

CODIFIED ORDINANCES OF GRANVILLE

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE ONE - Street and Sidewalk Areas

Chap. 901. Streets Generally.

Chap. 902. Street Construction Standards.

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- Chap. 901. Streets Generally.
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- Chap. 905. Replacement and Repair of Sidewalks.
- Chap. 907. Sidewalk Specifications.
- Chap. 909. Trees, Shrubs and Maintenance.

CHAPTER 901
Streets Generally

- 901.01 Conditions precedent to
 improving streets.

CROSS REFERENCES

Power to establish and care for streets - see Ohio R.C. 715.19, 717.01,
723.01
Barricades; abandoned excavations - see GEN. OFF. 521.03
Excavations - see S.U. & P.S. Ch. 903

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- 901.01 CONDITIONS PRECEDENT TO IMPROVING STREETS.
No department of the Municipality shall accept, lay out, open, improve, grade, pave,
curb or light any street or other way, unless such street or way:
- (a) Has been accepted or opened or otherwise has received the legal status of a
public street or way.
 - (b) Corresponds in location and extent with a street or way shown on a recorded
plat which has been legally accepted by Council.
(1970 Code '94.01)

CHAPTER 902
Street Construction Standards

902.01 Definitions.	902.04 Specifications.
902.02 Compliance.	902.05 Ordinary repairs.
902.03 Construction.	

CROSS REFERENCES

Dedication and acceptance - see Ohio R.C. 723.03
 Surface treatment - see Ohio R.C. 723.23, 723.31
 Changing established grade - see Ohio R.C. 727.07
 Design standards - see P.& Z. Ch. 1117

902.01 DEFINITIONS.

As used in this chapter:

- (a) "Manager" means the Municipal Manager, Municipal Engineer or any other person in the service of the Municipality who has been properly designated by the Manager to exercise authority and represent the Manager in matters relating to street construction and replacement.
- (b) "Arterial street" means a street primarily for through traffic carrying heavy loads and large volume of traffic usually on a continuous route.
- (c) "Collector street" means a thoroughfare, whether within a residential, industrial, commercial, or other type of area, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- (d) "Local street" means a street primarily for providing access to residential, commercial or other abutting property.
- (e) "Minor street" means a type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the 180-degree system of turns are not more than 1,000 feet from such arterial or collector street, nor normally more than 600 feet from each other.
- (f) "Boulevard" means a street containing two, twelve-foot wide lanes in each direction of travel, separated by a traffic island. (Ord. 12-81. Passed 7-15-81.)

902.02 COMPLIANCE.

All public streets constructed or reconstructed in the Municipality after the effective date of this chapter, shall be constructed or reconstructed to comply with the specifications contained herein. (Ord. 12-81. Passed 7-15-81.)

902.03 CONSTRUCTION.

Whenever any person or persons wish to construct or reconstruct streets within the Municipality, such construction shall be in accordance with the requirements of Chapter 1117 of the Planning and Zoning Code as determined by the Development Commission or Council, whichever is appropriate. (Ord. 12-81. Passed 7-15-81.)

902.04 SPECIFICATIONS.

All streets approved for construction by either the Development Commission or Council shall be constructed or reconstructed in accordance with the specifications set forth in "Exhibit A" of Ordinance 12-81 and made a part hereof. (Ord. 12-81. Passed 7-15-81.)

902.05 ORDINARY REPAIRS.

The ordinary repairs of existing streets by the Municipality shall not be required to be completed in accordance with the specifications in "Exhibit A" of Ordinance 12-81. (Ord. 12-81. Passed 7-15-81.)

CHAPTER 903
Excavations

903.01 Permit required.
903.02 Issuance of permit; plans.
903.03 Restrictions.

903.99 Penalty.

CROSS REFERENCES

Liability for damage - see Ohio R.C. 723.49 et seq.
Depth of excavation allowable - see Ohio R.C. 723.50
Barricades; abandoned excavations - see GEN. OFF. 521.03

903.01 PERMIT REQUIRED.

No person, other than the Service Director, Municipal Engineer or the authorized employees or agents of either, shall make any excavation in any street, alley, sidewalk or public way of the Municipality unless a permit to make such excavation has been obtained prior to commencement of the work, as herein provided.
(1970 Code '94.02)

903.02 ISSUANCE OF PERMIT; PLANS.

A permit pursuant to Section 903.01 shall be issued by the Manager upon the payment of a fee of ten dollars (\$10.00) and upon compliance with this section. Each such permit shall be confined to a single project.

- (a) The applicant shall post a bond in cash or certified check with the Municipality in an amount determined by the Manager based upon the estimated cost for restoring the street or other public property plus an amount adequate to assure proper protective safeguards for such trench or excavation, to maintain a clean work area and to repair damages caused to municipal utilities by such contractor, person or firm. The Manager shall refund such bond within ten days after completion of work in a satisfactory manner as determined by the Manager, but such costs as may be incurred by the Municipality either for providing adequate protective devices, maintaining a clean work area or repairing damages to municipal utilities shall be retained by the Municipality and credited to the proper funds as reimbursement for such costs. A public utility applicant operating under a franchise granted by the Public Utilities Commission of Ohio and operating under an existing franchise from the Municipality shall not be required to post such bond.

- (b) The applicant shall submit to the Municipality a certificate of insurance evidencing that the Municipality is insured against any liability for damages occasioned by the applicant, his agents or employees in any manner arising out of the work or condition of the property.
- (c) The applicant shall enter into an agreement to restore such street, alley, sidewalk or public way in accordance with specifications established by the Manager, to provide adequate protective safeguards for the excavation and to maintain a working area free from debris, dirt and litter.
- (d) The applicant shall submit plans and specifications as required by the Manager.
- (e) The Manager shall have the right to specify working hours on a project where heavy traffic volumes exist or in a case where a hardship will be created if the work is conducted during normal working hours.
(Ord. 11-74. Passed 7-3-74.)

903.03 RESTRICTIONS.

No cuts shall be made in any paved street or alley within three years after the surfacing thereof, except as specifically authorized by the Manager, providing, however, that at least sixty days prior to the paving or resurfacing of any street or alley with concrete or asphaltic concrete (T-35 or equivalent), a notice shall be mailed to the property owners and appropriate utilities indicating that such paving or resurfacing will be done and advising such property owners that no pavement cuts shall be permitted for three years after such resurfacing or paving is completed except in cases of emergency.
(Ord. 11-74. Passed 7-3-74.)

903.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which an offense occurs or continues.

CHAPTER 905
Replacement and Repair of Sidewalks

905.01	Definitions.	905.06	Repair or replacement; Village assessment.
905.02	Manager's authority.	905.07	Maintenance to be owner's responsibility.
905.03	Notice to owner.	905.08	Who may serve and receive return of notice.
905.04	Repair or replacement; municipal reimbursement.		
905.05	Repair or replacement; no municipal reimbursement.		

CROSS REFERENCES
Sidewalk specifications - see S.U. & P.S. Ch. 907

905.01 DEFINITIONS.

(a) "Sidewalk" or "walkway" as used in this chapter shall have the usual and normal connotation and the specifications for repair or replacement of a sidewalk or walkway within the meaning of this chapter shall be those of a Portland cement concrete not less than four inches thick and six inches at driveways, and as more particularly set forth in Chapter 907.

(b) "Owner" as used in this chapter means any person or entity holding or claiming any legal or equitable interest of any nature in or to the land on which the sidewalk or walkway exists. (Ord. 25-95. Passed 9-6-95.)

905.02 MANAGER'S AUTHORITY

The Manager is hereby empowered, authorized and directed to repair or replace, or cause to be repaired or replaced, public sidewalks within the Municipality and to commit the Municipality to the payment of not more than fifty percent of the costs of such repair or replacement as set forth in this chapter. (Ord. 25-95. Passed 9-6-95.)

905.03 NOTICE TO OWNER

Upon determination of the Manager, after consultation with the Service Director, that a public sidewalk or walkway within the Municipality requires repair or replacement, the Manager shall, in writing, notify the owner of the land upon which the sidewalk or walkway exists of the determination that such sidewalk or walkway is in need of repair or replacement. The notification shall include that information set forth in Sections 905.04, 905.05 and 905.06. (Ord. 25-95. Passed 9-6-95.)

