection and treatment facilities, including cost associated with equipment replacement. The user charge is intended to enable the Sewer Department to be financially self-sufficient with respect to operation and maintenance of its facilities.

(b) For wastewaters which exceed normal strength, the user shall pay extra strength user surcharges, as specified herein under Section 927.06. In addition to the other sewer service charges specified in this chapter for normal strength wastewater.

(c) The industrial cost recovery charges (ICR charges) shall be used to determine payments to the Municipality from specific Industrial class users, as defined herein, for use of the sewageworks facilities, to recover the amount of the federal grants awarded under P.L. 95-217 allocable to the treatment of industrial wastewaters and/or cooling water discharged by such users to the sanitary sewer system.
(c) The ICR charges shall be paid in addition to the user charge and debt service charge by each industrial class user in the service area discharging industrial wastewater to any component or components of the wastewater system from which the user is receiving benefits and for which an EPA grant has been awarded. An industrial class user shall be as defined under Section 927.04(e); however, no industry, regardless of discharge, contains pollutants which:

1. Interfere with the treatment works processes.
2. Are toxic or incompatible.
3. Contaminate or otherwise reduce the utility value of treatment works sludge.

Industrial wastewaters shall include cooling water where such is discharged to the sanitary sewer.

(d) As of the effective date of this section, the following ICR charges have been established and shall be used to determine all ICR payments:

<table>
<thead>
<tr>
<th>EPA Grant</th>
<th>ICR Unit Charges</th>
</tr>
</thead>
<tbody>
<tr>
<td>C391138-010 and 020</td>
<td>(Basic Charge - 0.25 per 1,000 gallons</td>
</tr>
<tr>
<td></td>
<td>(BOD&lt;sub&gt;5&lt;/sub&gt; Surcharge - $0.04 per lb.</td>
</tr>
<tr>
<td></td>
<td>(Sus. Solids Surcharge - $0.05 per lb.</td>
</tr>
</tbody>
</table>

The basic ICR charge shall be applied to the flow of industrial wastewater and cooling water only, discharged to the sanitary sewer system, as hereinafter determined, and is not to be paid on any sanitary wastewater discharged by an industrial class user. ICR surcharges shall be applied to any or all of the pollutant concentrations indicated which are in excess of the concentrations for normal strength wastewater as defined under Section 927.02(e). All ICR charges have been calculated on the basis of a thirty-year recovery period.

(e) Each industry discharging to the sanitary sewer system has completed and filed with the Municipality an industrial waste questionnaire containing pertinent information as to quantity of flow, characteristics of discharged wastewaters, etc., and this information shall be used to determine billings for the first year following the effective date of this section. Subsequent billings shall be based on revised information taken from annual updated reports to be filed with the Sewer Department, or from other records. Interim reports may be requested at the discretion of the Board. New industries shall file a fully executed questionnaire with the Municipality prior to being issued a sewer permit.

(f) Where industrial wastewater is combined with sanitary wastewater at the point or points of discharge and no separate metering of each increment is provided, the sanitary wastewater from industry shall be considered equal to fifteen gallons per day per employee (thirty gallons per day where showers are used) at normal strength loadings as previously defined herein.
(g) The service charges shall be computed on the basis of the water purchased from the Municipality as registered by the water meter or meters, unless the actual quantity of wastewater entering the sanitary sewer system can be determined, as specified hereinafter.

(h) Each premises served by the sanitary sewer system of the Municipality shall be charged, and where premises are served by more than one sewer connection a combined charge shall be levied based on the total flow from all connections. However, where the property is not occupied, a minimum charge shall be levied for each sewer connection.

(i) Where more than one meter is installed, whether for the convenience of the owner of the premises or the Municipality, service charges shall be rendered to the owner of the premises for each meter, unless the combined flow through all meters is authorized by the Board.

(j) When a person, firm or corporation can show to the satisfaction of the Board, that a portion of the water as measured by the water meter(s) does not enter the sanitary sewer system, such as uncontaminated cooling water, such person, firm or corporation may submit an application in writing to the Sewer Department for the installation of an auxiliary water meter. The Municipality has the authority to permit or to require an additional meter to be installed at the applicant’s expense, so as to measure the quantity of water actually entering the sanitary sewer system. The quantity of water used to determine the service charges shall be the quantity of water actually entering the sanitary sewer system as so determined.

(k) If the Board finds that it is not practicable to measure such water by meters, it shall determine the volume of wastewater in any manner or method as it may find practicable, in order to arrive at the percentage of metered water entering the sanitary sewer system and the quantity of water used to determine the sewer service charges shall be that percentage so determined.

(l) In the event that the conditions set forth in subsection (j) hereof are not for any reason met, all water metered to the premises shall be used for billing purposes.

(m) When premises are supplied either wholly or in part with water from wells or any source other than a public water supply, such wells or source of supply shall be registered in writing with the Sewer Department. The owner of the premises shall install and maintain at his expense, a meter or meters acceptable to the Department, on all such supplies, and the quantity of water used to determine the service charges shall be the quantity as measured by the meter or meters. If the meter or meters are not installed within six months from the date of notification in writing by the Board, the owner or other users of the premises shall be billed double the minimum charge.

