



# CITY OF NAPOLEON, OHIO

## LAW DEPARTMENT

255 W. RIVERVIEW AVENUE, PO BOX 151  
NAPOLEON, OH 43545

PHONE: (419) 592-4010 FAX: (419) 592-4723

August 10, 2016

**VIA CERTIFIED MAIL  
AND ORDINARY MAIL**

Hildegard Cordes  
1040 Glenwood Avenue  
Napoleon, Ohio 43545

Re: 1040 Glenwood Avenue sewer connection

Dear Ms. Cordes:

City records indicate you previously received letters from the City of Napoleon Department of Public Works regarding an alleged illegal sewer connection, violating Rule 26.4 of the City of Napoleon Rules for Water and Sewer Service at the above stated address. (A copy of the April 15, 2015 letter is enclosed for your reference.) The City has also made attempts to contact you via telephone, but messages left for you were not returned.

Per Rule 26.4:

***"Wrongful discharge into Sanitary Sewers***  
*Except for condensation water discharge from residential furnaces or cooling systems, it shall be a violation of these Rules for any person, regardless of intent, to discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any City owned or operated or controlled sanitary sewer."*

This pipe must be cut off and permanently capped three (3) feet below grade.

As the responsible party in this matter, you are hereby given notice that you have until **Thursday, September 1, 2016** to comply with this Rule 26.4.

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City Law Director  
Lisa L. Nagel  
[lnagel@napoleonohio.com](mailto:lnagel@napoleonohio.com)

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Please also be advised that the Penalty Section in Rule 27(C) states:

*"Any person found violating Rules . . . 26.4. . . 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 this is not corrected by Thursday, **September 1, 2016**, the City has the right to impose the following penalties, as contained in Chapter 501.99 of the Codified Ordinances of the City of Napoleon, Ohio, along with any other remedies to which the City is entitled:

***Penalties for Misdemeanors***

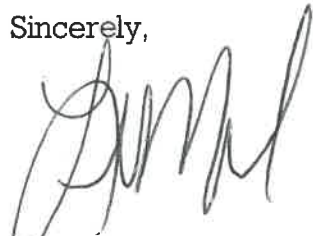
*"(a) Financial Sanctions. In addition to imposing court costs pursuant to Ohio R.C. 2947.23, the court imposing a sentence upon an offender for a misdemeanor committed under the Codified Ordinances, including a minor misdemeanor, may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section. If the court in its discretion imposes one or more financial sanctions, the financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:*

*(2) (E) Fines: for a minor misdemeanor, not more than one hundred fifty dollars (\$150.00)"* [Please remember each day a violation continues constitutes a separate violation.]

Please contact Marty Crossland at the City of Napoleon's Engineering Department to arrange for all required inspections and specifications, or any questions you may have regarding this issue.

Your prompt attention to this matter is appreciated. If the violation is corrected by the due date shown, the City will refrain from filing suit against you.

Sincerely,



Lisa L. Nagel  
City of Napoleon Law Director

Enclosure: April 15, 2015 letter

cc: Marty Crossland, Staff Engineer  
Chad Lulfs, Director of Public Works  
Monica Ireland, City Manager

LLN/ff

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City Law Director  
Lisa L. Nagel  
[lnagel@napoleonohio.com](mailto:lnagel@napoleonohio.com)

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# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

[www.napoleonohio.com](http://www.napoleonohio.com)

April 15, 2015

1040 Glenwood Avenue  
Napoleon, OH 43545

Attn: Hildegard Cordes 419-592-0398

Re: 1040 Glenwood Avenue Sewer Connection

Dear Ms. Cordes,

It has been alleged that the above referenced property has an illegal sewer connection. During a sewer investigation, the soil pipes showed signs of being illegally connected to the City of Napoleon's sanitary sewer. This violates Rule 26.4 of the City of Napoleon Rules for Water and Sewer Service:

### ***"Wrongful Discharge Into Sanitary Sewers***

Except for condensation water discharge from residential furnaces or cooling systems, it shall be a violation of these Rules for any person, regardless of intent, to discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any City owned or operated or controlled sanitary sewer."

This pipe must be cut off and permanently capped three feet below grade. Per Rule 27 (C):

"Any person found violating Rules...26.4... 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."

You are hereby given notice that you have 90 days from the date of this letter to perform the required corrective measures listed above. Please contact Marty Crossland at the City of Napoleon's Engineering Department to arrange for all required inspections and specifications. Any questions you might have regarding this issue should also be forwarded to our office.