905.04 REPAIR OR REPLACEMENT; MUNICIPAL REIMBURSEMENT.

Any owner receiving the notification set forth in Section 905.03 may receive reimbursement for up to 50% of the cost associated with the repair or replacement of those sidewalks or walkways described in the written notice under the following conditions:

- (a) Within the sixty (60) days immediately following the notification set forth in Section 905.03, the owner shall obtain and submit to the Municipality a written estimate or estimates for the cost of repair or replacement which estimate or estimates shall set forth the extent of repair or replacement and that such repair or replacement meets all of the requirements of Chapter 907.
- (b) Within thirty (30), days of receipt of any estimate or estimates by an owner for the repair or replacement of any sidewalk or walkway, the Manager or his designee shall notify the owner in writing as to the acceptance of an estimate for the repair or replacement, the amount of such estimate or estimates reasonably related to required repair or replacement, or the necessity for additional or alternate estimates.
- (c) Upon approval of the scope and amount of an estimate the owner shall cause all work associated with the repair or replacement to be completed within sixty (60) days unless extended by the Manager or his designee.
- (d) Upon receipt of evidence satisfactory to the Manager or his designee that the repair or replacement has been accomplished in accordance with the estimate approved, the Municipality shall reimburse the owner for 50% of the cost associated with the repair or replacement or in such amount as previously established by the Municipality as 50% of the amount required for the repair or replacement as set forth in subsection (b) of this section.
(Ord. 25-95. Passed 9-6-95.)

905.05 REPAIR OR REPLACEMENT; NO MUNICIPAL REIMBURSEMENT.

Any owner proceeding with the repair or replacement of any sidewalk or walkway after receiving the notification set forth in Section 905.03 who does not comply with all of the provisions of Section 905.04 shall not be entitled to municipal reimbursement for any of the cost associated with repair or replacement. Any owner who proceeds with repair or replacement in the absence of the notification set forth in Section 905.03 shall not be entitled to municipal reimbursement. (Ord. 25-95. Passed 9-6-95.)

905.06 REPAIR OR REPLACEMENT; VILLAGE ASSESSMENT.

(a) If an owner fails to proceed with the repair or replacement of any sidewalk or walkway after receiving the notice set forth in Section 905.03, whether in accordance with Section 905.04 or 905.05, the Municipality may proceed any time after sixty (60) days from the date provided in the notice to cause the repair or replacement as set forth in the notice.

(b) Should the Municipality proceed with the repair or replacement under this section, then the owner shall be invoiced for one hundred percent (100%) of the cost of such repair or replacement.

(c) If any owner fails to make payment of the amount invoiced for sidewalk or walkway repair or replacement as provided for in this section within sixty (60) days of the invoicing therefor, the Manager shall cause written return to be made to the County Auditor for an amount equal to the costs of the repair or replacement and to enter such amount upon the tax duplicate to become a lien upon such lands from the date of entry, to be collected as other taxes and returned to the Municipality. (Ord. 25-95. Passed 9-6-95.)

905.07 MAINTENANCE TO BE OWNER'S RESPONSIBILITY.

The responsibility for maintaining a sidewalk or walkway safe for public use rests with the owner or agent having charge of the lands upon which the sidewalk or walkway exists. The Municipality assumes none of this responsibility by accepting participation in sidewalk or walkway repair or replacement or by agreement to participate in sidewalk or walkway repair or replacement. (Ord. 25-95. Passed 9-6-95.)

905.08 WHO MAY SERVE AND RECEIVE RETURN OF NOTICE.

The Manager or the Service Director may serve or receive any of the notice provided for in this chapter. (Ord. 25-95. Passed 9-6-95.)

CHAPTER 907
Sidewalk Specifications

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| 907.01 Definition. | 907.06 Portland cement concrete required. |
| 907.02 Compliance. | 907.07 Business District excepted. |
| 907.03 Construction permit required; fee. | 907.99 Penalty. |
| 907.04 Sidewalk placement; tree protection. | |
| 907.05 Material specifications. | |

CROSS REFERENCES

- Construction or repair at owner's expense - see Ohio R.C.
729. 01 et seq.
- Sidewalk obstructions, injuring pavement - see GEN. OFF. 521.04
- Excavations - see S.U. & P.S. Ch. 903
- Construction and repair - see S.U. & P.S. Ch. 905

907.01 DEFINITION.

The term "Manager" as used in this chapter means the Municipal Manager, Municipal Engineer or any other person in the service of the Municipality who has been properly designated by the Manager to exercise authority and represent the Manager in matters relating to sidewalk construction and replacement.
(Ord. 4-71. Passed 3-3-71.)

907.02 COMPLIANCE

All public sidewalks constructed or replaced in the Municipality after March 3, 1971 shall be constructed or replaced to comply with the specifications contained herein.
(Ord. 4-71. Passed 3-3-71.)

907.03 CONSTRUCTION PERMIT REQUIRED; FEE.

Whenever any person or persons wish to construct or replace sidewalks within the Municipality, application shall first be made to the Manager to obtain a sidewalk permit authorizing the construction or replacement of sidewalks in accordance with specifications contained in this chapter. The Manager shall, upon the issuance of the sidewalk permit, also furnish a copy of the construction specifications to the person making application for the permit. The fee for the sidewalk construction permit shall be one dollar (\$1.00).
(Ord. 4-71. Passed 3-3-71.)

907.04 SIDEWALK PLACEMENT; TREE PROTECTION.

All sidewalks constructed or replaced shall be parallel to the center line of the street and shall slope toward the curb with a slope of one-fourth inch in twelve inches and shall not be less than five feet in width. Where an existing sidewalk of a greater width than five feet is being replaced, the new walk shall be of at least the same width as the one it replaces. If there is a grass strip between the curb and sidewalk, the grass strip shall have a slope toward the curb of at least one-half inch in twelve inches. If trees exist within the proposed line of sidewalk construction or replacement, adequate provisions, as determined by the Manager, shall be made to prevent damage to the trees.

(Ord. 4-71. Passed 3-3-71.)

907.05 MATERIAL SPECIFICATIONS.

Before delivery to the job, and at such other times as the Manager deems necessary, the contractor or other person constructing sidewalks may be required to furnish samples of the materials to be used. All materials shall meet with the following requirements:

- (a) The cement shall meet the requirements of the current specifications for Portland cement of the American Society for Testing Materials. A sack containing ninety-four pounds of cement shall be considered as one cubic foot.
- (b) The fine aggregate shall consist of clean, hard, durable, uncoated particles of sand or stone, free from all organic matter. One hundred percent shall pass a one-quarter inch screen and ninety-five percent shall be retained on a 100-mesh screen. Not more than twenty-five percent shall pass a 50-mesh screen. It shall be well graded from coarse to fine, and shall not contain more than five percent by weight of clay or loam, none of which shall be in lumps.
- (c) The coarse aggregate may be broken limestone or gravel. The broken limestone or gravel shall be clean, hard, durable, uncoated rock. It shall contain no vegetable or other deleterious matter and shall be free from elongated or laminated pieces. The broken limestone or gravel used shall be such that 100 percent shall pass a one-inch screen and at least ninety-five percent shall be retained on a one-quarter inch screen, with all intermediate sizes retained.
- (d) The water used shall be clean and free from alkali, oils, acids or vegetable matter.
- (e) Form material shall be of lumber two inches thick or of steel of equal strength except on curved work where flexible strips may be used. The forms shall be held rigidly in place by stakes or braces with the top edges at true line and grade. Ends of adjoining forms shall be flush.
- (f) Where division plates are used, they shall be of one-eighth inch steel as wide as the depth of the slab and as long as the width of the walk. Forms and division plates shall be thoroughly cleaned and oiled each time before they are used.
- (g) If, in the opinion of the Manager, the sub-soil is such that it affords proper drainage, the sidewalk paving may be constructed on the sub-soil prepared to meet the approval of the Manager; otherwise the excavation shall be made to a depth of six inches below the base of the proposed pavement. The sub-grade shall be made smooth to conform to the grade and slope of the finished pavement. Any soft or defective places in the sub-grade shall be removed and replaced with material suitable for foundations as hereinafter described.

Upon the sub-grade, so prepared, shall be spread a foundation of broken stone, gravel, cinders or slag, free from dust and of approved quality of such depth that when thoroughly tamped or rolled will form a foundation six inches in thickness.

