



City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE - (419) 592-4010
NAPOLEON, OHIO 43545-0151

TELECOPY TRANSMISSIONS

TO: CLEVITE INDUSTRIES, Inc.

Attn: Dennis Stelzer

FROM: CITY ENGINEERS OFFICE

OF PAGES TO FOLLOW: 2

DATE: 7/20/90

TIME: 2:30 P.M.

SENDER: Marc Gerken, P.E.

COMMENTS

Dennis - enclosed is the letter from our Roger Noblit
to Don Engle at your Napoleon plant. I hope this informati
will meet your needs.

Marc

PLEASE CALL (419) 592-4010 IF YOU HAVE ANY TROUBLE RECEIVING THIS
TRANSMISSION OR YOU DID NOT RECEIVE THE NUMBER OF PAGES SHOWN ABOVE.

City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE - (419) 592-4010
NAPOLEON, OHIO 43545-0151



Mayor
Steven Lankenau

Members of Council
Lawrence Haase, President
Donald Stevens
James Hershberger
Terri A. Williams
John E. Church
Randy J. Bachman

City Manager
Terry Dunn

Finance Director
Rupert W. Schweinhagen

Law Director
Michael J. Wesche

Assistant Law Director
Jeffrey R. Lankenau

January 26, 1990
Donald E. Engle
Plant Engineer
Clevite Elastomers
Route 424 East
Napoleon, Ohio 43545

Dear Mr. Engel:

Enclosed is the information you requested concerning the Wastewater Treatment plant and Industrial discharge to the wastewater collection system. The plant is currently at it's design capacity with regard to influent phosphorus levels. Therefore we would require pretreatment to a level of 7 mg/l before discharge into the city's wastewater collection system. If you have any further questions regarding this matter, please contact me.

Sincerely;

Roger L. Noblit Jr.
Supt. Water & Wastewater Plts.

Enclosure
cc: Terry Dunn, City Manager

Commercial & Industrial Wastes

No Commercial or Industrial Wastes of a deleterious nature shall be discharged into the City's Sanitary Sewer System, that prior to mixing with sanitary sewage do not meet the following limitations:

- a. Have a pH greater than 9.0 or less than 6.5 .
- b. Contain Cyanide greater than 0.02 ppm.
- c. Contain more than 1.0 ppm of Hexavalent Chromium.
- d. Contain more than 0.5 ppm of Trivalent Chromium.
- e. Contain more than 5.0 ppm of Nickel as Ni.
- f. Contain more than 2.0 ppm of Zinc as Zn.
- g. Contain more than 50 ppm of Chloroform extractable substances.
- h. Contain more than 0.50 ppm of Copper.
- i. Contain more than 0.01 ppm of Cadmium.
- j. Contain more than 0.3 ppb of Mercury.
- k. Contain more than 0.02 ppm of Lead.

Clevite
~~Cleveland~~ Elastors

419 499 - 2541

468 - 9368

Dennis Stelzer

Parameters discharges for clevite



City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE - (419) 592-4010
NAPOLEON, OHIO 43545-0151

TELECOPY TRANSMISSIONS

TO: CLEVITE INDUSTRIES, INC.

Attn: Dennis Stelzer

FROM: CITY ENGINEERS OFFICE

OF PAGES TO FOLLOW: EIGHT (8)

DATE: 7/19/90

TIME: 2:00 P.M.

SENDER: MARC GERKEN, P.E. ; City Engineer

COMMENTS

Dennis - this is copy of City Ordinance Title 5; Public
Works Chapter 52 - Sewer Service. I believe this info
should be what you would be interested in. If you need
anything else please call.

Marc

PLEASE CALL (419) 592-4010 IF YOU HAVE ANY TROUBLE RECEIVING THIS TRANSMISSION OR YOU DID NOT RECEIVE THE NUMBER OF PAGES SHOWN ABOVE.

CHAPTER 52: SEWER SERVICE

Section

General

SEWER RATES AND BILLS

52.01 Authority to establish rates and regulations for sewer service

§ 52.02 NECESSITY FOR SEWER CHARGES.

It is determined and declared to be necessary to the protection of the public health, safety, welfare, and convenience of the city to establish and collect charges upon all lots, lands, and premises which are served by connection with the municipal sewerage system of the city. ('65 Code, § 33.02)

Sewer Rates And Bills

- 52.02 Necessity for sewer charges
- 52.03 Sewer revenue fund established
- 52.04 User charges
- 52.05 Industrial cost recovery
- 52.06 Determination of charges, meters
- 52.07 Billing of sewer charges
- 52.08 Payment of sewer bills
- 52.09 Charges made a lien on premises served; discontinuance of service

§ 52.03 SEWER REVENUE FUND ESTABLISHED.