PHILIP CORDES (SON)  
419-906-7745

WILL CALL BACK  
8-31 = DIDN'T CALL

LEFT MESSAGE 9-17

Yours truly,



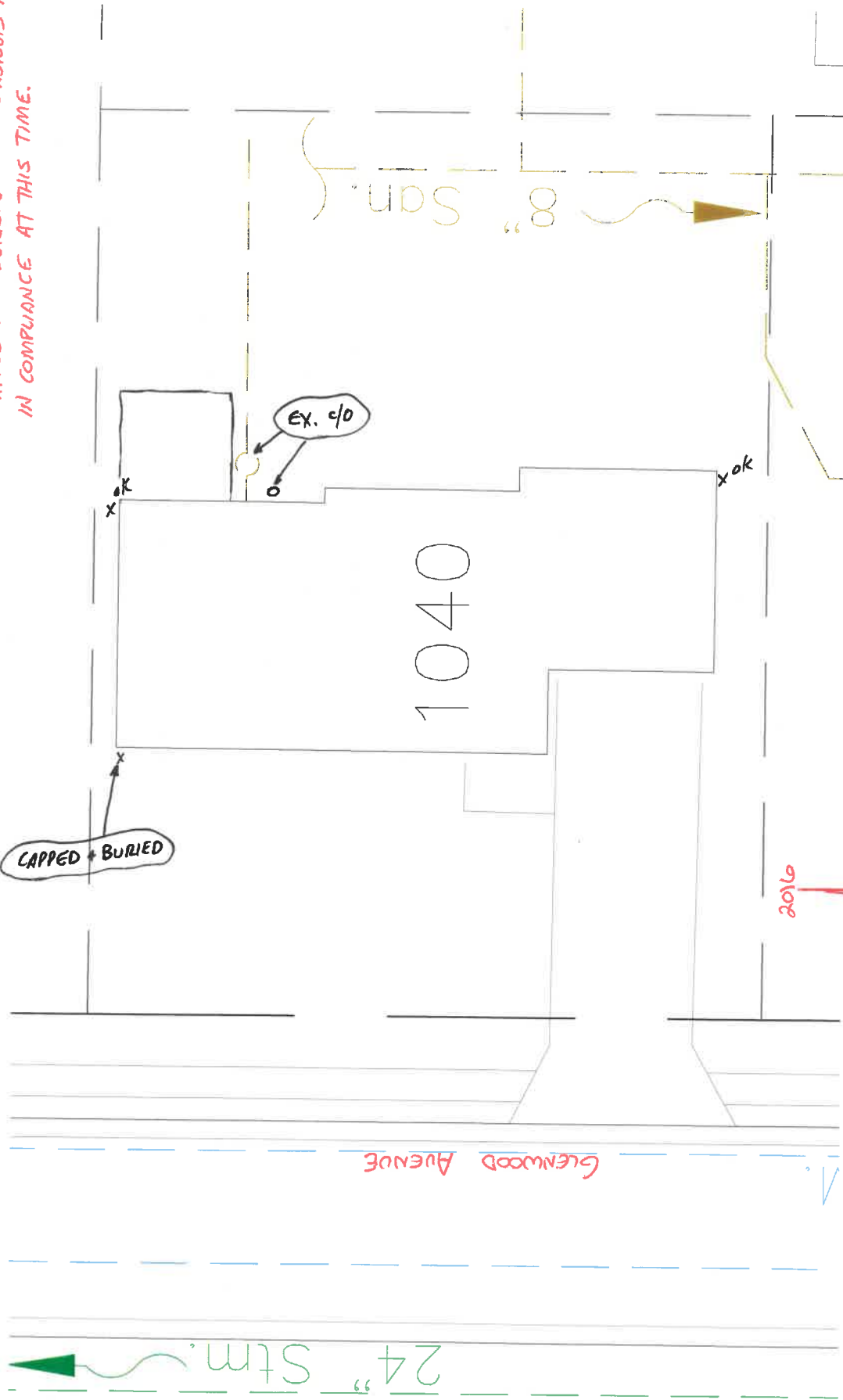
Chad E. Lulfs, P.E., P.S.  
Director of Public Works  
City of Napoleon, Ohio

cc: Monica Irelan, City Manager  
Trevor Hayberger, City Law Director  
Jeff Rathge, Operations Superintendent  
Marty Crossland, Staff Engineer

1040 GLENWOOD AVENUE

9-1-16

INVESTIGATION OF ILLEGAL SEWER CONNECTIONS REVEALED ONE (1) DOWNSPOUT ILLEGALLY TIED INTO THE SANITARY SEWER. THIS CONNECTION HAS BEEN PERMANENTLY CAPPED AND BURIED. ALL DOWNSPOUTS ARE IN COMPLIANCE AT THIS TIME.



Glenwood Avenue

24" Stm.

1040

8" San.

CAPPED + BURIED

EX. C/O

2016  
1" = 20'