- (h) The sidewalk shall consist of one course concrete of not less than four inches in thickness, mixed in the proportion of one part of Portland cement to two parts of fine aggregate and three parts of coarse aggregate. All materials shall be accurately measured in a manner to be approved by the Manager. When the location of driveways is known, the thickness of the walk shall be increased to not less than six inches and mixed in the same proportions as for four inch sidewalks.
- (i) The ingredients of the concrete shall be thoroughly mixed until each particle of fine aggregate is coated with cement and each particle of coarse aggregate is coated with mortar. The consistency of the mixed concrete shall be such that no separation of the ingredients takes place and some tamping is necessary to bring the mortar to the surface.
- (j) The freshly mixed concrete shall be placed immediately on the prepared sub-base and tamped sufficiently to produce a uniform slab. It shall then be struck off with a straight edge resting upon the side forms and advanced with a cross-wise sawing motion. It shall then be floated with a wooden float until the surface is true and the concrete is thoroughly compacted.
The placing of concrete shall not be suspended for forty-five minutes or longer except at the end of a slab.
No concrete shall be placed when the temperature is, or might be within twenty-four hours of placing the concrete, below thirty-five degrees Fahrenheit, except by written permission of the Manager.
- (k) The walk shall be divided into separate rectangular slabs by means of strips of paper or division plates. No plain concrete slab shall have an area of more than thirty-six square feet. The division plates shall be removed only after the concrete has set sufficiently to avoid braking the edges or corners of the slabs. The surface edges of each slab shall be rounded to a radius of about one-quarter inch.
- (l) As soon as the concrete is set sufficiently it shall be sprinkled with water and kept moist until it has set sufficiently to be opened to traffic. The contractor or other person constructing the sidewalk shall protect it from damage by rain, pedestrians, animals and vandals by means of barricades, coverings, red lights at night or other suitable or necessary means.
- (m) The space left at each edge of the walk by the removal of forms shall be filled with top soil to within one inch of the surface of the sidewalk.

(Ord. 4-71. Passed 3-3-71.)

907.06 PORTLAND CEMENT CONCRETE REQUIRED.

Construction or replacement of sidewalks by materials other than Portland cement concrete in accordance with the specifications herein is in violation of this chapter and subject to the penalties hereinafter provided.

(Ord. 4-71. Passed 3-3-71.)

907.07 BUSINESS DISTRICT EXCEPTED.

Sections 907.02 through 907.06 shall not apply to sidewalks in the Business District of the Municipality. The design and construction or replacement of sidewalks in the Business District shall be according to plans approved by an affirmative vote of a majority of Council. The sidewalks in the Business District are, for the purposes of this chapter:

- (a) The sidewalk on the south side of East Broadway from the west curb line of Library Court to the east curb line of South Main Street;
- (b) The sidewalk on the north side of East Broadway from a point 212 feet east of the east curb line of North Prospect Street to the east curb line of the first alley east of North Main Street;
- (c) The sidewalk on the west side of North Prospect Street from the north curb line of East Broadway to a point 100 feet south of the south curb line of East College Street; and
- (d) The sidewalk on the east side of North Prospect Street from the north curb line of East Broadway to the south curb line of East College Street.

(Ord. 4-71. Passed 3-3-71.)

907.99 PENALTY.

Any person willfully violating any provision of this chapter shall be fined not more than one hundred dollars (\$100.00) for each offense. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy the violations or defects within reasonable time and, when not otherwise specified, each ten days that the prohibited conditions are maintained shall constitute a separate offense.

(Ord. 4-71. Passed 3-3-71.)

CHAPTER 909
Trees, Shrubs and Maintenance

<p>909.01 Purpose and intent. 909.02 Definitions. 909.03 Property owner responsible for removal of tree on private property. 909.04 Removal of trees within a public right of way; notice; appeal. 909.05 Tree removal criteria. 909.06 Manager's permission to plant, remove, trim, top or treat trees. 909.07 Breaking or injuring tree in public way.</p>	<p>909.08 Attaching sign or wire prohibited. 909.09 Utility pipes and wires and construction not to injure tree or shrub. 909.10 Obstructing air or water to tree or shrub. 909.11 Standards for trees. 909.12 Compensation. 909.99 Penalty.</p>
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CROSS REFERENCES

Power to regulate shade trees and shrubbery - see Ohio R.C. 715.20
Assessments for tree planting or maintenance - see Ohio R.C. 727.011
Injury or destruction - see GEN. OFF. 541.06
Tree and landscape requirements - see P. & Z. Ch. 1193

909.01 PURPOSE AND INTENT.

The Village of Granville lies in a valley and foothill landscape. Over time, many trees have grown or been planted by residents in the community. These trees, native and imported, provide beauty and protection from summer heat, increase property values, enhance community pride, preserve wildlife habitat, reduce air and noise pollution, and reduce soil erosion. Granville has earned the designation, "Tree City USA", in recognition of the Village's unique stewardship of this vital resource. Accordingly, the Village has determined that it is necessary for the public health and welfare to conserve tree resources by protecting trees from unnecessary destruction or removal, and encouraging the replacement of trees lost to disease, natural hazards, or human intervention. The Village has also determined that street trees, park trees, and other trees on public lands contribute to the quality of life in the community. Chapter 909, Trees, Shrubs and Maintenance, provides for the improvement and maintenance of the appearance and safety of and the protection, preservation, and promotion of the aesthetic appeal, character and value of the Village of Granville. The intent of this chapter is to establish mechanisms and policies for maintaining public trees in good health, protecting public trees from unnecessary removal, and replacing public trees so that the community may continue to enjoy the many benefits associated with trees.
(Ord. 10-06. Passed 9-20-06.)

909.02 DEFINITIONS.

The following definitions are only for the purposes of this Chapter.

- (a) "Large tree" means any tree species, which normally attains a full-grown height equal to or greater than fifty feet.
- (b) "Medium tree" means any tree species, which normally attains a full-grown height of between thirty and fifty feet.
- (c) "Small tree" means tree species, which normally attains a full-grown height of under thirty feet.
- (d) "On-site landscaping" means the use of landscape materials within the innermost boundaries of the property.
- (e) "Trunk caliper" means the diameter of the tree as measured eighteen inches above the ground. (Ord. 10-06. Passed 9-20-06.)

909.03 PROPERTY OWNER RESPONSIBLE FOR REMOVAL OF TREE ON PRIVATE PROPERTY.

The owner of any real estate within the Municipality shall be responsible for the removal of any trees located on the owner's property, excluding public right of way. If all or any portion of a tree on an owner's property is deemed unsafe or otherwise undesirable and overhangs a street or public property, the Manager or the Manager's designee may notify the owner in writing to remove that tree or portion thereof. If the owner does not comply within fifteen days after receipt of such notice, the Municipality may cause to be removed all, or the endangering portion of such tree, and assess the cost to the owner. (Ord. 10-06. Passed 9-20-06.)

909.04 REMOVAL OF TREES WITHIN A PUBLIC RIGHT OF WAY; NOTICE; APPEAL.

(a) Any tree and/or portion thereof located within the public right of way shall be caused to be removed by the Municipality after notification to the abutting and adjacent property owners as provided in this Section that retention of the tree or portion thereof is deemed by the Municipality to be unsafe or not in the public interest. Any such removal shall be accomplished by the Municipality or its agents at the sole expense of the Municipality, and the Municipality shall determine the method of disposing of the cut wood, which wood shall be the property of the Municipality.

(b) Notification. Unless the Village Manager should decide that immediate removal of a tree is required to protect the public health, safety, and welfare, the Manager or the Manager's designee shall notify abutting and adjacent property owners and/or residents within one hundred (100) feet, as measured along the street frontage, of the proposed tree removal. Notice to the abutting property owner(s) shall be given by the Manager or the Manager's designee in writing, while notice to the other adjacent property owners and/or residents shall be through postcards or door-hangings that include appropriate contacts for obtaining further information.

(c) Appeal. Any property owner or resident to whom notice is provided by this Section may object in writing to the proposed removal of the tree identified in the notice and request a hearing before the Village Manager or the Manager's designee. The written objection shall be delivered to the Village Manager within ten (10) days after notice of the proposed removal was first given by the Village staff.

(d) Hearing. The Village Manager or the Manager's designee shall reconsider the decision to remove the tree and shall evaluate the information from the property owners, affected residents, and the Village Service Department in light of the criteria for removal. The Village staff shall inform the objecting property owners or residents, either orally or in writing, of the determination of the Village regarding the tree after such reconsideration and shall provide the reasons supporting such determination. The Village staff shall use reasonable efforts and methods to provide notice of such determination before any removal of the tree, if removal is the final determination.
(Ord. 10-06. Passed 9-20-06.)

909.05 TREE REMOVAL CRITERIA.

Loss of trees results in less shade, increased negative impacts due to air and noise pollution, reduced wildlife habitat, and a less attractive community. It is the intent of the Village to protect the quality of life in the community by encouraging the conservation of tree resources. Therefore the following criteria have been established for evaluating whether a tree in the public right of way should be removed.