The funds received from the collection of the rates and charges provided in § 52.04 below shall be deposited daily with the clerk-treasurer, who shall keep the same in a separate fund designated "Sewer Revenue Fund." Subject to the provisions of any ordinance or indenture of mortgage authorizing and securing the issuance of mortgage revenue bonds for said system, moneys in this fund shall be used for the payment of the cost and expense of the operation, maintenance, repair, and management of the system, and for the payment of debt charges on bonds issued for extensions and improvements of said system, and any surplus in such fund over and above the requirements before mentioned may be used for the enlargement and replacement of the system and parts thereof including the purchase of real estate necessary thereto. ('65 Code, § 33.03)

Industrial Wastes

- 52.10 Definitions
- 52.11 Use of public sewers required
- 52.12 Private wastewater disposal
- 52.13 Building sewers and construction
- 52.14 Use of the public sewers
- 52.15 Powers and authority of inspectors
- 52.16 Revisions
- 52.17 Payments

52.99 Penalty

Cross-reference:

Utility payments made to agent on or before due date considered on time, see § 50.16

§ 52.04 USER CHARGES.

(A) An inspection fee shall be charged for each permit issued for connection to the public sanitary sewer. No person, firm, or corporation shall make a connection to the public sanitary sewer until an application to the public sanitary sewer has been approved and connection fee paid pursuant to the following schedule:

- (1) Single-family and duplex residential - \$60.
- (2) All multiple-family residential,

GENERAL

§ 52.01 AUTHORITY TO ESTABLISH RATES AND REGULATIONS FOR SEWER SERVICE.

The board of public affairs of the city is authorized to establish sewer rates and regulations for the sewer system of the city, subject to review by the council of the city. ('65 Code, § 33.01)

commercial, and industrial uses - \$100 for the first 50 lineal feet, plus \$10 for each additional 100 lineal feet of sewer or portion thereof.

(3) All commercial or industrial uses outside the corporate limits - \$600.

(B) For the purposes provided in § 52.03 above, commencing on or after the first day of July 1975, there is levied and assessed upon each lot, parcel of land, building, or premises having any sewer connection with the sanitary sewer system of the city or otherwise discharging sewage, industrial wastes, water or other liquids either directly or indirectly to the city wastewater treatment works, a user charge or rental which shall be proportional to the services provided and in accordance with the regulations of EPA. User charges shall cover the cost of operation, maintenance, and replacement only; capital costs, bond and interest redemption and other authorized expenditures are covered by charges provided under this section and the industrial cost recovery charges are covered under § 52.05.

(C) The users of the system shall be divided into classes. Classes shall be groups of users for which the costs are approximately equal and services provided are essentially the same. Initially there shall be established 2 classes of users, as follows. The director of utilities may establish additional classes as determined to be necessary.

(1) Industrial users. Those premises contributing industrial wastes that require metering, monitoring, or other surveillance in order to assure that pretreatment standards are being met, or to determine the charges for excessive strength of wastewaters.

(2) Nonindustrial users are all premises not described in division (C) (1).

(D) Industrial user charges.

(1) User charges for wastewater treatment service shall be paid by each industrial user connected to the system and shall be computed in accordance with the quantity of water discharged to the system as measured by the city water meter installed thereon or by a sewage meter installed on the discharge pipe therefrom. Charges shall be paid monthly.

(2) Administrative charge and billing charge. For all industrial users connected to the treatment works - \$70/month.

(a) \$.27 per 100 cubic feet of water used.

(b) \$.05 per pound of BOD in excess of 200 mg/l.

(c) \$.04 per pound of SS in excess of 250 mg/l.

(3) Should testing be required to accurately determine the constituents of the waste or to enforce pretreatment standards, there shall be an additional charge of \$24 per discharge point per instance of testing.

(E) Nonindustrial users.

(1) User charges for wastewater treatment services shall be paid by each nonindustrial user connected to the system and shall be computed in accordance with the quantity of water used on such premises as measured by the city water meter installed thereon (or if there be no such water meter, then as estimated by the city). Charges shall be paid monthly.

(2) Administrative charge and billing charge. For all nonindustrial users connected to the wastewater treatment works - \$.70/month; \$.27 per 100 cubic feet of water used.