(n) Where an auxiliary meter or meters are required for the proper determination of water subject to the service charges, such meter shall be installed only after approval has been granted by the Board. Such meters shall be installed, owned and maintained by the property owner. Venturi meters, flumes, weirs and other methods of measuring flow shall be used only when authorized by the Board.
It is understood that where an auxiliary meter has been installed, such a meter shall not be removed without the approval of the Board.

(o) All meters shall be installed in accordance with the standards, rules and regulations of the Water Department.

Where private meters are used on wells, or in an industrial water distribution system, and such meters are set behind the primary water supply meter, the aforementioned standards, rules and regulations may be modified or waived by the Board.

(p) Fire protection service branches shall be exempt from all service charges except for water used for purposes other than fire protection.

(q) Where a sanitary sewer in the area served by the Municipality is available to any lot, parcel of land, building or premises which is improved, it is a conclusive presumption that wastewater from such lot, parcel of land, building or premises which is improved is discharged into such sewer, and the owner shall be billed the service charges as provided herein. Any lot, parcel of land, building or premises abutting a street, alley or easement in which there is a public sanitary sewer shall be deemed to have available access to a sanitary sewer, and the owner or other users of such real property shall connect to the sewer within six months from the date the owner is notified in writing by the Board that the sewer is made available for use to their property. In the event the owner or other users of the real property are not connected on such date, the minimum charge specified under subsection (b) shall be imposed upon the property. Exceptions shall be as specified under Section 925.03(d). (Ord. 1619. Passed 3-8-10.)

927.06 EXTRA STRENGTH USER SURCHARGES.

(a) Surcharges shall be determined on the basis of the following constituents of the wastewater that are in excess of normal strength wastewater:

1. Total suspended solids (nonfilterable residue)
2. BOD, 5-days at 20° Celsius.

(b) When any or all of the total suspended solids or BOD₅ of a wastewater accepted for admission to the Municipality’s sanitary sewer system exceeds the values of the above specified constituents for normal strength wastewater, the amount of the treatment surcharge to be paid will be based on the cost per pound of removing the excess quantity of each constituent.

(c) Extra strength user surcharges are hereby established as follows:

1. Suspended solids $0.14 per lb.
2. 5-day biochemical oxygen demand $0.15 per lb.
(d) An industrial wastewater surveillance charge is hereby established of two hundred dollars ($200.00) per year for each connection discharging industrial wastewater to the sanitary sewer system. Where it has been reported that no industrial wastewater is being discharged, a fifty dollar ($50.00) charge shall be levied only once per year to cover the cost of verifying the report. The moneys collected from this charge shall be used to cover the cost of making surveys, record keeping and occasional analytical work necessary for verification of owner-reported results.
(Ord. 1019. Passed 12-22-80.)

927.07 CONNECTION CHARGE.

(a) In addition to the permit fee specified in Section 925.05(b), all new users connecting to the sanitary sewer system, either inside or outside the Municipality, shall pay a connection charge as follows:

<table>
<thead>
<tr>
<th>Size of Water Meter (inches)</th>
<th>Sewer Connection Charge</th>
<th>Estimated Maximum Rate of Flow (gpm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8 x 3/4</td>
<td>$ 500.00</td>
<td>20</td>
</tr>
<tr>
<td>3/4</td>
<td>750.00</td>
<td>30</td>
</tr>
<tr>
<td>1</td>
<td>1,250.00</td>
<td>50</td>
</tr>
<tr>
<td>1-1/4</td>
<td>2,000.00</td>
<td>80</td>
</tr>
<tr>
<td>1-1/2</td>
<td>2,500.00</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>4,000.00</td>
<td>160</td>
</tr>
<tr>
<td>3</td>
<td>7,500.00</td>
<td>300</td>
</tr>
<tr>
<td>4</td>
<td>12,500.00</td>
<td>500</td>
</tr>
<tr>
<td>5</td>
<td>20,000.00</td>
<td>800</td>
</tr>
<tr>
<td>6</td>
<td>25,000.00</td>
<td>1,000</td>
</tr>
</tbody>
</table>

The above connection charge is a one-time charge which shall be paid at the time an application is made for the issuance of a sewer permit. The Board of Trustees of Public Affairs may authorize the payment of the connection charge to be made in not more than four equal installments. Billings for installment payments shall be included with the regular quarterly or monthly billings for service charges.

(b) An applicant whose premises are not supplied with water by the Municipality, but who wishes to use the sanitary sewer services supplied by the Municipality, shall pay the connection charge based on the estimated maximum rate of flow and in accordance with the schedule listed in subsection (a) hereof.

(c) Any applicant whose property does not abut an existing sanitary sewer facility may, at his own expense, construct such trunk and/or lateral facility as directed by the Municipality. Upon completion of the facility to the satisfaction of the Municipality, such facility shall become the property of the Municipality and be subject to all rules and regulations applicable. In the event a user is required to construct a sewer line or other facility having a capacity in excess of that needed by the user, the Municipality shall reimburse the user who builds the sewer line or facility in an amount equal to the amount of construction cost found necessary to provide the excess capacity required by the Municipality.
(Ord. 1360. Passed 2-10-97.)
927.08 BILLING AND PAYMENT.