- (a) The tree is dead.
 - (b) The tree is deemed hazardous, when the hazardous condition cannot be corrected through pruning or other reasonable arboricultural practices.
 - (c) Persistent and uncontrollable insect, disease or fruiting problems.
 - (d) The frequency and extensiveness of the tree's maintenance.
 - (e) The proximity and quality of trees near to the one considered for removal.
 - (f) The extent and frequency of damage the tree is causing to surrounding infrastructure such as sidewalks, streets, sewers, etc.
 - (g) The feasibility and timeliness in which a replacement tree will be planted.
 - (h) The amount of space allowable for tree growth.
- (Ord. 10-06. Passed 9-20-06.)

909.06 MANAGER'S PERMISSION TO PLANT, REMOVE, TRIM, TOP OR TREAT TREES.

(a) No tree located on public property or on a public right of way shall be planted, removed, topped, trimmed or treated without first obtaining a written permit from the Manager or the Manager's designee. If any tree is removed, treated or trimmed as provided in this section at the expense of the abutting property owner, then such wood shall be the property of the abutting property owner. The property owner shall promptly remove or cause to be removed all wood from the public property or public right of way based upon recommendations from the Municipality.

(b) The Village Manager may condition the granting of a permit upon the payment of compensation for the tree removed, as reasonably determined by Village Manager, and/or the replacement of the tree removed by the planting of one or more trees of a specie and in a location approved by the Village Manager upon recommendation by the Tree and Landscape Commission. (Ord. 10-06. Passed 9-20-06.)

909.07 BREAKING OR INJURING TREE IN PUBLIC WAY.

No person, firm or corporation shall move, remove, destroy, break, cut, deface, trim or in any way injure or interfere with any tree or shrub growing in any public way of the Municipality except by written permit of the Manager or the Manager's designee. Nothing in this section shall be construed to apply to the removal under the direction of the Municipality of any root, tree, shrub or part thereof whenever the removal shall be found necessary in the construction of any sidewalk, sewer, pavement or other public improvement.
(Ord. 10-06. Passed 9-20-06.)

909.08 ATTACHING SIGN OR WIRE PROHIBITED.

No person, firm or corporation shall fasten or attach any wire, rope, sign, handbill or other thing to any tree or shrub growing in any public way.
(Ord. 10-06. Passed 9-20-06.)

909.09 UTILITY PIPES AND WIRES AND CONSTRUCTION NOT TO INJURE TREE OR SHRUB.

(a) Any person or company maintaining any gas pipe, communication cable, electric or telephone wire in the Municipality shall, in the absence of a provision in the franchise, maintain such pipes or wires in a manner so as to avoid injury to any tree or shrub in the public way.

(b) Construction work that disturbs or compacts the soil within the critical root zone or street or park trees is prohibited. Tunneling under the critical root zone is an acceptable type of construction work. Exception to this provision may be granted by the Manager or the Manager's designee. (Ord. 10-06. Passed 9-20-06.)

909.10 OBSTRUCTING AIR OR WATER TO TREE OR SHRUB.

No person, firm or corporation except with a written permit from the Manager or the Manager's designee shall place or maintain upon the ground in any public street or parkway any stone, cement or other impervious material or substance in such a manner as may obstruct the free access of air and water to the roots of any tree or shrub in any such public street or parkway. (Ord. 10-06. Passed 9-20-06.)

909.11 STANDARDS FOR TREES.

Any person, firm, or corporation planting trees along Village right of way shall do so in a manner, quantity and location as determined by the Village Manager upon the recommendation of the Tree and Landscape Commission. The Tree and Landscape Commission determines what trees should be planted in the Village based on a number of factors including: location (especially with respect to power lines), ability to thrive in the urban environment, size of public tree lawn, adaptation to habitat, resistance to insects and infestations.

(a) The spacing between trees shall be forty feet for large trees, thirty feet for medium trees, and twenty feet for small trees.

(b) The treelawns and tree sizes will match as follows:

<u>Treelawn</u>	<u>Tree Size</u>
3-6 feet	Small
6-8 feet	Medium
8 feet or more	Large

(c) The tree location shall be at least thirty (30) feet from street intersections and ten feet from fire hydrants or utility poles.

(d) Contractors shall be required to maintain trees for one year after the trees are planted. Should any tree require replacement during this one year period, the replacement period shall start at the date of replacement. Except as provided herein, the replacement period shall not extend beyond two years from the original planting date.

- (1) Upon completion of a street tree planting, the Contractor shall contact the Zoning Inspector who shall conduct an inspection in consultation with the Chair of the Tree and Landscape Commission or his or her designee. The replacement period shall begin after the approval of the Zoning Inspector.
 - (2) The contractor shall contact the Zoning Inspector for a final inspection to be made at the end of the replacement period. All trees not exhibiting a healthy, vigorous growing condition, as determined by the Village's inspection, shall be replaced at the expense of the contractor.
 - (3) In the event that the condition of any trees cannot be ascertained due to the season of the year, the final inspection may, in the discretion of the Zoning Inspector, be deferred until the commencement of the next growing season.
- (e) The minimum trunk caliper measured at eighteen inches above the ground for all street trees shall be no less than one and three quarter inches.
- (f) No street trees other than those meeting the requirements of small tree as defined in Section 909.02 may be planted under or within fifteen lateral feet of any overhead utility wire. Plantings over or within five lateral feet of any valve box, underground water line, sewer line, transmission lines or other utility shall require the approval of the Village Manager.
(Ord. 10-06. Passed 9-20-06.)

909.12 COMPENSATION.

The Village shall be compensated for any tree removed, or damaged necessitating removal, by determining the cost of the planting of new trees, the total caliper of which shall be equal to or greater than the caliper of the removed or damaged tree.
(Ord. 10-06. Passed 9-20-06.)

909.99 PENALTY.

Violation of any provision of this chapter shall be considered a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each such offense and, in addition, shall pay all costs and expenses involved in the case.

Each day a violation continues following notice of such violation shall constitute a separate offense. Nothing herein contained shall prevent the Manager or the Manager's designee from other lawful action necessary to prevent or remedy any violation.
(Ord. 10-06. Passed 9-20-06.)

TITLE FIVE - Utilities
 Chap. 921. Sewer Regulations.
 Chap. 925. Water Regulations and Charges.

CHAPTER 921
 Sewer Regulations

921.01	Definitions.	921.07	Sewer service charges.
921.02	Prohibitions and limitations.	921.08	Applicability of sewer rental charges.
921.03	Use and requirements of public sewers.	921.09	Lien of sewer rental.
921.04	Sanitary sewer system capacity charges.	921.10	Enforcement procedures.
921.05	Controlled and prohibited wastes.	921.11	Appeals.
921.06	Industrial wastewater monitoring and reporting.	921.99	Penalty.

CROSS REFERENCES

Power to construct sewerage system - see Ohio R.C. 715.40, 717.01
 Regulations to control house sewers and connections - see Ohio R.C. 729.51
 Sewer charges - see S.U. & P.S. Ch. 923

921.01 DEFINITIONS.

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

- (1) "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade expressed in milligrams per liter.
- (2) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from the soil, waste and other drainage pipe inside the walls of the building and conveys it to the building sewer, which begins five feet (1.5 meters) outside the inner face of (the inner face of) the building wall.
- (3) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- (4) "Chemical oxygen demand" (COD) means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures expressed in milligrams per liter.

- (5) "Combined sewer" means a sewer intended to receive both wastewater and storm or surface water.
- (6) "Compatible pollutant" means BOD, suspended solids, pH and fecal coliform bacteria plus additional pollutants identified in the NPDES permit if the publicly owned treatment works was designed to treat such pollutant and in fact does remove such pollutants to a substantial degree. Examples of such additional pollutants may include:
 - (a) COD;
 - (b) Total organic carbon;
 - (c) Phosphorous and phosphorous compounds;
 - (d) Nitrogen and nitrogen compounds;
 - (e) Fats, oils and greases of animal or vegetable origin except as prohibited under Section 921.02.
- (7) "Commercial unit or class" means a building or part of a building used by one commercial, private or public enterprise for uses other than as a dwelling, but not classified as an institutional or industrial unit.
- (8) "Debt service charge" means the charge levied on users to make principal and interest payments required for the amortization of the cost of the wastewater collection and treatment facilities.
- (9) "Discharge unit" means any residence, commercial establishment, industry or private or public facility generating, accumulating and/or otherwise discharging liquid waste either directly or ultimately into any of the sewer systems of the Village.
- (10) "Residential unit or class" means a building or part of a building used by one family, exclusively as a place of abode.
- (11) "Engineer" means the Village Engineer as designated by Council.
- (12) "Federal Act" means the Federal Water Pollution Control Act Amendments of 1972 and 1977, Public Law 92-500 and any amendments thereto; as well as any guidelines; limitations and standards promulgated by the U.S. Environmental Protection Agency pursuant to the Act.
- (13) "Floatable oil" means oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.
- (14) "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.
- (15) "Incompatible pollutant" means any pollutant which is not a compatible pollutant as defined in subsection (6) hereof.
- (16) "Industrial cost recovery" means recovery by the Village from the industrial users of a treatment works of the grant amount allocable to the treatment of wastes from such users pursuant to Section 204(b) of Title II, Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500) and amendments thereto.
- (17) "Industrial users or class" means any nongovernmental, nonresidential user of public owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972 Office of Management and Budget, as amended and supplemented under one of the following divisions:

- Division A. Agriculture, Forestry, Fishing
- Division B. Mining
- Division C. Manufacturing
- Division D. Transportation, Communications, Electric, Gas and Sanitary Services
- Division I. Services.