(F) When a considerable amount of water delivered to any premises is not returned to the city's sewage disposal system, the city manager in such case may establish a special basis upon which the sewage disposal charges to such premises will be computed, or upon a determination by either the city manager or the customer that the use of direct metering of sanitary sewage flow is necessary or is a more equitable method of determining sewage disposal charges, the director of utilities shall order the installation of sanitary sewage meters. Charges as computed above shall be billed and paid monthly for all users.

(G) Capital charges.

(1) Commencing on or after July 1, 1975, there is levied and assessed upon each lot, parcel of land, building, or premises having any sewer connection with the sanitary sewer system of the city or otherwise discharging sewage, industrial waste, water, or other liquids either directly or indirectly into the city sanitary sewage system, a capital or rental charge. Capital charges shall cover bond redemption and interest, capital cost for new construction, and other authorized expenditures of the system, other than operation, maintenance, and replacement costs. In the case of

users outside the city, the capital charges shall include payment equivalent to the sums already invested in facilities by Napoleon users.

(2) Capital charges shall be billed monthly with the user charges established by division (B) above as follows:

<i>Monthly capital charge meter</i>	<i>Inside Napoleon</i>	<i>Outside Napoleon</i>
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For all users connected to the wastewater treatment works:

	\$1.30	\$3.50
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(a) \$.05 per 100 cf of water used, inside and outside of city.

(b) Out-of-city equity purchase - \$.41/100 cf.

('65 Code, § 33.04; amend. Ord. 1245, passed 7-21-75; amend. Ord. 1436, passed 12-19-77)

§ 52.05 INDUSTRIAL COST RECOVERY.

(A) Commencing when the facilities being constructed under Contracts Nos. 12A, effluent pump chamber and 12B, phosphorus control facilities are placed in operation (estimated to be July 1, 1975), there is levied and assessed upon each industrial user an industrial cost recovery charge or rental. The industrial cost recovery charge shall be equal to each user's share of the federal grant for the above project allocable to the industrial class. The federal grant allocable to the user class shall be divided by the useful life of the facilities or 30 years, whichever is less.

(B) An industrial user's share shall be based on all factors which significantly influence the cost of the treatment works, including strength, volume, and delivery rate characteristics. Whenever there is a substantial change in the strength, volume, or delivery flow rate characteristics of any industrial user, such user's share shall be adjusted accordingly.

(C) The allocable costs of the present federal grant have been computed to be \$160,100. Industrial users shall pay industrial cost recovery as follows:

\$.007 per 100 cf of flow
\$ 0 per 100 pounds of BOD
\$ 0 per 1,000 pounds of suspended solids

(D) The determination of yearly BOD and SS

loadings shall be made by monitoring the wastewater from industrial users to obtain an average BOD and SS concentration, then multiplying these values by the total yearly flow. The method for monitoring the wastewater is described in a subsequent section. Yearly wastewater flows will be obtained from the utility department records. A deduction shall be made from these loadings for the contribution attributable to domestic uses within the industry. This deduction shall be based on figures supplied by EPA of 20 gallons per employee per day at concentrations of 200 mg/l BOD and 250 mg/l SS. This results in deductions of 12 lbs. of BOD per employee, and 16 lbs. of SS. The employment figures to be used in this step shall be obtained from either the current edition of Directory of Ohio Manufacturers, or the Chamber of Commerce.

(E) The city manager shall establish and maintain a monitoring program to obtain the information required to assess the industrial cost recovery charges. The data from this program shall include volume of wastes discharged, BOD, suspended solids, and delivery rate characteristics from each industrial user. These values shall then be multiplied by the unit charges defined in division (C) to be assessed each industrial user.

(F) All significant users of the wastewater treatment works shall furnish to the city manager a signed letter of intent to pay that portion of all federal grant amounts allocable to the treatment of its wastes. Each such user shall include a statement of the industrial user's intended period of use of the treatment works.

(G) The city manager shall review all projects involving federal allocations to determine if the wastes from the industrial user class significantly influence the capital costs of the project. Factors such as strength, volume, delivery flow rate, and nature of discharge shall be considered. If these wastes influence the capital costs, the city manager shall assess an industrial cost recovery charge, in addition to that defined in division (C), to insure a proportioned distribution of the required revenue from each industrial user.

(H) The city shall retain 50% of the collected industrial cost recovery. The remainder, together with any interest earned thereon, shall be returned to the U.S. Treasury on an annual basis, beginning one year after the facilities are placed in service.