(a) All service charges except industrial cost recovery charges and connection charges shall be for a period of one month for all classes of users. Payment is due upon mailing by the Sewer Department. Bills shall be mailed to the owner of the real property benefited or to his agent or tenant. The failure of any owner or designated agent or tenant to receive a bill promptly shall not excuse nonpayment of same as herein provided and, in the event an owner or tenant fails to receive a bill promptly he shall obtain a bill at the Utility Billing Office in the Municipal Building. All bills shall be payable at the Utility Billing Office.

(b) In case of failure to pay any bill for sewer service charges within twenty-one days after mailing by the Sewer Department, a penalty of ten percent (10%) of such charges shall be added to the bill.
(Ord. 1073. Passed 2-9-84.)

(c) In the event the sewer service charges are not paid within fifteen days from the penalty due date, the Village Clerk may cause a notice to be delivered or mailed to the owner addressed as provided in the preceding section, and to the occupant of the premises, addressed at the premises, stating the amount due and demanding payment thereof within a period of at least five days of the date of such notice and stating that if such payment is not made, the water service shall be discontinued without further notice and, at the expiration of such period as provided in such notice, the Municipality may enter the premises and cause the water service to be disconnected and discontinued. A ten dollar ($10.00) charge shall be made for discontinuing or reconnecting such service on account of nonpayment of service charges, and such charges shall be billed and collected in the same manner as the service charges. For transfer of ownership or tenant, where the previous owner or tenant notified the Municipality that such owner or tenant no longer required service and obtained a final meter reading before vacating the premises of the service location, a five dollar ($5.00) charge shall be paid by the new owner or tenant at the time application is made for service.
(d) Each sewer service charge levied by or pursuant to this chapter is hereby made a lien upon the corresponding lot, land or premises served by a connection to the sanitary sewer system of the Municipality, and if the same is not paid within ninety days after the penalty due date, it shall be certified to the County Auditor and collected in the same manner, with interest and penalties allowed by law, as other taxes are collected (Ohio R.C. 729.49).

(e) In accordance with P.L. 95-217, EPA declared a moratorium on the payment of all industrial cost recovery charges between December 28, 1977 and June 30, 1980. After the moratorium such deferred payment shall be made in accordance with the applicable ICR requirement at that time. The payment, if required, shall be made in equal annual installments prorated over the remaining useful life of the facility, not exceeding thirty years. Billings for all ICR charges shall be made on an annual basis, and payments shall be due within ten days after the billing date. Payments may be made at the industrial users option in twelve equal monthly installments. Failure to pay the ICR charges within the due date shall be cause for penalties to be levied as outlined in subsection (b) to (d) hereof. (Ord. 1019. Passed 12-22-80.)

927.09 ADMINISTRATION AND PROCEDURES.

(a) The funds received from the collection of sewer service charges shall be deposited with the Municipal Treasurer. The money so deposited shall be kept by the Treasurer in two separate and distinct funds known as the Sewer Revenue Fund and the Industrial Cost Recovery Fund, except as indicated below.

From the Sewer Revenue Fund, transfers shall be made into the Equipment Replacement Account, the Debt Service Fund and the Capital Improvement and Reserve Fund. Collections resulting from the user charges, the debt service charges, the extra strength user surcharges, the surveillance charges, and the permit fees shall be deposited in the Sewer Revenue Fund. The industrial cost recovery payments when collected shall be deposited directly into the Industrial Cost Recovery Fund. Moneys collected from the connection charges shall be deposited directly into the Capital Improvement and Reserve Fund.

(b) The Sewer Revenue Fund shall be used for the payment of the cost of management, maintenance, operation and repair of the sanitary sewer system and wastewater treatment facilities, including all costs associated with establishing the Equipment Replacement Account.

(c) The Industrial Cost Recovery Fund shall be administered and disbursed in accordance with United States Environmental Protection Agency Guidelines (40 CFR 35.928-2).

1. The Municipality shall retain fifty percent (50%) of the amounts recovered from the industrial cost recovery payments. The remainder, together with any interest charged thereon, shall be returned to the United States Treasury on an annual basis.

2. A minimum of eighty percent (80%) of the retained amounts, together with the interest thereon, shall be used solely for eligible costs, in accordance with paragraph 35.940 of the Construction Grants regulations, of expanding, improving or reconstructing the treatment works associated with the project and necessary to meet the requirements of the Municipality's discharge permit. The Municipality shall obtain the written approval of the Regional Administrator of the United States Environmental
Protection Agency prior to commitments of the retained amounts for any expansion, improvement or reconstruction. The remaining twenty percent (20%) of the retained amounts together with the interest thereon, shall be transferred to the Equipment Replacement Account or the Capital Improvement and Reserve Fund, as desired.

(3) Pending use, the Treasurer shall invest the retained amounts for reconstruction and expansion in:
   A. Obligations of the United States Government; or
   B. Obligations guaranteed as to principal and interest by the United States Government or any agency thereof; or
   C. Shall deposit such amounts in accounts fully collateralized by obligations of the United States Government or by obligations fully guaranteed as to principal and interest by the United States Government or any agency thereof.

