



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Chad E. Lulfs, P.E., P.S., Director of Public Works

Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

April 20, 2015

12724 County Road P
Napoleon, Ohio 43545

Attn: John Donovan

Re: 12724 County Road P Sewer Tap

Dear Mr. Donovan,

Thank you for your attention to this matter. When an issue was discovered with another property in your area, we noticed there were no records for your property being connected. This is what prompted the previous notice.

Please schedule a time with our Operations Department to dye your sewer. The phone number for the Operations Department is 419-599-1891. We will document the results so this issue does not come up again in the future.

Yours truly,

Chad E. Lulfs, P.E., P.S.
Director of Public Works
City of Napoleon, Ohio

cc: Monica Irelan, City Manager
Trevor Hayberger, City Law Director
Jeff Rathge, Operations Superintendent

**JOHN DONOVAN
DONOVAN LAW OFFICE
609 North Perry Street
Napoleon, OH 43545**

John Donovan
James Donovan (1927 - 2002)

Telephone: 419-599-1936
Fax: 419-592-4451
Email: jonh@bgp.nu

April 16, 2015

Mr. Chad E. Lulfs
Director of Public Works
CITY OF NAPOLEON, OHIO
255 West Riverview Avenue
P. O. Box 151
Napoleon, OH 43545

RE: 12724 County Road P Sewer Tap

Dear Mr. Lulfs:

I received your letter of April 9, 2015.

I believe that I am in the City of Napoleon's city sewer system.

I thought your letter was rather aggressive. I would strongly urge you to take a Dale Carnegie course in dealing with the public, because if I were a lay person and not an attorney, I would take extreme offense at the allegations in your letter.

You can do your dye test at my convenience, but I believe that my sewer system drains into the city system by way of a pipe from my house onto Last Street.

I would also like to know who "alleged" that I am not in the city system, as it is my guess that someone from the City has brought this to your attention, not a member of the public.

Very respectfully,

DONOVAN LAW OFFICE



John Donovan

JD/sc
cc Trevor Hayberger, City Law Director
cc Monica Irelan, City Manager



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April 9, 2015

12724 County Road P
Napoleon, Ohio 43545

Attn: John Donovan

Re: 12724 County Road P Sewer Tap

Dear Mr. Donovan,

It has been alleged that the above referenced property is not connected to the City of Napoleon's public sewer system, which is available to this property. Per Section 6 of the City of Napoleon Rules for Water & Sewer Service:

"Rule 6.1 Availability of Residential Sewage Service

(A) Residential service for sewage (also known as "residential sewer service") is available to persons having a premises that qualifies for "residential service". Such service shall be considered available to the premises when the premises is located within the corporate limits of the City and where public sanitary sewer lines are installed within two hundred (200') feet of a building or structure foundation wall that is to be served on the residential premises.

(B) The sewer service line and tap shall be installed by property owner at property owner's expense and the complete installation shall conform to City's standards and inspection requirement. No sanitary sewer connections will be permitted until the tap charge, as prescribed by the City, has been paid in full to the City."

Per Rule 6.1 (A), you are required to connect to the public sewer system. This includes disconnecting and properly abandoning your existing septic tank, if applicable. Per Rule 6.1 (B), all costs associated with this sewer tap will be at your expense. No work shall begin until the tap fee and inspection fee have been paid in full. Per Section 931.10 of the City of Napoleon's Codified Ordinances, the tap fee shall be \$150.00 and the inspection fee shall be \$60.00.

You are hereby given notice that you have 90 days from the date of this letter to connect to the public sewer system. Failure to connect within this time may result in a disconnection of the water service per Rule 15.1 (A) of the City of Napoleon Rules for Water & Sewer Service. Per Rule 27 (C), any person failing to comply "shall be deemed guilty of a misdemeanor of the minor degree and the penalties as contained in Chapter 501.99 of the Codified Ordinances of the City of Napoleon, Ohio shall apply. Each day a violation continues constitutes a separate violation.

If you believe the above referenced property is properly connected to the City of Napoleon's sanitary sewer system, you will need to allow representatives from the City access to the property to verify the connection. This is done by placing dye in your system and verifying its presence in the public sewer. Please contact our office to arrange payment of all fees and to schedule the proper inspections or to schedule dye testing. Any questions you might have regarding this issue should also be forwarded to our office.

Yours truly,

Chad E. Lulfs, P.E., P.S.
Director of Public Works
City of Napoleon, Ohio

cc: Monica Irelan, City Manager
Trevor Hayberger, City Law Director
Jeff Rathge, Operations Superintendent