(I) A minimum of 80% of the city's retained amounts, together with interest earned thereon, shall be used solely for eligible costs of expansion and reconstruction of the treatment works. The city

manager shall obtain written approval of the Regional Administrator of the EPA prior to commitment of these funds. The money so collected shall be kept in a separate account and shall be invested in obligations of the U.S. Government; or obligations guaranteed as to principal and interest by the U.S. Government; or shall deposit such amounts in accounts fully collateralized by obligations of the U.S. Government or by obligations fully guaranteed as to principal and interest by the U.S. Government or any agency thereof.

(J) The remaining amount of the retained industrial cost recovery shall be deposited in the sewer fund of the city.

(K) The city manager shall be responsible for collecting and maintaining the needed records for implementation of this section. ('65 Code, § 33.05; amend. Ord. 1245, passed 7-21-75)

§ 52.06 DETERMINATION OF CHARGES, METERS.

The following measures shall be used to determine the sewer charges provided by § 52.04 upon premises served by the system:

(A) On premises using water exclusively supplied by the city, and having a water meter acceptable to the superintendent of the sewage disposal plant, water consumption on said premises shall be measured by said meter.

(B) On premises using water supplied either in whole or in part from sources other than the waterworks system of the city, the superintendent of the sewage disposal plant may require the owner or other interested party to install water meters satisfactory to said superintendent to the extent necessary to measure all such supplies of water and the quantity of water consumed on said premises shall be deemed to be the aggregate amount disclosed by said meter.

(C) In the event it can be shown to the satisfaction of the superintendent of the sewage disposal plant with respect to any premises, that a portion of the water from any source consumed on said premises does not and cannot enter the system, then in such case the owner or other interested party may at his expense install and maintain separate metering devices to the extent necessary to demonstrate to the satisfaction of said superintendent

the portion of the water consumed on the premises which is discharged into the system, which portion shall constitute the basis for measuring the sewer charge for said premises under § 52.04.

(D) Rate structure summary. The following is a summary of the charges set forth in the previous §§ 52.04, 52.05.

(1) Wastewater service charge summary effective August 1, 1989.

<i>Meter Charges per Month</i>	<i>Industrial</i>	<i>Nonindustrial</i>
Inside	\$ 6.60	\$ 6.60
Outside	13.95	13.95
Commodity charge/100 cf		
Inside	\$1.25	\$1.25
Outside	2.70	2.70

Industrial metering and monitoring charge - \$66.60/Sample

Excess strength surcharges

Charge/lb of BOD above 200 mg/l	\$0.12
Charge/lb of SS above 250 mg/l	\$0.12

(Allowances shall be as stated in § 52.05 (D))

(2) And further, that the city will pass any other rate changes necessary to maintain necessary funds for the operation, maintenance, and retirement of debt for the wastewater treatment plant.

(E) The charge set forth herein shall be levied as described in this chapter. ('65 Code, § 33.06; amend. Ord. 1245, passed 7-21-75; amend. Ord. 3-82, passed 1-11-82; amend. Ord. 2-83, passed 1-3-83; amend. Ord. 4-86, passed 1-20-86; amend. Ord. 21-87, passed 2-16-87; amend. Ord. 6-88, passed 3-7-88; amend. Ord. 41-89, passed 6-19-89)

§ 52.07 BILLING OF SEWER CHARGES.

The rates and charges established by § 52.04 shall take effect on July 1, 1952, and thereafter shall be billed and become payable as provided in § 52.08. The superintendent of the sewage disposal system is authorized to make such adjustments as he may deem necessary with respect to the established billing system of the city waterworks and in a manner feasible so that

the collection and accounting of the sewer rates will be coordinated with the billings and accounting of the city waterworks accounting procedure.

('65 Code, § 33.07)

§ 52.08 PAYMENT OF SEWER BILLS.

The sewer charges provided in § 52.04 shall be payable monthly at the city waterworks office. Charges established in respect to premises served by the city waterworks system shall be included in and be payable with the city water bill to such premises; and in respect to premises not so served shall be billed and payable at the same times, respectively, as city water bills. Any building or premises making connection with the system and using the same after July 1, 1952, shall be charged a per diem pro rata amount based upon the monthly minimum charge, from the time such sewer connection is made or such discharge into the system, either directly or indirectly, is begun, until the commencement of the next following period applicable to said premises, except that should the measured service exceed the minimum charge, the measured rate or rates shall be charged. In case of failure to pay bill for sewer charges on or before the twenty-fifth day of the month next following the month for which said bill is rendered, a penalty of 10% shall be added to such bill. ('65 Code, § 33.08)

§ 52.09 CHARGES MADE A LIEN ON PREMISES SERVED; DISCONTINUANCE OF SERVICE.