(d) Each year, the Village Clerk shall submit to the Board of Trustees of Public Affairs a recommended system of user charges, debt service charges, extra strength user surcharges, industrial recovery charges and connection charges for approval. If approved, the Board shall submit the schedule of charges to the next regular meeting of Council for ratification and incorporation into the Municipal ordinances. The system shall be in accordance with the following requirements:

(1) The system shall result in the distribution of the costs of operation and maintenance of the wastewater system within the Board's jurisdiction to each user class in proportion to such user's contribution to the total wastewater loading of the treatment works. Factors such as strength, volume and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance (including replacement) costs to each user class.

(2) The system shall be reviewed annually and revised periodically to reflect actual operation, maintenance, and replacement costs of the wastewater system.

(3) The system shall generate sufficient revenue to offset the costs of all wastewater system operation and maintenance provided by the Sewer Department and such other expenditures authorized by subsection (b) hereof, including debt service requirements.

(4) The system shall recover that portion of the federal grant(s) awarded under P.L. 95-217 allocated to the treatment of industrial wastewaters.

(5) The cost of treating and handling the extra constituents of BOD5 and suspended solids shall be determined and reported in the schedule of extra strength user surcharges at a cost per pound for each constituent.

(6) In order to establish the industrial waste surveillance charge, the cost shall be determined by calculating the actual cost of gathering samples, testing and reporting the results of analyses, and distributing such costs proportionately to the appropriate users.
(e) In connection with the administering of this chapter, reference is made to Section 925.07 specifically those subsections pertaining to control manholes, wastewater volume determination, sampling and monitoring and analyses.

(f) The results of routine sampling and analysis by the owner will be used to determine the extra strength user surcharges; however, the Sewer Department may, at any period or time and of such duration and in such manner as the Sewer Department may elect, determine the strength of the discharged wastewater for purposes of verification. If the owner fails to file the necessary annual reports, the strength determined by the Sewer Department’s analysis will be used to determine the amount of the surcharges. Similarly, the surcharges shall be applied to the total metered water consumption if the owner fails to file the required annual reports.

(g) If necessary, the Sewer Department shall have the right to enter and set up, on company property, such devices as are necessary to conduct a gauging and sampling operation and to begin such operation without advance notice to the company or owner. While performing the work, the Sewer Department’s personnel will observe all safety rules applicable to the premises, established by the company.

(h) Where a company has security measures in force which require proper identification and clearance before entry onto the company’s premises is granted, such company shall either make necessary arrangements with its security guards that upon showing proper identification, personnel from the Sewer Department will be permitted to enter, without delays, for the purpose of obtaining samples (grab or composite) of wastewaters being discharged at the various sampling points; or the company shall install suitable gauging and sampling manholes outside the security limits, which manholes shall at all times be immediately accessible to Sewer Department personnel.

(i) If a person, firm or corporation disagrees with the analysis on which the surcharges are based, he may request, in writing, an additional sampling and analysis which shall be conducted in a manner acceptable to the Board. The requestor shall be billed for twenty-five percent (25%) of an additional surveillance charge in order to cover the cost of such additional sampling and analysis.
(Ord. 1080. Passed 6-27-84.)

927.10 REJECTION OR PRETREATMENT.

(a) In cases where the character of wastewater from any manufacturing plant, building or premises is such that it will damage the sanitary wastewater system, or cannot be treated satisfactorily in the wastewater system, the Board of Trustees of Public Affairs has, and shall use its authority to compel such users to dispose of such wastewater otherwise and prevent it from entering the system.

(b) In cases where the character of the wastewater from any manufacturing or industrial plant, building or premises is such that it imposes an unreasonable burden upon the sanitary wastewater system greater than that imposed by the normal wastewater entering the system, the Board may, if it deems advisable, compel such manufacturing
or industrial plant, building or premises to pretreat such wastewater in such manner as he shall specify before discharging such wastewater into the wastewater system. (Ord. 1019. Passed 12-22-80.)

927.11 APPEAL PROCEDURE.
If the findings, order or decision of the Board of Trustees of Public Affairs made in pursuance of the provisions of this chapter are not acceptable to any industry, and the differences cannot be negotiated, such industry shall have the right to file an appeal for arbitration with the Municipality. (Ord. 1019. Passed 12-22-80.)

