

THE CITY OF NAPOLEON

BUILDING & ZONING DEPARTMENT

255 W. RIVERVIEW

(419)592-4010

Plumbing Permit

Permit Number: PL2005-73

Page 1 of 1

Printed: 11/28/2005

Property Address: 639 Leonard St.

Applicant

Approval Date: 11/28/2005

Address: Michael Hershberger
639 Leonard St.
Napoleon, OH 43545

Phone: 419-599-3815

Owners

Name: Mr. Michael Hershberger
639 Leonard St.
Napoleon, OH 43545

Phone: 419-599-3815

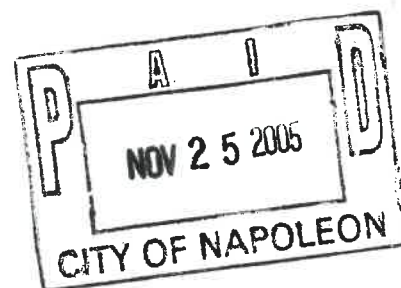
Contractors

Fees and Receipts:

Number	Description	Amount
FEE2005-858	Plumbing/outside clean out	\$25.00
Total Fees:		\$25.00

Description of work to be done:

Replacing sanitary services



Applicant signature: _____ Date: _____

CITY OF NAPOLEON GENERAL PERMIT APPLICATION

THIS APPLICATION IS FOR RESIDENTIAL CONSTRUCTION INCLUDING BUILDING,
ELECTRICAL, PLUMBING, MECHANICAL, DEMOLITIONS, REMODELING.

DATE: 11-25 JOB LOCATION: 639 Leonard

OWNER: Michael Hershberger PHONE: 419-599-3815

OWNER ADDRESS: 639 Leonard St CITY: Napoleon ZIP: 43545

CONTRACTOR: Self PHONE: same

CONTRACTOR LICENSED WITH THE CITY OF NAPOLEON?: YES: _____ NO: _____

Is any of this job going to be subcontracted out? Yes: _____ No: _____

If yes to whom: _____

DESCRIPTION OF WORK TO BE
PERFORMED: replace sanitary services.

PLEASE MARK THE TYPE OF WORK YOU WILL BE PERFORMING

- | | |
|---|---|
| <input type="checkbox"/> A/C ADD ON | <input type="checkbox"/> REMODELING |
| <input type="checkbox"/> BOILER REPLACEMENT | <input type="checkbox"/> ROOFING |
| <input type="checkbox"/> CURBING | <input checked="" type="checkbox"/> SEWER REPAIRS** |
| <input type="checkbox"/> DECKS * | <input type="checkbox"/> SIDEWALK* |
| <input type="checkbox"/> DRIVEWAY* | <input type="checkbox"/> SIDING |
| <input type="checkbox"/> ELECTRICAL SERVICE UPGRADE | <input type="checkbox"/> STORAGE SHED* |
| <input type="checkbox"/> ELECTRICAL SERVICE NEW | <input type="checkbox"/> SWIMMING POOL* |
| <input type="checkbox"/> FENCE* | <input type="checkbox"/> FURNACE REPLACEMENT |
| <input type="checkbox"/> ADDITIONS* | <input type="checkbox"/> TEMP ELECTRIC |
| <input type="checkbox"/> FURNACE NEW | <input type="checkbox"/> WATER TAP (size _____") |
| <input type="checkbox"/> LAWN METER | <input type="checkbox"/> WINDOWS |
| <input type="checkbox"/> PLUMBING | <input type="checkbox"/> ZONING |

*PLEASE INCLUDE A PICTURE SHOWING MEASUREMENTS FROM EXISTING STRUCTURES
AND PROPERTY LINES. INDICATING THE TYPE OF WORK YOU WISH TO PERFORM.

** IF WORK REQUIRES GOING INTO THE STREET A STREET BOND IS REQUIRED!

FOR PERMIT COSTS PLEASE FILL OUT REVERSE SIDE.

PERMIT COST WORKSHEET

<u>JOB</u>	<u>BASE FEE</u>	<u>TOTAL</u>
SIDING (only) TOTAL SQ _____ X 1.00 +	\$5.00 =	\$ _____
ROOFING (only) TOTAL SQ _____ X 1.00 +	\$5.00 =	\$ _____
WINDOWS (only) # OF WINDOWS ____ X 1.00 +	\$5.00 =	\$ _____
ELECTRICAL # OF CIRCUITS ____ X 3.00 +	\$15.00 =	\$ _____
ELECTRICAL SERVICE UPGRADE	\$15.00 =	\$ _____
PLUMBING (INSIDE) repairs only	\$10.00 =	\$ _____
PLUMBING/SEWER (OUTSIDE)	\$25.00 =	\$ <u>25.00</u>
WATER HEATER	\$5.00	\$ _____
SHED UNDER 200 SQ FT	\$ 5.00	\$ _____
FURNACE OR A/C (REPLACEMNT)	\$ 5.00	\$ _____
DEMOLITION (only)	\$30.00	\$ _____
SIDEWALK REPLACEMENT/ NEW	\$25.00	\$ _____
DRIVEWAY	\$25.00	\$ _____

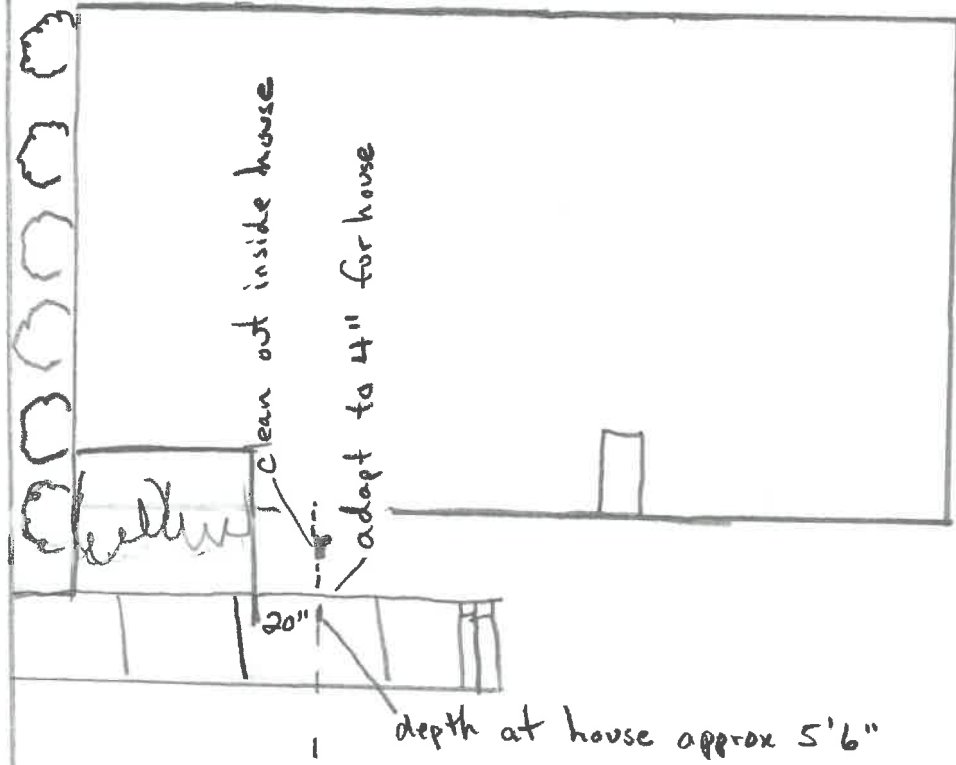
ALL CONSTRUCTION, ALTERATIONS,
REMODELING, SHEDS, DECKS & FENCES NOT
LISTED ABOVE IS BASED ON COST OF WORK
BEING PERFORMED.