Each sewer charge established and made pursuant to this chapter is made a lien upon the premises charged therewith and, if the charge is not paid within 90 days after it shall be due and payable, it shall be certified to the auditor of the county in which the premises are situated, who shall place the charge on the tax duplicate with the interest and penalties allowed by law, and be collected as other municipal taxes are collected. The city shall also have the right, in the event of nonpayment, to discontinue service to such premises of water supplied by the city's waterworks system until the unpaid sewer charges have been fully paid. ('65 Code, § 33.09)

INDUSTRIAL WASTES

§ 52.10 DEFINITIONS.

For purposes of §§ 52.04, 52.05, and 52.10 through 52.17 the following words and phrases shall have the following meanings ascribed to them respectively.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C., expressed in milligrams per liter.

BUILDING DRAIN. The lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal, also called house connection.

CAPITAL CHARGES. Those amounts paid by each premise connected to the wastewater treatment works to pay the debt service requirements and capital expenditures to enlarge or improve the wastewater facilities. Those premises outside the city shall have included in their capital charge an amount equivalent to the sum paid by property inside the city through ad valorem taxes and investments in facilities already paid for by city residents.

COMBINED SEWER. A sewer intended to receive both wastewater and storm or surface water.

COMPATIBLE POLLUTANT. Pollutants that the treatment plant was designed to treat which are BOD, SS, phosphorus, 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.

CONNECTION CHARGE. That amount paid by each new premises connected to the wastewater treatment system to pay for the city's share of facilities required to serve the premises.

EASEMENT. An acquired legal right for the specific use of land owned by others.

FLOATABLE OIL. Oil, fat, or grease in a physical state such that it will separate by gravity from

wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE. The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

INCOMPATIBLE POLLUTANT. Any pollutant that is not compatible. (see **COMPATIBLE POLLUTANT.**)

INDUSTRIAL COST RECOVERY CHARGE. The amount assessed each industrial user to repay that portion of all federal grant amounts allocable to the treatment of wastes from the industrial users of the wastewater facilities and capacity committed to their use.

INDUSTRIAL USER. Any nongovernmental user of the treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions: Division A, Division B, Division D, Division E, and Division L. A user in the divisions listed above may be excluded if it is determined that it will introduce primary segregated domestic wastes or wastes from sanitary conveniences.

INDUSTRIAL WASTES. The wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

MAJOR CONTRIBUTING INDUSTRY. An industrial user of the publicly owned treatment works that:

- (1) Has a flow of 50,000 gallons or more per average workdays;
- (2) Has a flow greater than 5% of the flow carried by the municipal system receiving the waste;
- (3) Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under section 307 (a) of PL 92-500;
- (4) 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.

NATURAL OUTLET. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

NONINDUSTRIAL USER. All users of the wastewater facilities not classified as an **INDUSTRIAL USER** as defined in this section.

NPDES PERMIT. National Pollutant Discharge Elimination System Permit as issued by the State of Ohio Environmental Protection Agency under authorization issued by the U.S. EPA, Region 5, March 11, 1974.

OPERATION, MAINTENANCE, AND REPLACEMENT COSTS. Those costs, including labor, materials, supplies, equipment, accessories, and appurtenances, required to operate the facilities, keep the facilities in operating condition, and maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.

pH. The logarithm of the reciprocal of hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

PHOSPHORUS. The total phosphorus content of a sample including all of the orthophosphates and condensed phosphates, both soluble and insoluble, and organic and inorganic species, as referred to in "Standard Methods" as total phosphorus.

PRETREATMENT. The treatment of wastewaters from sources before introduction into the treatment works.

PROPERLY SHREDDED GARBAGE. 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 1/2 inch (1.27 centimeters) in any dimension.

PUBLIC SEWER. A common sewer controlled by a governmental agency or public utility.

RECOVERED AMOUNT. That revenue generated as a result of the industrial cost recovery system.

RECOVERY PERIOD. Thirty years or the useful life of the treatment works, whichever is less.

RETAINED AMOUNTS. 50% of the recovered amounts as defined in this section.

SANITARY SEWER. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

SEGREGATED DOMESTIC WASTES. Wastes which are characterized by a per capita discharge of 100 gallons/day at a loading of 200 mg/l BOD and 250 mg/l SS (normal domestic sewage).