- (a) In determining the amount of a user's discharge, the grantee may exclude domestic wastes of discharges from sanitary conveniences.
- (b) After applying the sanitary waste exclusion in subsection (17)(a) hereof (if grantee chooses to do so), discharges in the above divisions that have a volume exceeding 25,000 gpd or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary waste are considered industrial users. Sanitary wastes, for purposes of this calculation of equivalency, are the wastes discharged from residential users. The strength of residential discharges is herein defined as BOD₅ less than or equal to 300 milligrams per liter and suspended solids less than or equal to 300 milligrams per liter. Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

All commercial users of an individual system constructed with grant assistance under Section 201(h) of the Act and this subpart.

(See 35.918(a)(3).

- (18) "Industrial wastes" means the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.
- (19) "Major contributing industry" means an industrial user of the publicly owned treatment works that:
 - (a) Has a flow of 50,000 gallons or more than average work day;
 - (b) Has a flow greater than five percent (5%) of the flow carried by the municipal system receiving the waste;
 - (c) Has in its waste a toxic pollutant as defined in standards issued under Section 307 (a) of the Federal Act; or
 - (d) Is found by the permit issuance authority in connection with the issuance of an NPDES permit to the publicly owned treatment works receiving the waste, to have the 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.
- (20) "May" is permissive; "shall" is mandatory.

- (21) "Natural outlet" means any outlet, including storm sewers and combined sewer overflows into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (22) "NPDES" permit means the National Pollutant Discharge Elimination System permit.
- (23) "Operation and maintenance costs" means all costs associated with the operation and maintenance of wastewater collection and treatment facilities as well as costs associated with periodic equipment replacement necessary for maintaining capacity and performance of the wastewater collection and treatment facilities.
- (24) "Person" means any individual, firm, company, association, society, corporation or group.
- (25) "pH" means the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .
- (26) "Pollutant" means dredged spoil, solid waste, incinerator residue, wastewater, garbage, waste water sludge, munition, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into the water.
- (27) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.
- (28) "Pretreatment" means the treatment of wastewaters from sources before introduction into publicly owned wastewater treatment facilities.
- (29) "Public sewer" means a common sewer controlled by a government agency or public utility.
- (30) "Replacement" means expenditures for obtaining and installing equipment accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
- (31) "Sanitary sewer" means a sewer that carries liquid and watercarried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- (32) "Sewer service charge" means the charge levied on users for capital cost amortization (debt service charges) and for operation and maintenance costs (user charges). Such sewer service charge includes debt service charges and user charges.
- (33) "Slug" means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

- (34) "Storm drain", sometimes termed "storm sewer" means a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.
- (35) "Superintendent" means the Water Pollution Control Operator of the Village or his authorized representative.
- (36) "Suspended solids" means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids and that is removable by laboratory filtering as prescribed in "Standard-Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.
- (37) "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.
- (38) "Toxic pollutant " includes but not necessarily is limited to aldrin-dieldrin, benzdine, cadmium, cyanide, DDT-endrin, mercury, polychlorinated biphenyls (PCB's) and toxaphene. Pollutants included as "toxic" shall be those promulgated as such by the United States Environmental Protection Agency.
- (39) "User charge" means the charge levied on the users of the treatment works for the cost of operation and maintenance of such works, pursuant to Section 204 (b)of Title 11 of the Federal Water Pollution Control Act of 1 972 (Public Law 92-500) and amendments thereto.
- (40) "Unpolluted water" means 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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
- (41) "Wastewater" (Sanitary water) means the spent wafer of a community. From the standpoint of source, it may be a combination of the liquid and watercarried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and storm water that may be present.
- (42) "Wastewater facilities" means the structures, equipment and processes required to collect, carry away and treat domestic industrial wastes and dispose of the effluent.
- (43) "Wastewater treatment works" means an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".
- (44) "Storm water" means any flow occurring curing or immediately following any form of natural precipitation and resulting therefrom. Water originating from precipitation which is captured in roof drains and down spouts, footer and foundation tiles, ground drainage tiles and catch basins and which does not undergo any use or contamination prior to disposal.
- (45) "Industrial class" means any governmental or publicly funded user of the publicly owned treatment works not engaged in profit oriented business. (Ord. 14-84. Passed 5-23-84.)

921.02 PROHIBITIONS AND LIMITATIONS.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers or treatment works:

- (a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes having a pH lower than 6.0 or higher than 9.0 su, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
(Ord. 15-02. Passed 10-16-02.)
- (c) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interferences with the proper operation of the 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 flashings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (d) The following described substances, materials, waters or waste shall be limited in discharge to municipal systems 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 Superintendent may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. Deliberate dilution with unpolluted water to meet the concentrations established in the regulations below shall not be acceptable. In forming his opinion as to the acceptability, the Superintendent will give consideration to such facts as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewers which shall not be violated without approval of the Superintendent are as follows:
 - (1) Wastewater having a temperature higher than 150 degrees Fahrenheit.
 - (2) Wastewater containing more than fifty milligrams per liter of petroleum oil, nonbiodegradable cutting oils, products of mineral oil origin, or floatable oils, fat, wax or grease.
 - (3) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
 - (4) Any waters or wastes containing solids, liquids or gasses in sufficient quantity either singly or by interaction with other wastes to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, waters of the wastewater treatment plant, including but not limited to, cyanides, hexavalent chromium, copper, zinc, cadmium, nickel and phenols in the waste as discharged to the public sewer. The following concentrations shall not be exceeded in industrial wastes discharged to the public sewers: total cyanide (CN), 0.5 milligrams per liter (mg/l); hexavalent chromium, 1.0 mg/l, copper, 1.0 mg/l; zinc, 1.0 mg/l; cadmium, 0.2 mg/l; nickel, 2.0 mg/l; phenols, 0.2 mg/l; lead, 0.5 mg/l; mercury, 0.01 mg/l; silver, 0.2 mg/l.

These maximum concentrations may be changed as necessary by the Superintendent or State regulatory agencies based on new information concerning inhibitory substances or to protect treatment plant processes. Industrial discharges covered by Federal pretreatment requirements shall meet those limitations specified under the effluent guidelines published under Section 304(b) and 307(b) of the Federal Act or the above concentrations, whichever is more stringent.

- (5) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Superintendent or any local or State regulatory agencies.
- (6) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in compliance with applicable State or Federal regulations.
- (7) Quantities of flow, concentrations or both which constitute a slug as defined herein.
- (8) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processing employed or are amenable only to such degree that the wastewater treatment plant effluent cannot meet the requirements or other agencies having jurisdiction over discharge to the receiving waters; or substances that would result in a violation of the NPDES permit.
- (9) 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.
- (10) Any wastes with objectionable color not removable by the treatment process.
- (11) All testing to identify any of the above mentioned pollutants, waters or wastes shall be in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater".
(Ord. 14-84. Passed 5-23-84.)
- (12) Concealing or tampering with any maintenance fixture, i.e. manhole, cleanout, or similar appurtenances of the sanitary sewer system.
- (13) Modification, repair or replacement of the building service lateral without inspection and/or permission of the authorized representative of the Village of Granville Wastewater Division.
- (14) Modification of the grade surrounding any sanitary manhole or similar device shall require the property owner or builder to bear the cost of adjusting the device to grade.
(Ord. 15-02. Passed 10-16-02.)