COST OF WORK \$ _____ (SEE CHART) \$ _____

0.00	-	250.00	0.00	11,000.00	-	11,999.00	25.00
250.00	-	1,000.00	10.00	12,000.00	-	12,999.00	26.00
1,000.00	-	1,999.00	12.00	13,000.00	-	13,999.00	27.00
2,000.00	-	2,999.00	14.00	14,000.00	-	14,999.00	28.00
3,000.00	-	3,999.00	16.00	15,000.00	-	15,999.00	29.00
4,000.00	-	4,999.00	18.00	16,000.00	-	16,999.00	30.00
5,000.00	-	5,999.00	19.00	17,000.00	-	17,999.00	31.00
6,000.00	-	6,999.00	20.00	18,000.00	-	18,999.00	32.00
7,000.00	-	7,999.00	21.00	19,000.00	-	19,999.00	33.00
8,000.00	-	8,999.00	22.00	20,000.00	-	20,999.00	34.00
9,000.00	-	9,999.00	23.00	21,000.00	-	21,999.00	35.00
10,000.00	-	10,999.00	24.00	22,000.00	-	22,999.00	36.00
				Over 22,999	Please Call		

Mike Hershberger
639 Leonard St.
Napoleon Oh

GARAGE



47' of 6"

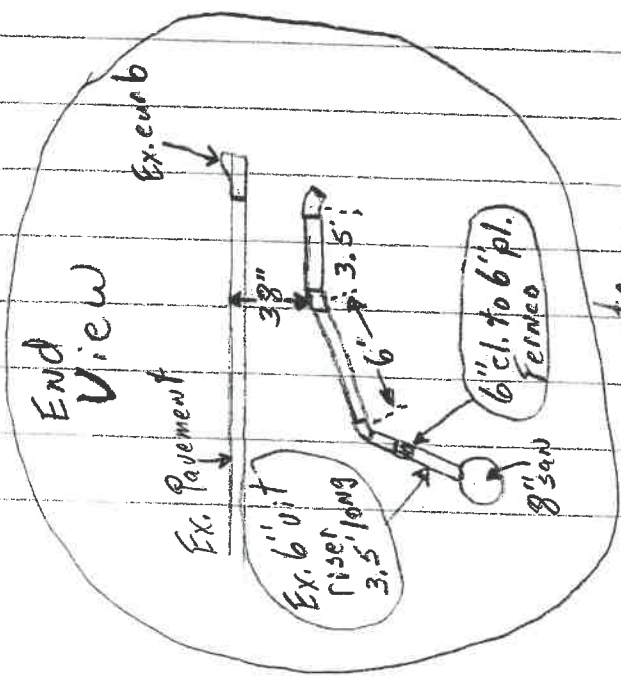
14'

6" clean out

↓ N

Date Installed: 6-29-05
Installed by: Miller Bros. Constr.
Inspected by: Rex Moll

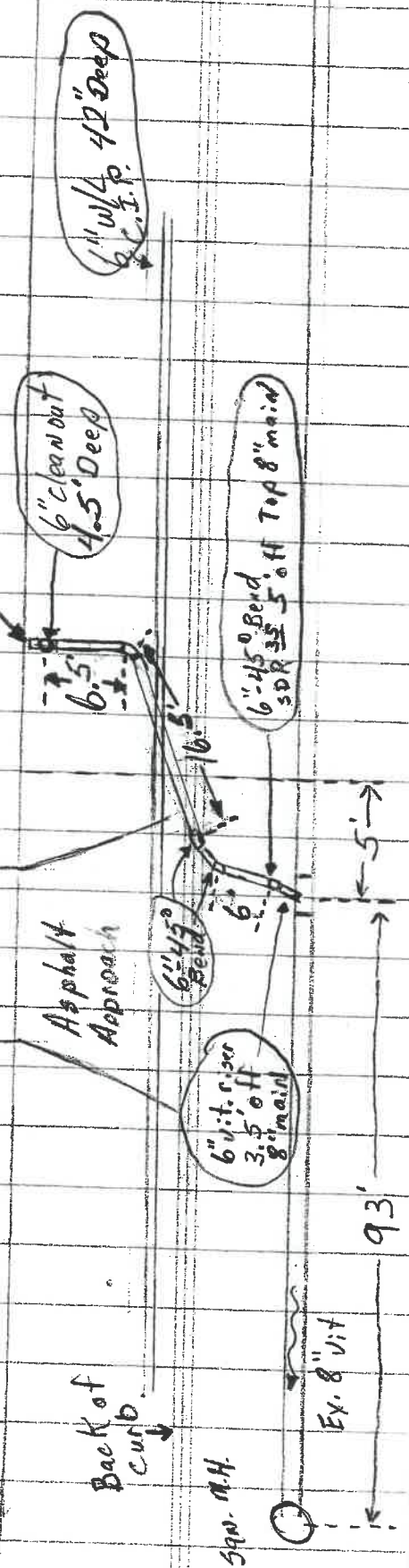
Res # 639
Leonard St.



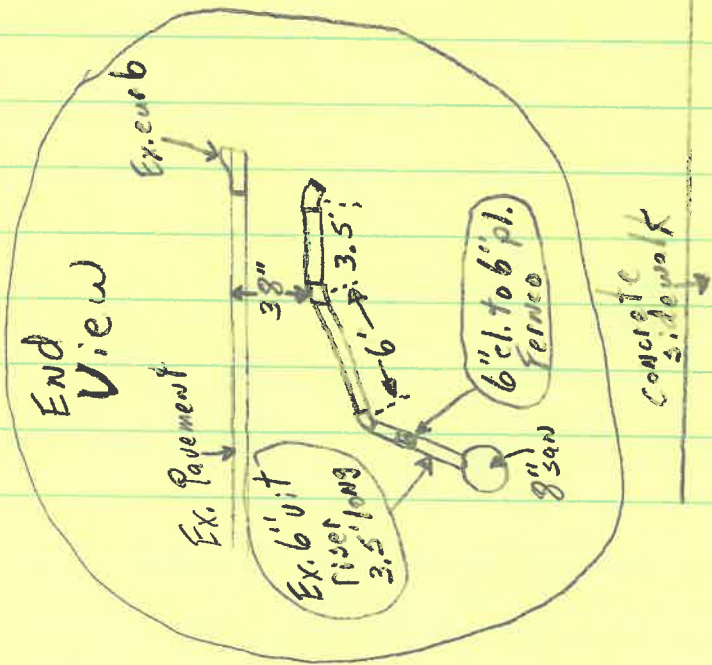
Stone Driveway

Porch

Concrete Sidewalk



Date Installed: 6-29-05
 Installed by: Miller Bros. Constr.
 Inspected by: Rex Moll



stone
 Driveway

Res # 639
 Leonard St.