SEWAGE. The spent water of a community. The preferred term is *WASTEWATER*, as defined in this section.

SEWER. A pipe or conduit that carries wastewater or drainage water.

SIGNIFICANT USER. Any industrial user that will contribute greater than 10% of the design flow or design pollutant loading of the treatment works.

SLUG. 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 15 minutes more than 5 times the average 24-hour concentration or flows during normal operation and shall adversely affect the collection system and performance of the wastewater treatment works.

STORM DRAIN or STORM SEWER. A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

SUSPENDED SOLIDS. 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 "Standard Methods" and referred to as nonfilterable residue.

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

USER CHARGE. That amount paid by each premise connected to the wastewater facilities, proportionate to the service provided. This charge

shall cover all operation, maintenance, and replacement costs for the facilities.

WASTEWATER. 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.

WASTEWATER TREATMENT WORKS. The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent. Specifically defined in 40 CFR 35.905-23.

WATERCOURSE. A natural or artificial channel for the passage of water either continuously or intermittently. (Ord. 1245, passed 7-21-75)

§ 52.11 USE OF PUBLIC SEWERS REQUIRED.

(A) It shall be unlawful for any person to place, deposit, or permit to be deposited, in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or objectionable waste.

(B) It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any wastewater or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

(C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater within the city.

(D) The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located a public sanitary or combined sewer of the city, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities therein directly with the proper public sewer in accordance with the provisions of this ordinance, within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the property line. ('65 Code, §§ 33.15, 33.16; amend. Ord. 1245, passed 7-21-75) Penalty, see § 52.99

§ 52.12 PRIVATE WASTEWATER DISPOSAL.

(A) Where a public sanitary or combined sewer is not available under the provisions of § 52.11 (D), the building sewer shall be connected to a private wastewater disposal system.

(B) Any private wastewater disposal system, as provided in division (A) shall conform to Sewage Disposal Regulations HE-29-01 through HE 29-20, of the Ohio Sanitary Code as required by the Board of Health of the Combined Henry County General Health District, and authorized by R.C. § 3709.21.

(C) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in division (A), a direct connection shall be made to the public sewer within 60 days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material. (Ord. 1245, passed 7-21-75) Penalty, see § 52.99

§ 52.13 BUILDING SEWERS AND CONSTRUCTION.

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof except under the provisions of this section.

(B) Every person desiring a permit to make a connection with, open, or tap any public sewer or drain shall first make application to the city manager, who shall consult his records with regard to the sewer or drain desired to be connected with, opened, or tapped. If such connection, opening, or tap can be made, the city manager shall give such applicant the exact location with which the connection, opening, or tap is to be made, or if necessary shall cause a stake to be set on the premises at which the connection, opening, or tap is to be made. The city manager shall give to the applicant a permit stating that permission is granted to connect with, open, or tap such sewer or drain and also state in such permit the name of the street and the abutting lot number. All permits shall be issued by the city manager. However, permits will not be issued unless the city manager determines that there is or will be capacity available in all downstream sewers, lift stations, force mains, and the sewage treatment plant including capacity for BOD and suspended solids.

(C) For each permit issued by the city manager, a charge shall be made as hereinafter provided. A connection charge shall be made for all new buildings, major additions, or alterations; to buildings causing increased sewage discharge; any land use causing the discharge of sewage into the sewage system; and any change in sewage flow distribution ordered by the city manager when the redistribution of sewage flow requires the construction of a new trunk line sewer and a new service connection thereto. The connection charge shall be \$60 for each connection inside the corporation and \$600 for each connection outside the corporation. The connection charge provided herein shall also be made where any dwelling or building is connected to the sewage disposal system. Before the permit can be used, evidence that the connection charge has been paid shall be filed with the city manager. (Ord. 1245, passed 7-21-75; amend. Ord. 1263, passed 10-6-75; amend. Ord. 1270, passed 11-3-75)

(D) The city manager shall devise and procure the permit forms. He shall turn over to the city treasurer, in the manner prescribed by law, all funds received as a result of connection charges which will be credited to the sewer fund of the city.

(E) All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The owner shall hold the city harmless from any loss or damage that may in any way result from or be occasioned by such installation or connection.

(F) A separate and independent building sewer shall be provided for every building; except 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 front building may be extended to the rear building and the whole considered as one building sewer, but the city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

(G) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the city manager, to meet all requirements of this ordinance.

(H) The building sewer shall be of the best