921.03 USE AND REQUIREMENTS OF PUBLIC SEWERS.

(a) Prohibition on Unpolluted Water. No person shall discharge or cause to be discharged any (unpolluted) surface water, groundwater, roof runoff, storm water, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. Any existing roof drain connections to sanitary or combined sewers shall be connected into an available storm sewer or shall be disconnected above ground in an appropriate manner approved by the Village. Discharges from roof drains emptying onto the ground surface shall be at least three feet from adjacent property line and shall in no way be directed to flood or otherwise cause damage to adjoining property. The owner of any building situated within the Village is required at his expense to disconnect all existing roof drains from sanitary and combined sewers in accordance with the provisions of this section within 180 days after the date of official notice to do so. Discharge units connecting to a Village sanitary sewer or combination sewer shall be free of all storm water. It is prohibited that any new construction of discharge units shall have any storm water connections of roof drains, footer and foundation tiles or any other connections to a sanitary sewer.

(b) Allowable Discharge of Unpolluted Water. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as acceptable combined sewers or storm sewers or to a natural outlet or approved by the Village and other regulatory agencies.

(c) Wastewater Discharge. Discharge units of waste water shall be connected to a Village sanitary sewer, if one is within 200 feet of any of the lot or property lines of that discharge unit. If a sanitary sewer is not available within 200 feet of the lot or property line, the discharge unit shall be connected to an approvable individual sewage treatment system and discharge into a storm sewer or receiving stream with OEPA approval, or an approvable individual sewage treatment system. In such event, the connection shall be watertight from the discharge unit to the sewer.

(d) Application for Sewer Tap. Application for sewer taps shall be made to the Permit Clerk at the Municipal Office. The capacity fee shall be paid with the submission of the application. An application shall be submitted a minimum of five working days before service is required.

(e) No new connections or alterations to existing connections shall be made to any of the sewer systems of the Village without prior permission of Council or its authorized representative nor shall the Village allow any new connections unless there is sufficient downstream sewer capacity and sufficient treatment capacity. All sewer connections, whether new, repaired or replaced shall be constructed of materials and techniques approvable by the Village. All new connections shall be six inch sanitary sewer pipe or larger if flows require, with the sanitary sewer materials meeting the following standards:

<u>Pipe</u>	<u>Material Spec.</u>	<u>Joint Spec.</u>
ABS (8" and over)	ASTM D 2680	ASTM D 2680
ABS (4" and over)	ASTM D 2661	ASTM D 2661
Asbestos Cement	ASTM C 428	ASTM D 1869
Asbestos Cement	ASTM C 644	ASTM D 1869
Cast Iron	AWWAC 106	AWWA C 111
Clay	ASTM C 700	ASTM C 425
PVC	ASTM C 3034	ASTM D 3212
PVC	ASTM C 3033	ASTM D 3212

(f) A saddle clamp must be used for a main tap-in where no Y-branch is available.

(g) The building sewer shall be installed by a bonded contractor at the property owners expense. Any street excavation required in order to make a tap shall be done in accordance with Chapter 903 on file in the municipal clerk's office. The cost of laying new sewer lines or of extending existing sewer lines shall be assessed against the property benefitted thereby. A general plan of the connection shall be approved by the Village superintendent prior to installation. The sewer installation shall include proper bedding, backfill, testing and cleanouts as required by the Village. The sewer shall not be covered or backfilled until it has been inspected and approved by the Village superintendent. (Ord. 14-84. Passed 5-23-84.)

(h) No extension of a sewer main shall be approved for less than the entire frontage of the application and the necessary length from the existing main to that frontage.

(i) Plans for subdivision shall be drawn by a registered engineer.

(j) All sewer mains shall be installed to plan and profile in accordance with standard specifications of the Division of Utilities and be approved by the Manager on advice of the consulting engineer and the Ohio Environmental Protection Agency.

(k) The Division of Utilities and consulting engineer shall in all cases specify the size and location of the sewer main to be installed as well as the number of manholes or other appurtenances thereto.

(l) The Manager, on the advice of the consulting engineer, may designate any street or way as one requiring a trunk main. Where mains are to be installed to service both trunk and collection requirements, the installation cost shall be divided between the Municipality and the owners of the abutting property, with the owners paying the cost of constructing a main of sufficient size to serve the area and the Municipality paying the remainder.

(m) All sewer mains extended or installed under these rules and regulations, shall upon being connected to the sewer main become the sole property of the Municipality and all maintenance and repair cost and charges shall be assumed by the Division of Utilities. (Ord. 27-90. Passed 1-2-91.)

921.04 SANITARY SEWER SYSTEM CAPACITY CHARGES.

A sanitary sewer system capacity charge shall be made for each new sanitary sewer connection to any property and shall be paid at the time that the application for the connection permit is made for the service. This charge shall be in addition to any other fees or charges made for sanitary sewer connections and shall be paid to the Village.

Upon proper proof of hardship, the Village Manager may arrange for a payment schedule for the foregoing capacity charge. (Ord. 28-92. Passed 9-16-92.)

- (a) Prohibition. No person, firm or corporation shall make a sanitary sewer connection or any part thereof to the sanitary sewer system of the Village, unless he or they have been issued a permit therefor by the Village.
- (b) Rates. The Village Clerk is hereby authorized and directed to make a sanitary sewer system capacity charge whenever an application is made for sanitary sewage collection service from a structure or units whenever such property is or may be serviced by a sanitary sewer connection line connected to a tributary directly or indirectly to any public sanitary sewer built by or under the supervision of the Village.

These charges shall be according to the size of water main tap that supplies water to the structure or units.

(Ord. 11-92. Passed 6-3-92.)

(c) Capacity Charges.

- (1) Sanitary sewer system capacity charges for sanitary sewer service shall be as follows:

<u>Nominal Water Tap Diameter (Inches)</u>	<u>Capacity Charge</u>
3/4	\$ 1,935
1	3,440
1½	7,741
2	13,768
3	30,962
4	55,044
6	123,848
8	220,175

(Ord. 09-99. Passed 2-17-99.)

- (2) Where all or a determined portion of a water service tap is installed for fire protection, no normal use of sanitary sewers is anticipated and therefore, no sanitary sewer system capacity charge shall be levied on that portion used solely for fire protection.
- (3) In the event a water service tap is enlarged, the sanitary sewer system capacity charge difference between the two diameter sizes shall be paid to the Village.
- (4) Any sanitary sewer system capacity charge where the water service tap is larger than those set forth herein shall be the subject of a special action by Council prior to issuance of a connection permit.

- (5) All sanitary sewer system service connections and lines shall be approved by the Village Manager (also see Section 921.03).
- (6) Property owners of record as of the effective date of this subsection (c) hereof, where sanitary sewer lines are either existing or presently under construction as of such effective date and where there is an existing residence or business as of such effective date shall be allowed to be issued a connection permit at the capacity charges in effect immediately preceding the effective date hereof if application for same is made within sixty days of the effective date hereof. Connection permits issued pursuant to this subsection shall be valid for a period of ninety days from the date of issuance or for a period of ninety days after completion of construction, if applicable, whichever is later.
- (7) Except as otherwise provided under this subsection (c)(6) hereof, all connection permits issued pursuant to this section shall be valid for a period of ninety days from the date of issuance.
(Ord. 11-92. Passed 6-3-92.)
- (8) In the event that sanitary sewer usage does not commence within the validity period of any connection permit issued under this section, then an application for a new connection permit must be submitted and an additional sanitary sewer system capacity charge shall be paid, at the time of such application submittal, equal to the greater of:
 - A. The difference between the charges stipulated in subsections (c) (1) through (c)(4) hereof and the amount previously paid, or
 - B. Fifty dollars (\$50.00). (Ord. 28-92. Passed 9-16-92.)
- (9) Sanitary sewer system capacity charges shall be deposited into the Village's Sewer Replacement and Improvement Fund.
(Ord. 11-92. Passed 6-3-92.)

921.05 CONTROLLED AND PROHIBITED WASTES.

(a) Regulatory Actions. If wastewaters containing any substance described in Section 921.02 are discharged or proposed to be discharged into the sewer system of the Village or to any sewer system tributary thereto, the Superintendent or Village Solicitor may take any action necessary to:

- (1) Prohibit the discharge of such wastewater.

- (2) Require a discharge to demonstrate that in plant modifications will control, reduce or eliminate the discharge of such substances in conformity with this chapter. This may include control over the quantities and rates of discharge.
- (3) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.
- (4) Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the Village for handling and treating excess loads imposed on the treatment system.
- (5) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this chapter. All industrial wastes discharged to the public sewers by major contributing industries shall as a minimum meet the national pretreatment standards or best practical control technology currently available for incompatible pollutants as published in the latest Federal Regulations, unless the Village is committed, in its NPDES permit to remove a specified percentage of the incompatible pollutant. In those instances the applicable pretreatment standards may be correspondingly reduced to levels determined by the Engineer, or his duly authorized representative or State regulatory agencies.