Porch

Concrete
 sidewalk

Asphalt
 Approach

Back of
 curb

sq. m.H.

Ex. 8" vit

93'

6" Plug

6" Cleanout
 4.5' Deep

1" w/L.P. 42" Deep

6" 45° Bend

6" vit. riser
 3.5' off
 8" main

6" 45° Bend
 5.5' off Top 8" main

5'

Proposal

Page No.

of

Pages

VERNON NAGEL, INC.

General Contractors
O-154 Country Rd., 11C Route 5
NAPOLEON, OHIO 43545
(419) 592-3861

PROPOSAL SUBMITTED TO City of Napoleon		PHONE 592-4010	DATE 12/ 9/92
STREET 255 Riverview		JOB NAME Sewer Repair	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545		JOB LOCATION 639 Leonard Street	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Equipment, Labor and Materials to make 6" sewer tap, approximately
30 feet long, at 639 Leonard Street.

Includes 310B backfill material, 10" of #304 pavement base, asphalt
repair, curb repair and sidewalk repair.

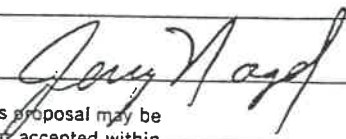
Lump Sum: \$2974.00

We ~~Propose~~ hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:
Two Thousand Nine Hundred Seventy Four and no/100 dollars (\$ **2974.00**).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature



Note: This proposal may be
withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications
and conditions are satisfactory and are hereby accepted. You are authorized
to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____

BECK'S CONSTRUCTION CO.

11-622 Rd. M-R 3
NAPOLEON, OHIO 43545
(419) 592-8307

PROPOSAL SUBMITTED TO City of Napoleon		PHONE	DATE Dec. 2, 1992
STREET 255 W. Riverview, P.O. BOX 151		JOB NAME 639 Leonard St. Napoleon	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545		JOB LOCATION Napoleon	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Tap Main - Install 35 L.Ft. sanitary sewer

Cut roadway, curb, and sidewalk

Dig out stone - Replace and tamp stone

Replace road, curb and sidewalk

\$2,055.50

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Two Thousand Fifty Five and 50/100 XXXXXXXXXXXXXXXX dollars (\$ 2,055.50).

Payment to be made as follows:

Cash

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

[Signature]

Note: This proposal may be withdrawn by us if not accepted within 10 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

Proposal

Page No.

of

Pages

BECK'S CONSTRUCTION CO.

11-622 Rd. M-R 3
NAPOLEON, OHIO 43545
(419) 592-8307

PROPOSAL SUBMITTED TO City of Napoleon		PHONE	DATE Dec. 2, 1992
STREET 255 W. Riverview, P.O. BOX 151		JOB NAME 639 Leonard St. Napoleon	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545		JOB LOCATION Napoleon	
ARCHITECT	DATE OF PLANS	JOB PHONE	

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Cut roadway, curb, and sidewalk
Dig out stone - Replace and tamp stone
Replace road, curb and sidewalk \$2,055. 50

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Authorized
Signature

Supery D. Beck

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Date of Acceptance: _____

Signature _____

Signature _____

Proposal

Page No.

of

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VERNON NAGEL, INC.
General Contractors
O-154 Country Rd., 11C Route 5
NAPOLEON, OHIO 43545
(419) 592-3861

PROPOSAL SUBMITTED TO City of Napoleon		PHONE 592-4010	DATE 12/ 9/92
STREET 255 Riverview		JOB NAME Sewer Repair	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545		JOB LOCATION 639 Leonard Street	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Equipment, Labor and Materials to make 6" sewer tap, approximately 30 feet long, at 639 Leonard Street.

Includes 310B backfill material, 10" of #304 pavement base, asphalt repair, curb repair and sidewalk repair.

Lump Sum: \$2974.00

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Authorized
Signature

Note: This proposal may be
withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

MEMORANDUM

TO: Terry Dunn, City Manager
FROM: Marc S. Gerken, P.E.; City Engineer
DATE: June 24, 1992
SUBJECT: Mike Hershberger Sanitary Sewer

Attached is the letter sent to Mike Hershberger outlining our next step. Please inform Council.

MSG:rw



City of NAPOLEON, OHIO

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

June 24, 1992

Mayor
Steven Lankenau

Members of Council
Terri A. Williams, President
John E. Church
Michael J. DeWit
Dennis L. Filgor
Robert G. Heft
James Hershberger

City Manager
Terry Dunn

Finance Director
Rupert W. Schweinhagen

Law Director
Michael J. Wesche

Prosecuting Attorney
Thomas L. Bischoff

Mr. Mike Hershberger
639 Leonard St.
Napoleon, Ohio 43545

Re: Sanitary Sewer Service

Dear Mr. Hershberger:

This letter is to inform you as to the results of the City of Napoleon televising the sanitary sewer along Leonard Street to determine if a sewer tap was installed to your residence.

You will note that the street pavement has been marked with paint to illustrate sewer taps and the ones marked (MFG) represent taps that were installed and/or manufactured during the mainline construction.

Per our initial thoughts, we have found that service lines fees do exist for your residence as well as the residence at 625 Leonard (you and that resident have experienced problems with the alley sewer).

Our next step will be to excavate down behind the curb to determine if there does exist a sewer line beyond the street pavement.

Should the tap exist on your side of the street pavement it will be your responsibility to install the remaining sewer.

If there does not exist an existing tap at that point, we will ask Council for further action.

As we stated in previous conversations, any new sanitary sewer tap is installed by the Owner with only a \$60.00 tapping fee charged by the City.

We will attempt to verify the tap location as soon as possible.

We are sorry for the delays.

Respectfully,

Marc S. Gerken, P.E.
City Engineer

MSG:rw

cc: Terry Dunn
Jeff Marihugh
Sonny Helberg



City of NAPOLEON, OHIO

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

Mayor
Steven Lankenau

May 8, 1992

Members of Council
Terri A. Williams, President
John E. Church
Michael J. DeWitt
Dennis L. Filgor
Robert G. Heft
James Hershberger

Mr. Mike Hershberger
639 Leonard Street
Napoleon, Ohio 43545

Re: Sanitary Sewer Repair

Dear Mr. Hershberger:

This letter is to clarify the City of Napoleon's situation or current stance regarding sewer repairs.

City Manager
Terry Dunn

In the past, individual Property Owners were responsible for their sewer service from the house to the main line sanitary sewer.