927.12 SPECIAL AGREEMENTS.
No statement contained herein shall be construed as preventing any special agreement or arrangement between the Municipality and any industrial concern whereby an industrial wastewater of unusual strength or character may be accepted by the Municipality for treatment subject to payment thereto by the industrial concern. Any contract with an industry shall be governed by all charges and regulations as established in the Municipality's ordinances. (Ord. 1019. Passed 12-22-80.)
CHAPTER 929
Water

929.01 Application for water service; tapping fees.
929.02 Water sold by meter.
929.03 Water rates.
929.04 Owners of property liable for charges.
929.05 Taps.
929.06 Material for service lines.
929.07 Curb cock and box.
929.08 Repairs to service line.
929.09 Inspection.
929.10 Turning on water.
929.11 Right of entry.
929.12 Location of meter.
929.13 Depth of pipe in ground.
929.14 Location of hydrants.
929.15 Type of meter.
929.16 Repairs to meters.
929.17 Prohibited outlets.
929.18 Discontinuing use of water.
929.19 When and where water rents are payable.
929.20 Penalty for nonpayment.
929.21 Effect of violation of rules.
929.22 Turning on hydrants.
929.23 Ten or more rooms.
929.24 Two or more meters.
929.25 Digging up streets.
929.26 Restoring sidewalks and paving.
929.27 Liability for damages.
929.28 Rules and regulations; validity.
929.29 Restricted entry to pumping station.
929.30 Protection of reservoir from damage or pollution.
929.31 Backflow prevention device.
929.32 Drilling of wells prohibited.
929.99 Penalty.

CROSS REFERENCES
Water pollution - see Ohio R.C. 715.08, 743.25; GEN. OFF. 521.10
Compulsory water connections - see Ohio R.C. 715.09 et seq.
Management and control of waterworks - see Ohio R.C. 743.02 et seq.
Weekly deposit of waterworks moneys 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
Excavations - see S.U. & P.S. Ch. 901

2012 Replacement
929.01 APPLICATION FOR WATER SERVICE; TAPPING FEES.

Application for water must be made at the business office of the Water Department, or authorized by the Superintendent of Water and Sewage Departments, on forms prepared for that purpose and must state fully and truly all purposes for which water is to be used. The application is in the form of a contract between the applicant and the Municipality, and all applications must be signed by the owner of the premises to be supplied or by his authorized agent. In making application the applicant shall pay the following fees to cover costs of making taps and supplying the corporation cock, which is to be situated on the water main:

<table>
<thead>
<tr>
<th>Tap Size (inches)</th>
<th>Excavation Performed by Applicant</th>
<th>Excavation Performed by Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4</td>
<td>$264.00</td>
<td>$504.00</td>
</tr>
<tr>
<td>1</td>
<td>294.00</td>
<td>546.00</td>
</tr>
</tbody>
</table>

(Ord. 1332. Passed 5-8-95.)

929.02 WATER SOLD BY METER.

Water will be supplied by meter only. All meters must be so located as to be safe from freezing and accessible for reading and repairing. The Municipality will purchase meters in quantities and they will be sold to consumers at cost, cash on delivery. Prices are subject to change.

929.03 WATER RATES.

For the purpose of paying the expenses of operating, conducting and managing the waterworks system of the Municipality, the Board of Trustees of Public Affairs may establish and collect a water rent in such amount and manner as he deems most equitable from all properties and premises supplied with water as authorized under Ohio R.C. 735.29.

929.04 OWNERS OF PROPERTY LIABLE FOR CHARGES.

The owner of the premises where water is supplied shall be responsible for the payment of all water rent or other charges. Water rents and charges are hereby declared to be a lien upon the tenements and premises supplied with water from and after the time when the property is supplied with water, or for other proper charges that are made in connection with such service. The Municipality will keep an account with the owner of the property only. All unpaid water rent and other charges will, after a reasonable time be certified to the County Auditor and collected on the tax duplicate in the same manner as other taxes and assessments are collected. By the user of water and by the acceptance of service in connection therewith, the owner of any property supplied with water or given service in connection therewith is hereby deemed to assent to the above rule and regulation.
929.05 TAPS.
No person except the Superintendent of Water and Sewage Departments, or his authorized assistant or other authorized person, shall be permitted to tap the water mains. No taps will be allowed smaller than 3/4 inch of water way and no tap will be allowed larger than 1 inch of water way except by special permission. All pipe used in connecting the water service must be a minimum of CTS 200 PSI 3/4-inch plastic water line or IPS 200 PSI 3/4-inch water line. (Ord. 1584. Passed 4-28-08.)

929.06 MATERIAL FOR SERVICE LINES.
The service line must connect to the corporation cock by means of 3/4-inch Type K copper or plastic pipe, on the recommendation of the Superintendent of Water and Sewage Departments.

929.07 CURB COCK AND BOX.
(a) Where a service line is run from a water main in the street, a curb cock and box must be provided one foot inside of the curb line and the top of box must be level with the surface. If the line is run from a main in an alley, the curb cock and box shall be placed one foot inside the property line.

(b) Curb cocks shall be provided with standard T handles and standard curb boxes.

(c) All curb cock boxes must have a cover fastened with a screw and must in all cases be opened with a proper key or wrench and under no circumstances shall a cold-chisel or other improper tool be used for such purpose. Covers when replaced must be properly screwed down so that they cannot be removed by hand. Cap screw or bolt for curb cock boxes shall have pentagon head and 5/16-inch sides.

929.08 REPAIRS TO SERVICE LINE.
The service line from the water main to and including curb and box shall be installed and kept in repair by property owner.
The Water Department reserves the right to shut-off water service if necessary repairs to a broken or leaking service line are not commenced within three days after notice to do so has been given to the property owner of the affected premises by the Water Department.