Special conditions. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to possible payment therefor by the industrial concern for subsequent treatment. Any industrial concern may appeal to Council and any determination made by the Engineer in the enforcement of this chapter.

After passage of this chapter, each person whose operations entails the discharge of industrial wastes to a public sewer shall prepare and file with the Engineer a written statement setting forth the nature of the operation contemplated or presently carried on, the amount and source of water required for use, the proposed point of discharge of such wastes into the wastewater collection systems of the Village, subject to possible payment therefor by the industrial concern for subsequent treatment, the estimated amount to be so discharged and a fair statement setting forth the expected bacterial, physical, chemical and other known characteristics of such wastes. Within a reasonable time of receipt of such statement, it shall be the duty of the Village to make an order stating such minimum restrictions as in the judgment of the Engineer may be necessary to adequately guard against unlawful uses of the Village's wastewater system.

(b) Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications other pertinent data or information, including installation of facilities and equipment relating to such pretreatment or flow-control facilities shall be

subject to the review and approval of the Superintendent. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the superintendent.

Grease and oil interceptors. For grease, oil and inorganic material such as sand, grit, etc., interceptors shall be provided when in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 921.02(b) or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Superintendent. Any removal and hauling of the collected materials not performed by the owner, personnel must be performed by currently licensed waste disposal firms.

(c) Pretreatment Facilities Operations. If pretreatment of control of waste flows is required, such facilities shall be continuously maintained in good working order and operated as affectively end efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances and laws.

(d) Admission to Property. Whenever it shall be necessary for the purposes of these rules and regulations, the Superintendent, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of:

- (1) Copying any records required to be kept under the provisions of this chapter,
- (2) Inspecting any monitoring equipment or method, and
- (3) Sampling any discharge of wastewater to the treatment works. The Superintendent may enter upon the property at any hour under emergency circumstances.

(e) Protection From Accidental Discharge. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review, and shall be approved by him before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this chapter.

(f) Reporting of Accidental Discharge. If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in this chapter, the facility responsible for such discharge shall immediately notify the Superintendent so that corrective actions may be taken to protect the treatment system. In addition a written report addressed to the Superintendent detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges shall be filed by the responsible industrial facility within five days of the occurrence of the noncomplying discharge.
(Ord. 14-84. Passed 5-23-84.)

921.06 INDUSTRIAL WASTEWATER MONITORING AND REPORTING.

(a) Discharge Reports.

- (1) Every significant industrial user shall file a periodic report at such intervals as are designated by the Superintendent. The Superintendent may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.
- (2) The discharge report shall include, but, in the discretion of the Superintendent shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Superintendent may require information in the form of self-monitoring reports.

(b) Records and Monitoring.

- (1) All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this chapter and any applicable State or Federal pretreatment standards or requirements.
- (2) Such records shall be made available upon request by the Superintendent. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand. A summary of such data indicating the industrial user's compliance with this chapter shall be prepared as requested and submitted to the Superintendent.
- (3) The owner or operator of any premises or facility discharging industrial wastes into the system shall install at his own cost and expense suitable control manholes or access points, and monitoring equipment to facilitate the accurate observation, sampling and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the Superintendent.
- (4) Wastewater volume determination. The volume of flow used for computing industrial waste surcharges shall be the metered water consumption of the person except as herein provided in this paragraph.

If the person discharging industrial wastes into the public sewers procures any part, or all, of this water from sources other than a metered, public water system, all or part of which is discharged into the public sewer the person shall install and maintain at his expense water meters of a type approved by the Engineer for the purpose of determining the volume of water obtained from those other sources. Access to these meters shall be made available to representatives of the Village at any reasonable time. The accuracy of the meters shall be verified at the discharger's expense on a once per two year basis at a minimum or at the request of the Superintendent, by an independent testing company.

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

The Engineer may require the installation of devices for measuring the volume of waste discharged if these volumes cannot otherwise be determined from the metered water consumption records. Any metering device for determining the volume of waste discharged to the public sewer shall be installed, owned and maintained by the person responsible for its discharge. Following approval and installation, such meters may not be removed without the consent of the Engineer.

- (5) The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Superintendent may allow such facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.
- (6) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Superintendent's requirements and all applicable construction standards and specifications.

(c) Inspection, Sampling and Analysis.

- (1) Compliance determination. Compliance determinations with respect to Section 921.02, prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four hour period or over a longer or shorter time span, as determined necessary by the Superintendent to meet the needs of specific circumstances. Sampling and monitoring. Industrial wastes discharged into the public sewers shall be subject to periodic inspection with a determination of character and concentration of the wastes. The determination shall be made as often as may be deemed necessary by the Engineer, but in no case less than two, twenty-four hour composite samples per month. The owner shall be responsible for the collection and testing of the aforementioned samples.

Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling shall be accomplished by the use of automatic sampling equipment capable of collecting composite samples. Access to sampling locations shall be granted to the Engineer or his authorized representative at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the same was taken.

- (2) Analysis of industrial wastewaters. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standard Methods" or the "Methods for Chemical Analysis of Water and Waste" published by the U.S. Environmental Protection Agency. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the State Environmental Protection Agency. However, alternative methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Engineer and the person responsible for its discharge. Determination of the character and concentration of the industrial wastes shall be made by the person responsible for the discharge, or his qualified agent as approved by the Engineer. The results of the analyses, shall be reported to the Village on a monthly basis on forms provided by the Village. The Village shall make its own analyses on the wastes and these determinations shall be binding as a basis for charges except under circumstances in the following paragraph. In case the analyses performed by the industry and the Village result in substantially different values, an effort shall be made by the industry to collect samples at the same time the Village collects its own samples. The results of the analyses on the samples collected by the Village and the industry shall be compared using the same testing procedures as outlined in the latest edition of "Standard Methods" and the differences negotiated. (Ord. 14-84. Passed 5-23-84.)

(d) The sewer service charge system will be audited annually by the Village with the charges being adjusted upwards or downwards in order to assure that the system is and will continue to be self sufficient and that sufficient revenue is being generated from each user class in the proper proportions. No free service shall be provided in this service charge system. Each user will be notified by the Village, at least annually, in conjunction with a regular bill, of the rates for that year and that portion of the service charges which are attributable to the user charge for operation, maintenance and replacement of the system. In addition, rates will be reviewed and adjusted accordingly to compensate users of each class for any overages and underages accumulated during the previous rate period.

The sewer service charge herein assessed shall be in addition to the charge made for water used.

Where a private water supply is used, the sewer service charge may be calculated by requiring the property owner to meter the private water supply, such metering to be at the property owner's expense and such measurement to be used in the same manner as a public water meter in determining the charge. The Village may at its option in lieu of such metering apply a sewer service charge of ten dollars (\$10.00) per month to such premises. Each resident, institution, commercial or industrial establishment shall be subject to a separate sewer user charge even though such establishment may be served by a sewer connection common to other premises. If it be found by the resident that the water or waste measured or metered for any customer is greater than that actually being discharged directly or indirectly into the sewage system, the Village may modify and adjust such volume in accordance with the facts and with justice and equity, but not charge less than the minimum for any customer subject to the sewer charge.

Where a private water supply is used and/or the user desires to meter his water use or sewage flow, the owner shall incur all expenses related to the installation of the meter. Prior to installation of the meter, the type of equipment installed and its location must be approved by the Village. Prior to placing the meter into use after installation, the Village shall inspect and approve the meter installation. Any modifications required by the Village shall be made at the user's expense and prior to the meter's use. The meter shall be located in a suitable location that will accommodate readings by Village personnel. Tampering with the meter by the user to cause inaccurate readings shall make the user subject to the penalty provisions of Section 921.99.

Industrial waste water into the public sewers as determined by this chapter shall be subject to surcharges determined monthly on the basis of the following formula:

P equals (A) x B.O.D. plus (B) x S.S. where A = \$0.253 per lb. BOD/yr.
and B = \$0.253 per lb. SS/yr.

P equals monthly surcharge

BOD equals pounds of biochemical oxygen demand per month in excess of (300) mg/l concentration in the wastewater.

S.S. equals pounds of suspended solids per month in excess of (300) mg/l concentration.

In the foregoing formula A and B refer to the total expenditures per pound of BOD and suspended solids, respectively, to collect, convey and treat the wastewater, which shall be determined annually by the Village. Industrial cost recovery will be established, if an industrial user begins discharging, in accordance with CFR 35.928 or latest revisions thereto, if determined applicable. (Ord. 1-85. Passed 2-20-85.)