Finance Director
Rupert W. Schweinhagen

This work would require the Owner to hire a plumber to clean their individual sewer and/or subsequently prove that it was the City of Napoleon's responsibility. During this time, the City of Napoleon would assist the Owner/Plumber by record searching and supplying a detector/sensor to help determine line location during the sewer rodding procedure.

Law Director
Michael J. Wesche

It is this writer's feeling that all situation vary and that is why City Council was made aware of the current situation.

Prosecuting Attorney
Thomas L. Bischoff

At this time, Council has accepted my recommendation that the City of Napoleon televise the existing sewer in Leonard Street to determine if sewer taps are installed to serve your lot as well as your neighbors.

From this point, we will make our determination as to what participation the City will involve itself.

For your information only, Staff feels that if the present policy is kept intact, that the City will make pavement restoration itself, which would be a savings to the Owner.

We will try to expedite this to lessen the inconvenience to you.

Respectfully,

Marc S. Gerken, P.E.
City Engineer

MSG:rw

cc: City Council
Terry Dunn

Mike Harshbarger
Lenard St
Napoleon, Ohio 43545

Re: Sanitary Sewer Repair

Dear Mr. Ashley:

This letter is to clarify the ^{City of Napoleon's} ~~situation~~ ^{or current status} regarding sewer repairs.

In the past, individual property Owners were responsible for their sewer service from the house to the mainline sanitary sewer.

This work would require the Owner to hire a plumber to clean their individual sewer and/or subsequently prove that it was the City of Napoleon's responsibility. During this time, the City of Napoleon would assist the Owner/Plumber by record searching and supplying a detector/sonar to help determine line location during the sewer rodding procedure.

It is this writer's feeling that all situations vary and that is why City Council was made aware of the current situation.

At this time, Council has accepted my recommendation that the City of Napoleon televiscopes the existing sewer in Lenard Street to determine if as sewer taps are installed to serve your lot as well as your neighbors.

From this point, we will make our determinations as to what participation the City will involve itself.

OVER.



for you - in former only, Staff feels that if the present
policy is kept in fact, that the City will make a permanent
restaurant itself, which would be a savings to the owner.
We will try to expedite this to lessen the inconvenience
to you.

cc: Council
Tom Dun

ms4



City of NAPOLEON, OHIO

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

May 13, 1992

United Survey, Inc.
25145 Broadway
Cleveland, Ohio 44146

Re: Sanitary Sewer Televising

Gentlemen:

The City of Napoleon is interested in determining the condition of several sewer mains within the City of Napoleon, Ohio.

Total length of televising will be 1500 feet, but it will be at different locations (see attached sketch).

Please submit to our office by May 22, 1992 your proposal to perform these services:

- (1) A color video tape shall be submitted to the City for their use.
- (2) Tape shall have distance notation from manholes and audio indicating all necessary occurrences.

The City of Napoleon will make sure all sewers are cleaned and that manholes are accessible.

With your proposal, please indicate your time schedule.

If you have any questions, please call.

Respectfully,

Marc S. Gerken, P.E.
City Engineer

MSG:rw

Mayor
Steven Lankenau

Members of Council
Terri A. Williams, President
John E. Church
Michael J. DeWit
Dennis L. Fligor
Robert G. Heft
James Hershberger

City Manager
Terry Dunn

Finance Director
Rupert W. Schweinhagen

Law Director
Michael J. Wesche

Prosecuting Attorney
Thomas L. Bischoff



City of NAPOLEON, OHIO

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

May 13, 1992

Adkins Sanitation
2226 West Garrison Street
Fremont, Ohio 43420

Re: Sanitary Sewer Televising

Gentlemen:

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With your proposal, please indicate your time schedule.

If you have any questions, please call.

Respectfully,

Marc S. Gerken, P.E.
City Engineer

MSG:rw

Mayor
Steven Lankenau

Members of Council
Terri A. Williams, President
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James Hershberger

City Manager
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Rupert W. Schweinhagen

Law Director
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Prosecuting Attorney
Thomas L. Bischoff



City of NAPOLEON, OHIO

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

May 13, 1992

Mr. Ed Ousnamer
Sewer Tech, Inc.
2401 Almon Street
Huntertown, Indiana 46748

Mayor
Steven Lankenau

Re: Sanitary Sewer Televising

Dear Mr. Ousnamer:

The City of Napoleon is interested in determining the condition of several sewer mains within the City of Napoleon, Ohio.

Total length of televising will be 1500 feet, but it will be at different locations (see attached sketch).

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If you have any questions, please call.

Respectfully,

Marc S. Gerken, P.E.
City Engineer

MSG:rw

Members of Council
Terri A. Williams, President
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City Manager
Terry Dunn

Finance Director
Rupert W. Schweinhagen

Law Director
Michael J. Wesche

Prosecuting Attorney
Thomas L. Bischoff

Leonard From Haley

#1 to #2	40	
#2 to #3	260	
#3 to #4	290	Total 590 L.F.

Clinton ~~to~~ ^{Haley} Sheffield

#1 to #2	40	
#2 to #3	280	
#3 to #4	272	
#4 to #5	42	
#5 to #6	284	
#6 to #7	183	
#7 to #8	139	Total 1246 L.F.

Adkins Sanitation Tank & Pipe Cleaning

2226 W. Garrison St. • Ph. (419) 332-2873
Fremont, Ohio 43420

Proposal SPECIFICATIONS AND ESTIMATE

No.

Page No. 1 of 1 Pages

PROPOSAL SUBMITTED TO City of Napoleon, Ohio		PHONE (419) 592-4010	DATE May 19, 1992
STREET 255 Riverview Avenue		JOB NAME Sanitary Sewer Televising	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545-0151		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby propose to furnish materials and labor necessary for the completion of:

Video televising sanitary sewer lines in the City of Napoleon @ the rate of:

\$.50 per foot providing the sanitary sewer lines are clean, or a 4 hr. minimum charge @ the rate of \$120.00 per hr.

We would also like to note that our televising equipment provides color videos, as opposed to black and white, and the camera is equipped with a rotational head for easier access to laterals.

At this time, our schedule is fairly open, but would appreciate a few days notice.

Thank you

WE PROPOSE hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Payment to be made as follows:

dollars (\$).

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Note: This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____

Adkins Sanitation Tank & Pipe Cleaning

2220 W. Geoghegan St. • Ph. (419) 332-2873
Fremont, Ohio 43420

Proposal

SPECIFICATIONS AND ESTIMATE

No.

Page No. 1 of 1 Pages

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Date of Acceptance: _____

Signature _____

Signature _____

MUNICIPAL

INDUSTRIAL

SEWER - TECH, Inc.

SEWER CLEANING - T. V. - SEAL

2401 Almon St.

Huntertown, IN 46748

Phone (219) 637-3117

May 19, 1992

Mr. Marc S. Gerken, P.E.
City Engineer
255 Riverview Avenue
Napoleon, Ohio 43545

Re: Sanitary Sewer Televising

Dear Mr. Gerken;

In response to your letter of May 13, 1992, we are pleased to offer our proposal for televising.