929.09 INSPECTION.
All lines from a water main to a meter are subject to inspection by the Superintendent of Water and Sewage Departments, or his authorized assistant or other authorized person, and must stand full line pressure without leakage. Such Inspector must be given two hours’ notice before the ditch is closed. If the ditch is closed before the inspection which is required by this section is made, no water will be turned on.

929.10 TURNING ON WATER.
No person except the Superintendent of Water and Sewage Departments, or his authorized assistant or other authorized person, is permitted to turn on water into any service line.
929.11 RIGHT OF ENTRY.
Every person taking water from the system shall, at all reasonable hours, permit the Board of Trustees of Public Affairs, the Superintendent of Water and Sewage Departments or its authorized assistant or other authorized person, to enter his premises and buildings in order to examine the water pipes and fixtures and to know the manner in which water is used, and for the purpose of reading or repairing meters.

929.12 LOCATION OF METER.
All meters must be so located as to be safe from freezing and clear of obstacles as to be accessible for reading and repairing. Outside meter registers should be placed on the house where it is agreeable to both the owner and the Superintendent of Water and Sewage Departments.

929.13 DEPTH OF PIPE IN GROUND.
All underground pipe must be covered at least thirty inches deep.

929.14 LOCATION OF HYDRANTS.
No hydrant, street washers or other fixtures shall be allowed outside the property line.

929.15 TYPE OF METER.
The meter to be used by a consumer is to be of a type and kind as specified by the Board of Trustees of Public Affairs or authorized by the Superintendent of Water and Sewage Departments.

929.16 REPAIRS TO METERS.
Repairs to meters shall be performed by the Superintendent of Water and Sewage Departments or his authorized assistant or other authorized person, free of charge except when damage by freezing or when a water heater or boiler is used in connection with the water equipment allowing hot water to back into the meter. Check valves must be located so as to prevent hot water from backing into the meter.

929.17 PROHIBITED OUTLETS.
No outlets shall be allowed between main and meter.

929.18 DISCONTINUING USE OF WATER.
Any consumer wishing to discontinue use of water on his premises must give notice at the office of the Water Department so that the water may be turned off. The regular charge will apply until such notice has been given. No charge shall be made for turning water on or off.

929.19 WHEN AND WHERE WATER RENTS ARE PAYABLE.
(a) Water rents are due upon mailing by the Water Department. Bills shall be mailed to the owner of the real property benefited or to his agent or tenant. The failure of any owner or designated agent or tenant to receive a bill promptly shall not excuse payment of the same as herein provided and, in the event an owner or tenant fails to receive a bill promptly, he shall obtain a bill at the Utility Billing Office in the Municipal Building.
(b) In case of failure to pay any bill for water rents within twenty-one days after mailing by the Water Department, a penalty of ten percent (10%) of such charges shall be added to the bill.

(c) Water rents are payable at the Utility Billing Office, the First Union Bank N.A. of Shadyside, acting as agent for the Municipality, or at any other authorized agent as may be designated by the Municipality. (Ord. 1074. Passed 2-9-84.)

929.20 PENALTY FOR NONPAYMENT.
If the water rent is not paid within ten days after it becomes due, the water supply shall be turned off and not turned on until the delinquent bill is paid in full. No deduction will be made for the time the water was off.

929.21 EFFECT OF VIOLATION OF RULES
If any consumer violates, or permits the violation, from his attachment, of any of the rules of the Water Department governing the supply and consumption of water, the water to his premises will be turned off and not turned on again unless corrected. In case of persistent violation of the rules the service attachment will be withdrawn from the main and the supply will be wholly discontinued.

929.22 TURNING ON HYDRANTS.
No person other than those duly authorized by the Board of Trustees of Public Affairs, Superintendent of Water and Sewage Departments, Street Commissioner, Fire Chief or their authorized agents in the discharge of their duties, is permitted to open or to tamper in any way with the fire hydrants. Violations of this rule will be prosecuted by law.

929.23 TEN OR MORE ROOMS.
Where ten or more rooms, such as apartment houses, are to be supplied from one tap there shall be a 1-inch tap and service line to the service cock. Such line shall be larger if so directed by the Board of Trustees of Public Affairs. This section also applies to commercial buildings and industries.

929.24 TWO OR MORE METERS.
Where two or more meters are on one service line each shall be provided with a service cock and box and the Board of Trustees of Public Affairs reserves the right to close the corporation cock if the Board deems it necessary to protect the Municipality against theft of water or against violation of any rules or regulations of the Water Department or as prescribed by the Board under the provisions of Section 929.28.

929.25 DIGGING UP STREETS.
Persons digging up streets or alleys to install water service lines shall not be permitted to block traffic any more than absolutely necessary. They shall place barriers and red lights to protect the public thoroughly. Violations of this rule will be prosecuted. Persons making any excavation in any street, alley or on public ground of the Municipality, shall comply with all ordinances of the Municipality in reference thereto.
929.26 RESTORING SIDEWALKS AND PAVING.
In removing sidewalks, paving and the opening of trenches for the laying of service pipes and making repairs and extensions, the stone, brick, earth and other material removed must be replaced in as good condition as when found, leaving the sidewalks and paving in good repair and keeping it so for a period of one year from date of such work.