We propose to furnish labor, equipment and supervision to televise, in color, approximately 1,500 L.F. of 8" sanitary sewer for \$.50 per L.F.. There would be a 1500 foot minimum.

This price includes a $\frac{1}{2}$ " color video cassette on which footages will appear and audio notations will be heard.

It is understood that the City will have all relevant manholes located and exposed and that the sewer lines will be cleaned prior to televising.

We will be prepared to proceed with this project within 72 hours of receipt of acceptance of our proposal.

Thank you for the opportunity to submit our quote on this project. If you have any questions, please call.

Sincerely,



Harry Cowger, Supt.

HC/jo



May 20, 1992

City of Napoleon
255 Riverview Ave.
Napoleon, Ohio 43545-0151
Attn: Mr. Marc S. Gerken, P.E.

Re: Sanitary Sewer Televising

Dear Mr. Gerken:

In response to your request dated May 13, 1992, United Survey proposes to perform the inspection of these sewers for a lump sum fee of \$2,360.00.

Work will be completed within two (2) weeks of notice to proceed.

Thank you for the opportunity to be of service to you.

Sincerely,

United Survey, Inc.
Donald H. Gallimore, P.E.
Technical Services Manager

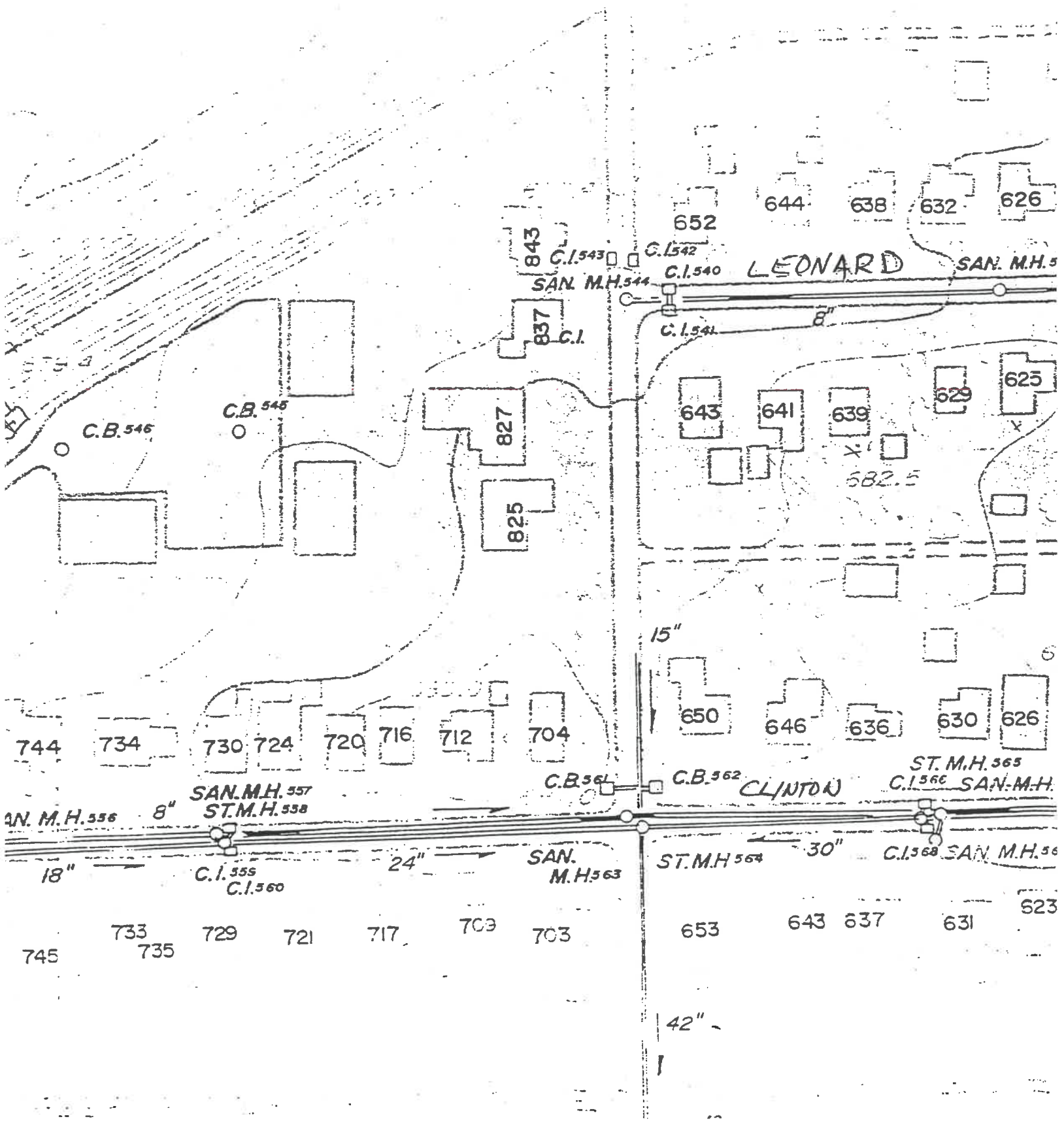
DHG/lja

enclosure

United Survey, Inc.
25145 Broadway Ave.
Cleveland, Ohio 44146

Phone: (216) 439-7250
Fax: (216) 439-7255

WEST ELEMENTARY SCHOOL
700



MEMORANDUM

TO: Board of Public Affairs

FROM: Marc S. Gerken, P.E.; City Engineer

SUBJECT: Sanitary Sewer Tap/639 & 625 Leonard Street

DATE: February 2, 1993

Last summer Mike Hershberger at 639 Leonard Street approached Staff concerning basement problems that resulted due to heavy rains.

At present, the two (2) locations as described above, discharge into an old tile which lies within an alley to the back of the lots.

There does exist a separated sanitary sewer that was installed years ago (the sewer was combined and then separated when street was constructed).

The City of Napoleon televised this sewer and found sewer taps to exist at each lot location. To further investigate, we dug down at the 639 location (behind curb) and found that only tees off the main line existed and not laterals to the right-of-way.

The question is, should the City of Napoleon be obligated to extend this sewer to the right-of-way.

Since the owner has a problem with the existing sanitary (alley) sewer and the fact that it is an old open joint tile, our Ordinance No. _____ requires him to hook into the separated sanitary sewer.

It has been Staff's past practice, with other related sewer problems, that the homeowner is responsible to the main line sewer. In addition, we have reviewed the "General Rules and Conditions" as adopted to sewer in December 1, 1965 and it specifically states:

AVAILABILITY: Sewage service is only available to Consumer's located within the Corporate Limits of Napoleon, where City's sanitary sewer lines are already installed immediately adjacent to Consumer's premises and where only a service line sewer tap is required. The sewer service line and tap shall be installed by Property Owner at his expense and the complete installation shall conform to City's Standards and inspection requirements. No sanitary sewer connections will be permitted until the Tap Charge of \$60.00 as prescribed by City Council has been paid in full to the City.

Our recommendation is that although we feel that sewer tees (laterals) should have been extended to the right-of-way at the line of construction, we feel that a change in policy at this time would put tremendous financial burden on the sewer fund if we assume all repair and/or installation.

Our records do not indicate that this property was ever assessed for these improvements.

MSG:rw

MEMORANDUM

TO: Board of Public Affairs

FROM: Marc S. Gerken, P.E.; City Engineer

SUBJECT: Sanitary Sewer Tap/639 & 625 Leonard Street

DATE: February 3, 1993

↑ MARTHA ZIEROF

Last summer Mike Hershberger at 639 Leonard Street approached Staff concerning basement problems that resulted due to heavy rains.

At present, the two (2) locations as described above, discharge into an old tile which lies within an alley to the back of the lots.

There does exist a separated sanitary sewer that was installed years ago (the sewer was combined and then separated when street was constructed).

The City of Napoleon televised this sewer and found sewer taps to exist at each lot location. To further investigate, we dug down at the 639 location (behind curb) and found that ~~only~~ tees off the main line existed and not laterals to the right-of-way.

The question is, should the City of Napoleon be obligated to extend this sewer to the right-of-way.

Since the owner has a problem with the existing sanitary (alley) sewer and the fact that it is an old open joint tile, our Ordinance No. 1245 requires him to hook into the separated sanitary sewer.

It has been Staff's past practice, with other related sewer problems, that the homeowner is responsible to the main line sewer. In addition, we have reviewed the "General Rules and Conditions" as adopted to sewer in December 1, 1965 and it specifically states:

AVAILABILITY: Sewage service is only available to Consumer's located within the Corporate Limits of Napoleon, where City's sanitary sewer lines are already installed immediately adjacent to Consumer's premises and where only a service line sewer tap is required. The sewer service line and tap shall be installed by Property Owner at his expense and the complete installation shall conform to City's Standards and inspection requirements. No sanitary sewer connections will be permitted until the Tap Charge of \$60.00 as prescribed by City Council has been paid in full to the City.

Our recommendation is that although we feel that sewer tees (laterals) should have been extended to the right-of-way at the time of construction, we feel that a change in policy at this time would put tremendous financial burden on the sewer fund if we assume all repair and/or installation. Therefore, we feel that the current policy should be maintained. It should be noted that with all new construction that sewer laterals are placed at the right-of-way and in addition, each lot is served with a storm water tap.

Our records do not indicate that this property was ever assessed for these improvements.

MSG:rw

MEMORANDUM

TO: Terry Dunn, City Manager
FROM: Marc S. Gerken, P.E.; City Engineer
SUBJECT: Mike Hershberger/Leonard St. Sanitary Sewer
DATE: January 7, 1993

Enclosed please find two (2) quotations for the extension of a sanitary sewer tap from an existing main line tee/wye to the property owner's right-of-way.

To refresh your memory, Mr. Hershberger who lives at 639 Leonard Street utilizes an old sewer that runs in an alley behind the lot. During heavy rains, he experiences sewer backup in his basement.

Please note that the residence at 625 Leonard is also tied into this old sewer and should be done at the same time.

Staff is asking for Council's determination.

Please note that it has been Staff's past practice to place the burden of repair, replacement or new installation onto the property owner from the main line to his or her residence.

MSG:rw

Enclosure

Proposal

Page No.

of

Pages

VERNON NAGEL, INC.
General Contractors
O-154 Country Rd., 11C Route 5
NAPOLEON, OHIO 43545
(419) 592-3861

PROPOSAL SUBMITTED TO	City of Napoleon	PHONE	592-4010	DATE	12/ 9/92
STREET	255 Riverview	JOB NAME	Sewer Repair		
CITY, STATE AND ZIP CODE	Napoleon, Ohio 43545	JOB LOCATION	639 Leonard Street		
ARCHITECT	DATE OF PLANS			JOB PHONE	

We hereby submit specifications and estimates for:

Equipment, Labor and Materials to make 6" sewer tap, approximately
30 feet long, at 639 Leonard Street.

Includes 310B backfill material, 10" of #304 pavement base, asphalt
repair, curb repair and sidewalk repair.

Lump Sum: \$2974.00

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Two Thousand Nine Hundred Seventy Four and no/100 dollars (\$ **2974.00**)

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Note: This proposal may be
withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications
and conditions are satisfactory and are hereby accepted. You are authorized
to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

Proposal

Page No.

of

Pages

VERNON NAGEL, INC.

General Contractors
O-154 Country Rd., 11C Route 5
NAPOLEON, OHIO 43545
(419) 592-3861

PROPOSAL SUBMITTED TO City of Napoleon		PHONE 592-4010	DATE 12/ 9/92
STREET 255 Riverview		JOB NAME Sewer Repair	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545		JOB LOCATION 639 Leonard Street	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Equipment, Labor and Materials to make 6" sewer tap, approximately 30 feet long, at 639 Leonard Street.

Includes 310B backfill material, 10" of #304 pavement base, asphalt repair, curb repair and sidewalk repair.

Lump Sum: \$2974.00

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Two Thousand Nine Hundred Seventy Four and no/100 dollars (\$ **2974.00**).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

Proposal

Page No.

of

Pages

BECK'S CONSTRUCTION CO.

11-522 Rd. M-R 3
NAPOLEON, OHIO 43545
(419) 592-8307

PROPOSAL SUBMITTED TO City of Napoleon		PHONE	DATE Dec. 2, 1992
STREET 255 W. Riverview, P.O. BOX 151		JOB NAME 639 Leonard St. Napoleon	
CITY, STATE AND ZIP CODE Napoleon, Ohio 43545		JOB LOCATION Napoleon	
ARCHITECT	DATE OF PLANS		JOB PHONE

We hereby submit specifications and estimates for:

Tap Hole - Install 35 L.Ft. sanitary sewer
Cut roadway, curb, and sidewalk
Dig out stone - Replace and tamp stone
Replace road, curb and sidewalk \$2,055.50

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Two thousand fifty five and 50/100 dollars (\$2,055.50).

Payment to be made as follows:

Cash

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 10 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance:

Signature

Signature



City of NAPOLEON, OHIO

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

June 10, 1993

Mayor
Steven Lankenau

Members of Council
Dennis L. Filgor, President
John E. Church
Michael J. DeWit
Robert G. Heft
James Hershberger
Terri A. Williams

City Manager
Terry Dunn

Finance Director
Rupert W. Schweinhagen

Law Director
Michael J. Wesche

Prosecuting Attorney
David M. Grahn

City Engineer
Marc S. Gerken

Mr. Mike Hershberger
639 Leonard Street
Napoleon, Ohio 43545

and

Mrs. Martha Zierolf
625 Leonard Street
Napoleon, Ohio 43545

Dear Mr. Hershberger & Mrs. Zierolf:

In the past The City has worked at cleaning out the sanitary sewer connections from your homes to the sewer main at Haley Street. We are concerned about the liability and responsibility for this work in the future.