929.27 LIABILITY FOR DAMAGES.
No liability for damages shall attach to the Municipality or any of its officers or employees for insufficiency or failure in the supply of water at any time in any pipe in the Municipality by the shutting off of water for repairs, to make connections or for any cause whatever.
No water rent will be refunded or rebate allowed on account of failure or scarcity in the supply of water as the Municipality charges only for what it may furnish for renting purposes and without any guarantee whatever as to the quantity or regularity of supply.

929.28 RULES AND REGULATIONS; VALIDITY.
(a) The Board of Trustees of Public Affairs may make such rules and regulations for the use of water, or establish or discontinue the supply of water as he may deem necessary for the safe, economical and efficient management and protection of the waterworks system of the Municipality. Such rules and regulations may be changed from time to time by the Board if it deems it necessary in order to comply with the provisions of this section.

(b) Such rules and regulations, when not repugnant to existing ordinances of the Municipality or to State laws, shall have the same force and effect as ordinances of Council.

929.29 RESTRICTED ENTRY TO PUMPING STATION.
No one shall enter the waterworks pumping station except the Superintendent of Water and Sewage and his assistants or duly authorized agents or employees of the Municipality.

929.30 PROTECTION OF RESERVOIR FROM DAMAGE OR POLLUTION.
No one shall interfere with, open or cast anything into the waterworks reservoir.
TITLE FIVE - Other Public Services
Chap. 951. Garbage and Refuse Collection.
Chap. 961. Public Parks.
Chap. 971. Municipal Swimming Pool.

CHAPTER 951
Garbage and Refuse Collection

951.01 Definitions.
951.02 Storage of garbage and other refuse; containers.
951.03 Prohibition against burning.
951.04 Contract for collection.
951.05 Uncollected garbage declared a nuisance.

951.06 General provisions.
951.07 Other collection prohibited.
951.08 Billing.
951.09 Penalty.

CROSS REFERENCES
Employment of scavengers - see Ohio R.C. 3707.39
Disposal and transportation upon public ways - see Ohio R.C. 3767.20 et seq.
Vehicle loads dropping, sifting, leaking - see TRAF. 339.08
Littering - see GEN. OFF. 521.08

951.01 DEFINITIONS.
As used in this chapter:
(a) "Garbage" means all putrescible wastes, except human excreta, sewage and other water-carried waste, including vegetable and animal offal and carcasses of dead animals, including nonreusable food containers of tin, paper, plastic and similar materials, and shall include all such substances from all public and private establishments and from all residences.
(b) "Other refuse" means ashes, glass, crockery, paper boxes, rags and old clothing and all other similar nonputrescible waste. The term shall not include any material such as earth, sand, brick, stone, plaster or other similar substances that may accumulate as a result of construction operations.
(c) "Householder" means the head of a family or one maintaining separate living quarters and shall include owners, tenants and occupants of all premises where garbage or other refuse or both is or are created. Nothing in this definition shall be construed to apply to commercial operations as hereinafter defined.
(d) "Premises" means land or buildings or both, or parts of either or both, occupied by a householder or a commercial operator.
(e) "Commercial operator" means all persons, firms or corporations who own or operate stores, restaurants, industries, institutions and other similar places, public or private, charitable or noncharitable, and includes all responsible persons other than householders, upon the premises of which garbage or other refuse or both is or are created. (Ord. 800. Passed 7-27-70.)

951.02 STORAGE OF GARBAGE AND OTHER REFUSE; CONTAINERS.
(a) No household or commercial operator shall permit to accumulate upon the premises any garbage or other refuse except in covered containers as provided by this chapter.

(b) All garbage shall be kept in rust-resistant, watertight, nonabsorbent and easily washable containers which are covered with close fitting lids, not exceeding twenty gallons capacity, or in such other type of containers as may hereafter be approved by Council. Where practical, all garbage shall be drained of liquids and wrapped in paper. These containers shall be provided in sufficient number to hold all garbage that accumulates between collections. All containers shall be washed and drained with a disinfectant as often as necessary to prevent nuisance.

(c) All other refuse shall be stored in reasonably tight and substantial containers that are easy to handle. Such containers shall be of adequate capacity and provided in sufficient number to hold all other refuse that accumulates between collections.

(d) Insofar as is practical, boxes, papers, tree cuttings (not to exceed one inch in diameter) and odd articles shall be crushed and bundled in lengths not to exceed three feet and not to exceed fifty pounds in weight.

(e) No person shall store, place or dispose of on his premises any garbage or other refuse in such a manner whereby it will become a rodent or insect habitation or breeding place, health or safety menace, unsanitary condition or nuisance. (Ord. 800. Passed 7-27-70.)

951.03 PROHIBITION AGAINST BURNING.
No person shall burn or permit to be burned on his premises or the premises of another, or on Municipal streets or property, any paper, leaves or other debris or refuse. (Ord. 800. Passed 7-27-70.)