We have done a considerable amount of research on this problem in two directions:

1. Legal responsibility for maintaining sewer lines between the house and sewer.
2. Past assessments for sewer work.

With regard to the former, the City's Code of Ordinances is fairly plain. It is City staff's opinion that the responsibility for maintaining the connection between the house and the sewer is the responsibility of the property owner. I have attached a copy of Chapter 52 for your review with the relevant Sections marked.

It is our opinion further, that for your particular properties, the sewer house connections run from your houses to the sewer on Haley Street. This is based on the reason that City public sewer mains have manholes interconnected by sewer mains. Your connections do not feed into a sewer main until they reach Haley Street.

With respect to past assessments, our research has been less fruitful. We are not aware of any assessment that included sewer connections to the property line. If you have any information about this please let us know.

It is staff's recommendation to the Board of Public Affairs that you be offered the following options:

1. You may continue to use and maintain, entirely at your expense, the existing sewer connection to Haley Street. This could include the replacement in kind of the lines in place in the alley.
2. If you want to have a sanitary sewer, including a new manhole, constructed in the alley, this would be done initially at your expense. If constructed to City standards, the City would maintain this sewer in perpetuity.
3. You may connect, at your expense, to the sewer in Leonard Street. There are tees in the sewer available for this purpose and we can locate them for you, but unfortunately they are in the road, and there would be a considerable expense in road repair.

The Board of Public Affairs will be reviewing this matter this Monday evening (June 14, 1993) at 7:00 p.m. If you would like to be present, please do so. Also, if you can't attend this meeting on such short notice, but would like to be here next month (July 12, 1993 also at 7:00 p.m.) please let me know.

Thank you for your assistance in resolving this ongoing problem.

Yours truly,

A handwritten signature in black ink, appearing to read "Terry Dunn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Terry Dunn
City Manager

TD:rd

Attachment

cc: Board of Public Affairs
Mayor and City Council
✓ Marc S. Gerken, City Engineer
Mike Wesche, Law Director
David Grahn, Prosecuting Attorney
Jeffrey Marihugh, Operations Superintendent

CHAPTER 52: SEWER SERVICE

Section

General

- 52.01 Authority to establish rates and regulations for sewer service

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

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

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)

SEWER RATES AND BILLS

§ 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)

§ 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)

§ 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 for the connection has been approved and connection fee paid pursuant to the following schedule:

(1) Single-family and duplex residential - \$60.

(2) All multiple-family residential,

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>
---	----------------------------	-----------------------------

For all users connected
to the wastewater
treatment works:

	\$1.30	\$3.50
--	--------	--------

(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 May 1, 1990.

Meter Charges per month

	<i>Industrial</i>	<i>Nonindustrial</i>
Inside	\$ 7.60	\$ 7.60
Outside	16.05	16.05

Commodity charge/100 cf

Inside	\$1.45	\$1.45
Outside	3.10	3.10

Industrial metering and monitoring
charge - \$66.60/Sample

Excess strength surcharges:		
Charge/lb of BOD above 200 mg/l		\$0.15
Charge/lb of SS above 250 mg/l		\$0.15

(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; amend. Ord. 43-90, passed 4-2-90)

§ 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

quality vitrified clay sewer pipe ASTM C 13 standard strength or ASTM C 200 extra strength with precast plastic or o-ring joints (ASTM C 425, and manhole joints C 443); or of asbestos-cement pipe (ASTM C 428) with couplings of the sleeve type, with pure rubber gaskets (ASTM D 1869); or of cast iron soil pipe (ASTM A 74) with joints complying with applicable plumbing code requirements. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required by the building inspector or other duly authorized inspector, where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast-iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the inspector.

(I) 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, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(J) No connection or lateral extending to private property from a public sewer or drain shall be constructed except in accordance with specifications issued by the city manager.

(K) All connections, tapplings, or openings shall be made under the supervision of the city manager. The applicant for the building sewer permit shall notify the city manager when the building sewer is ready for inspection and connection to the public sewer.

(L) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. All refilling of the excavation made for such connection shall be under the supervision of the street superintendent. (Ord. 1083, passed 3-7-73; amend. Ord. 1245, passed 7-21-75) Penalty, see § 52.99

§ 52.14 USE OF THE PUBLIC SEWERS.

(A) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface,

or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(B) No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which may be discharged to the sanitary sewer by permission of the city manager.

(C) Whenever the city manager shall find that any provision of division (B) is being violated, he shall issue a written order to the person responsible for the removal, elimination, or correction of such condition, or to remove such connectors or drains from such sewer within 60 days after service of the order. The service of the order, as mentioned herein, may be made upon the person to whom it is directed, either by delivering a copy of the order to the offending person, or by delivering it to and leaving it with any person in charge of the premises, or by affixing a copy thereof in a conspicuous place on the door to the entrance of the premises.

(D) Stormwater other than that exempted under division (B) and all other unpolluted drainage shall be discharged to the sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the city manager and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the city manager, to a storm sewer, combined sewer, or natural outlet.

(E) Whenever sewers are about to be or have been constructed for the purpose of carrying off sewage and drainage from lots and lands outside the corporate limits, no permission shall be given or granted to connect the sewers or sewage treatment works of the city for carrying off such sewage or drainage, nor shall the use of the sewers or sewage treatment works of the city be permitted for the sewage and drainage of the lots and lands outside of the corporate limits, unless there shall have been secured written permission from the city manager which shall be given only if the sewers or system of sewers for which such connection or use is sought conform to the plans theretofore adopted by the city. A certificate of approval of the sewers by the Ohio EPA shall also be furnished where, by law, such plans are required to be approved.

(F) Whenever annexation of any territory to the city is sought or petitioned for, such annexation shall not be accepted unless approval of the city manager as

provided in division (E) is filed in regard to existing sewers or sewage system in such territory.

(G) In addition to the city manager's approval as required by divisions (E) and (F), applicants for permission to use or connect with city sewers shall execute such agreements as to terms, conditions, and compensation for the use of the sewers and treatment works as shall be required by the city and authorized by law.

(H) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(2) Any waters 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 waste 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.

(3) Any waters or wastes having a pH lower than 6.0, or higher than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(I) All major contributing industrial users of the treatment facilities shall pretreat any pollutant which may interfere with, pass through, or otherwise be incompatible with the treatment works. Standards for pretreatment of such pollutants are published in 40 CFR 128.133, and are available from the city manager. The owner of any source to which pretreatment standards are applicable shall be in compliance with standards within the shortest reasonable time, but not later than 2 years from the date of promulgation of such standards for the

applicable industrial category.

(J) If any major contributing industrial user proposes to pretreat its wastes, the design and installation of the plants and equipment shall be subject to the review and approval of the city manager.

(K) The following described substances, materials, waters, or waste shall be limited in discharges to the municipal system from all users 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 city manager may set limitations lower than the limitations established in the regulations below, or in division (I) if in his opinion the more severe limitations are necessary to meet the objectives above. In forming his opinion as to the acceptability, the city manager will 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; the capacity of the wastewater treatment plant; the degree of treatability of the waste in the wastewater treatment plant; and other pertinent factors. The limitations or restrictions on material or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the city manager are as follows:

(1) Wastewater having a temperature higher than 150°F. (65°C.) at the point of entrance to the public sewer.

(2) Wastewater containing more than 25 mg/liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.

(3) Wastewater from industrial plants containing floatable oils, fat, or grease.

(4) Any garbage that has not been properly shredded (division (H) (4)). 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.

(5) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such a degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the

city manager for such materials.

(6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the city manager.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the city manager 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 to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

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

(L) The city manager shall require all discharges to conform to all NPDES permit requirements and any other unspecified state or federal regulations.

(M) If any water or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in division (H) and which, in the judgment of the city manager, may interfere with, pass through, or otherwise be incompatible with the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city manager may:

- (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 added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions

of § 52.17.

(N) If the city manager permits the 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 city manager.

(O) When considering the alternatives listed in division (M), the city manager shall give consideration to the economic impact of each alternative on the discharger.

(P) Grease, oil, and sand interceptors shall be provided when, in the opinion of the city manager, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in (K) (3) or any flammable wastes, sand, or other harmful ingredients; except that these interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the city manager, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintenance 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 city manager. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

(Q) Where 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.

(R) When required by the city manager, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. The structure, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the city manager. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

(S) The city manager may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:

(1) Wastewater's peak discharge rate and volume over a specified time period.

(2) Chemical analyses of wastewaters.

(3) Information on raw materials, processes, and products affecting wastewater volume and quality.

(4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

(5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.

(6) Details of wastewater pretreatment facilities.

(7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(T) 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 for the Examination of Water and Wastewater," published by the American Public Health Association. All tests shall conform to Regulation 40 CFR 136, published October 16, 1973 in the Federal Register entitled, "Guidelines Establishing Test Procedures for Analysis of Pollutants." Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the city manager.

(U) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment.

('65 Code, § 33.15; amend. Ord. 1245, passed 7-21-75) Penalty, see § 52.99

§ 52.15 POWERS AND AUTHORITY OF INSPECTORS.

(A) The city manager and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation,

measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.

(B) The city manager or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential, but the industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

(C) While performing the necessary work on private properties, referred to in division (A), the city manager or duly authorized employees of the city 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 city employees, and the city shall indemnify the company against loss or damage to its property by city 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 § 52.14 (P).

(D) The city manager and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entries and subsequent works, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. 1245, passed 7-21-75)

§ 52.16 REVISIONS.

Each year the city manager shall review the rules, regulations, charges, and fees set forth in §§ 52.04, 52.05, and 52.10 through 52.17. If changes, revisions, or modifications are necessary, the city manager shall submit to the council the proposed revisions for ratification by ordinance. The user charge system shall be in accordance with the regulations of EPA, which now require:

(A) The user charges shall result in the

distribution of operation, maintenance, and replacement costs of the treatment works within the jurisdiction of the city to each user class in proportion to such user's contribution of the total wastewater loading of the treatment works. Factors such as strength, volume, and delivery flow rate characteristics shall be included to ensure a proportional distribution of the costs.

(B) The charges shall be reviewed annually and revised periodically as required.

(C) The charges shall derive revenue sufficient to meet all costs of operation, maintenance, and replacement of the system.

('65 Code, § 33.11; amend. Ord. 1245, passed 7-21-75)

§ 52.17 PAYMENTS.

(A) All charges for connection and permits shall be payable upon application.

(B) Charges for user charges, capital charges, and industrial cost recovery shall be billed monthly, and payment shall be made on or before the tenth day of the month. (See §§ 52.04, 52.05)

(C) Payments shall be made at the office of the city treasurer or such other places as he may designate.

(D) If the bill for services remains unpaid by the twenty-fifth day of the month in which same is due, a 48-hour notice of shutoff shall be delivered to the property. If payment is not made within this 48-hour period, the water connection to this property shall be shut off at such premises as soon as practicable. The water will be turned back on when the charges are paid. If not paid, the amount due shall be certified to the county auditor and collected with the other ad valorem taxes on the property.

(E) Each charge or rental 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 wastewater system of the city; and if same is not paid as hereinbefore provided, it shall be certified to the auditor of Henry County, Ohio, who shall place the same on the tax duplicates of the county, with interest and penalties allowed by law, and it shall be collected as other taxes on the property are collected. ('65 Code, §§ 33.08 and 33.09; amend. Ord. 1245, passed 7-21-75)

(F) Commencing on January 4, 1974, for the use of sanitary interceptor sewers, there shall be an additional tap charge for all tributary parcels now in the city to which a sanitary sewer has not been assessed and also for all parcels hereafter annexed to the city, as follows:

(1) Residential tap charges shall be:

(a) For subdivisions with single-family dwellings, the charge shall be based upon a minimum of \$87 per 7,200 square feet of land exclusive of streets or a charge of \$87 per dwelling unit location, whichever is greater. Dwelling unit location is defined as a lot established by the subdivider by metes and bounds survey or any other means which describes an area of ground to be used for one single dwelling unit.

(b) For subdivisions with multi-family units of any nature, or mobile home courts, the charge will be \$87 per individual dwelling unit, or \$87 per 7,200 square feet of land exclusive of dedicated streets, whichever is greater.

(2) For all other developments of any kind, the charge shall be \$87 per 7,200 square feet of land, exclusive of streets.

(3) The charge shall be assessed for any new construction, remodeling, or reconstruction at the time of the issuance of the building permit, or if there is no building permit required, prior to the commencement of construction; it shall also be assessed for any buildings or structures existing on land which is annexed, at the time of annexation.

(G) This tap charge shall be paid or secured to be paid before any building permit may be issued by the proper authority of the city, or before any construction is commenced if no permit is required. The charge shall be paid only for the area upon which construction is commenced or for the area for which the building permit is granted.

(H) The builder and subdivider shall make application to the engineering department of the city, for determination of the tap charge prior to issuance of a building permit or commencing construction. This application shall be on such forms as are prescribed by the engineering department of the city, and shall designate the area for which the tap charge determination is required. After the determination of the tap charge, the charge shall be paid or secured to be paid to the city clerk, at which time a building permit may be issued or construction commenced only for the area for which the tap charge was paid or

secured to be paid.

(I) No building permit shall be issued or construction commenced unless the tap charge is computed and paid or secured to be paid. ('65 Code, § 33.14; amend. Ord. 1121, passed 1-7-74)

§ 52.99 PENALTY.

Whoever violates any provision of this chapter shall be deemed guilty of a misdemeanor, and shall be fined not less than \$100 nor more than \$500, and may be further fined \$50 for each day the violation continues.