951.04 CONTRACT FOR COLLECTION.
The Mayor is hereby authorized, subject to ratification by Council, to contract with some suitable person, firm or corporation for the exclusive franchise and right of the collection, removal and disposition of garbage in the Municipality for a term of not more than five years, upon the following terms and conditions:

(a) The contractor shall furnish sufficient trucks, either of the packer type or with leakproof covered bodies, and sufficient employees for the operation thereof to collect garbage from all residences in the Municipality once each week, on a regular schedule to be submitted by the contractor and approved by Council.
(b) Collection shall be made by the contractor from commercial establishments on a schedule of at least twice each week, the same to be submitted by the contractor and approved by Council. Collections shall be made from the municipal swimming pool every day before noon during the summer months.

(c) The contractor shall furnish to the Municipality evidence of compliance with the Worker's Compensation Act of Ohio, in respect to coverage for the contractor's employees; evidence that the contractor's trucks and equipment used in connection with the collection and disposal of garbage from the Municipality are covered with public liability insurance with not less than 100-50-10 limitations; all such public liability insurance to carry endorsements showing such protection runs in favor of the Municipality, as well as the contractor.

(d) The contract shall contain a monthly charge for removing from each residence served by the collector once each week all the containers and properly packaged garbage and other refuse.

(e) The contractor shall at all times maintain a listed telephone, the number of which shall be available to all customers. The telephone shall be located at a place served by the same local telephone exchange that serves the residents of the Municipality. (Ord. 945. Passed 8-23-76.)

951.05 UNCOLLECTED GARBAGE DECLARED A NUISANCE.
Fermenting, putrefying or odoriferous garbage or other refuse in containers or dumped in the open is hereby declared to be a nuisance and the person or persons responsible shall be liable to prosecution under the provisions of Ohio R.C. 3767.13.
(Ord. 800. Passed 7-27-70.)

951.06 GENERAL PROVISIONS.
(a) Each person, firm or corporation creating garbage or other refuse upon his premises shall be responsible for the removal of the same therefrom and at no time shall he permit the same to accumulate in such manner or in such quantity as to constitute a nuisance or unsanitary condition.

(b) Each person, firm or corporation shall place his garbage containers on the regularly scheduled collection days at a point on his premises where the same will be readily accessible to the collector or his employees as determined by the collector or his employees but subject to appeal to the Sanitation and Sewer Committee of Council.

(c) Each person, firm or corporation shall so place and secure all garbage and trash containers used on his premises in such manner that the same can not be upset or scattered by dogs, persons or other means. The standard shall be reasonable care.
(Ord. 800. Passed 7-27-70.)

951.07 OTHER COLLECTION PROHIBITED.
No person, firm or corporation shall collect or transport garbage within the Municipality except the collector having a contract with the Municipality.
(Ord. 693. Passed 3-23-64.)
951.08 BILLING.
The contractor shall bill on a two-month basis, in advance, each person, firm or corporation served by him in the Municipality for the contracted monthly collection charge provided for in Section 951.04(d). (Ord. 945. Passed 8-23-76.)

951.09 PENALTY.
Whoever violates any provision of this chapter shall be fined not more than one hundred dollars ($100.00). Each day during or on which an offense occurs or continues shall constitute a separate offense.
CHAPTER 961
Public Parks

961.01 Motor vehicles not permitted off roadways.
961.02 Speed limit.

CROSS REFERENCES
Land appropriation for parks - see Ohio R.C. 715.21, 719.01
Power to regulate speed in parks - see Ohio R.C. 4511.07(E)
Park and Recreation Director - see ADM. 153.04

961.01 MOTOR VEHICLES NOT PERMITTED OFF ROADWAYS.
In the confines of Hillview Park, as is defined by the signs denoting the entrance (s) and exit (s) of the park, all motor vehicles are hereby prohibited except on the established roadways for motor vehicles in the park. (Ord. 891. Passed 6-24-74.)

961.02 SPEED LIMIT.
The legal maximum speed limit for motor vehicles in Hillview Park shall be fifteen miles per hour. (Ord. 891. Passed 6-24-74.)

961.03 MOTOR VEHICLE DEFINITION.
The term "motor vehicle" shall be defined as the term is defined in Ohio R.C. 4511.01(B). (Ord. 891. Passed 6-24-74.)

961.04 SIGNS TO BE POSTED.
The Street Commissioner is hereby authorized and directed to post speed limit signs and signs prohibiting the operation of motor vehicles off the established roadways for motor vehicles in the park at the entrance (s) to the park and all other places he deems necessary and proper. (Ord. 891. Passed 6-24-74.)

961.99 PENALTY.
Whoever violates any provision of this chapter shall be fined not more than one hundred dollars ($100.00).
CHAPTER 971
Municipal Swimming Pool

971.01 Change fund.

CROSS REFERENCES
Authority to establish and maintain - see Ohio R.C. 717.01, 755.12
Sanitation standards - see OAC 3701-31

971.01 CHANGE FUND.
(a) A change fund in the amount of fifty dollars ($50.00) is hereby established for the efficient operation of the municipal swimming pool concession stand and cashier.

(b) The swimming pool manager is hereby authorized to withhold the sum of fifty dollars ($50.00) from deposits as otherwise required by law during the swimming pool season and to account for the same at the season's end.
(Ord. 1027. Passed 6-22-81.)