921.07 SEWER SERVICE CHARGES.

For the purpose of providing for the cost of the management, maintenance, operation and repair of the sewerage system and sewage pumping, treatment and disposal works, and for the enlargement or replacement of the system and works, and for the construction and reconstruction of main and interceptor sewers and the payment of interest on any debt incurred for the construction thereof, there is hereby levied and assessed upon each lot or parcel of land in the Village on which a building, commercial, industrial, institutional or residential is located, which is connected to the Village sewer system, a sewer service charge as hereinafter provided. All classes of users shall be levied charges on the same basis as described hereinafter.

The sewer service charge shall be calculated on the volume of wastewater discharged directly or indirectly into the sewer system and shall be measured by the water used by each sewer user as shown by water meter readings. The sewer service charge for the Village shall consist of a user charge for operation, maintenance and replacement (OM&R) of three dollars and ninety cents (\$3.90) per thousand gallons. If the total sewage (as measured by water meter readings) discharged in any one month period is less than 1,000 gallons, there shall be a minimum charge of three dollars and ninety cents (\$3.90). Such minimum charge shall be for OM&R in the amount of three dollars and ninety cents (\$3.90).

The sewer service system charge will be audited annually by the Village with the charges being adjusted upwards or downwards in order to assure that the system is and will continue to be self sufficient and that sufficient revenue is being generated from each user class in the proper proportions. No free service shall be provided in this service charge system. Each user will be notified by the Village, at least annually, in conjunction with a regular bill, of the rates for that year and that portion of the service charges which are attributable to the user charge for operation, maintenance and replacement of the system. In addition, rates will be reviewed and adjusted accordingly to compensate users of each class for any overages and underages accumulated during the previous rate period. The sewer service charge herein assessed shall be in addition to the charge made for water used.

Where a private supply is used, the sewer service charge may be calculated by requiring the property owner to meter the private water supply, such metering to be at the property owner's expense and such measurement to be used in the same manner as a public water meter in determining the charge. The Village may, at its option, in lieu of such metering, apply a sewer service charge of fifty dollars (\$50.00) per month to such premises. Each resident, institution, commercial or industrial establishment shall be subject to a separate sewer service charge even though such establishment may be served by a sewer connection common to other premises. If it be found by the citizen that the water or waste measured or metered for any customer is greater than that actually being discharged directly or indirectly into the sewage system, the Village may modify and adjust such volume in accordance with the facts and with justice and equity, but no charge less than the minimum shall be made for any customer subject to the sewer service charge.

Where a private water supply is used and/or the user desires to meter his water use or sewage flow, the owner shall incur all expenses related to the installation of said meter. Prior to installation of the meter, the type of equipment installed and its location must be approved by the Village. Prior to placing said meter into use after installation, the Village shall inspect and approve or disapprove the meter installation. Any modifications required by the Village shall be made at the user's expense and prior to the meter's use. The meter shall be located in a suitable location that will accommodate readings by Village personnel. Tampering with the meter by the user to cause inaccurate readings shall make the user subject to the penalty provisions of Section 921.99.

(Ord. 12-05. Passed 4-6-05.)

921.08 APPLICABILITY OF SEWER RENTAL CHARGE.

Where a sewer is available, it will be presumed that the waste from the premises either will be discharged directly or indirectly into the sewerage system and the property will be subject to the current sewer rental charges.

Where premises are not served directly or indirectly by the sewerage system and should be exempt from the sewer rental charge, it will be the responsibility of the property owner or other interested party to notify the Village of the claim for exemption. All lots, lands, buildings or premises owned by the Village, and within the Village shall be subject to the sewer rental charge as set forth herein.

(Ord. 14-84. Passed 5-23-84.)

921.09 LIEN OF SEWER RENTAL.

The owner of each lot, land or premise connected to the sanitary or combined sewer system in the Village or having such connection available shall, as well as the lessee of such lot, land or premise, be liable to the Village for any charge or rental levied by this chapter. All charges for rentals shall be collected by the Village which shall make and enforce such bylaws, rules and regulations as may be deemed necessary.

(Ord. 14-84. Passed 5-23-84.)

921.10 ENFORCEMENT PROCEDURES.

(a) Notification of Violation. Whenever the Superintendent finds that any person has violated or is violating this chapter or any prohibition, limitation or requirement contained herein, he may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for the satisfactory correction thereof.

(b) Legal Action. Any discharge in violation of the substantive provision of this chapter or an order of the Village shall be considered a public nuisance. If any person discharges sewage, industrial wastes or other wastes into the Village treatment system contrary to the substantive provisions of this chapter or any order of the Village, the Village shall commence an action for appropriate legal and/or equitable relief in the appropriate court of this County.

(Ord. 14-84. Passed 5-23-84.)

921.11 APPEALS.

Any user of the Village wastewater treatment system has the right to appeal any or all sections of this chapter as prescribed by the Ohio Revised Code. General user concerns regarding the requirements of this chapter shall be first presented to the Superintendent, then the Village Manager and then Council for action. If the concerns, are not satisfied to the user's liking, further appeal procedures can be followed per the Ohio Revised Code.

(Ord. 14-84. Passed 5-23-84.)

921.99 PENALTY.

Any person who is found to have violated an order of the Village hearing authority or who willfully or negligently failed to comply with any provision of this chapter and the orders, rules and regulations issued hereunder, shall be fined not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000) for each offense, but in no case shall the costs be less than those costs incurred by the Village for reasonable damages or special expenses including equipment rental, chemicals, labor, etc., necessary for the proper operation and maintenance of all wastewater facilities. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Village may recover reasonable attorneys' fees, court costs, court reporters' fees and any other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules and regulations issued hereunder.
(Ord. 14-84. Passed 5-23-84.)

CHAPTER 925
Water Regulations and Charges

925.01	Water supply, ownership and control.	925.12	Prohibition.
925.02	Tampering with water system.	925.13	Water system capacity charges.
925.03	Water main classification.	925.14	Service charges outside municipality.
925.04	Water main extensions.	925.15	Repair charge.
925.05	General rules for extensions.	925.16	Turn-off after violation of rules.
925.06	Permits.	925.17	General rules for charges and payments.
925.07	Services.	925.18	Rates for residential and business consumers.
925.08	Metering.	925.19	Rates for users outside the municipal limits.
925.09	Fire protection service and fire hydrants.	925.20	Bulk water charges.
925.10	Meter reading and billing.	925.99	Penalty.
925.11	Water system capacity charges.		

CROSS REFERENCES

Water pollution control - see Ohio R.C. Ch. 6111

Power to provide and regulate water system - see Ohio R.C. 715.08, 717.01, 743.01

Tampering with hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22; GEN. OFF. 541.08

925.01 WATER SUPPLY, OWNERSHIP AND CONTROL

(a) The public water supply system of the Municipality, including all wells, pumping and treatment equipment, storage tanks, water mains, laterals, valves, fire hydrants, meters and services, is under the control of the Manager and his duly authorized agents or employees. Such control shall include all piping from the municipal mains to the point of ultimate consumption or to where the municipal water is finally discharged freely at atmospheric pressure.

(b) No person, firm or corporation shall make or maintain a physical connection between the public water supply and any other sources of water or other liquid. No spigot or outlet shall be physically connected to a sewer or drain nor shall such spigot or outlet be below a free overflow or submerged. If such a connection is made it shall be considered as a cross connection and if not removed, it shall be just reason for discontinuing service.

(c) The Division of Water does not guarantee consumers full volume, fixed pressure or an effective continuous supply of water, such matters being subject to the varying conditions which may affect the operation and maintenance of the mains, services, pumping stations, reservoirs and other parts of the water works system. Those consumers using steam boilers or other facilities which require a constant or uninterrupted supply and take water directly from the mains, are advised to have a tank of sufficient size to hold an ample supply for emergency needs. No claim shall be considered for damages of any nature alleged to have arisen from changes in pressure, volume or any other fluctuations or interruption of water service. The Division of Water, however, in case of accident or necessity which requires the cutting off of the supply, endeavors to notify its customers in advance.
(Ord. 4-84. Passed 3-21-84.)

925.02 TAMPERING WITH WATER SYSTEM.

(a) No person shall tamper with or remove any meter seal or insert a meter bypass without the permission of the Manager or his authorized agents.

(b) If the Division of Water finds that a meter seal has been broken or any bypass inserted or there is evidence that the meter has been tampered with, the water shall be shut off and shall not be turned on again until the consumer or owner of the premises pay for the estimated quantity of water which has been used and not registered and in addition thereto, a fee of ten dollars (\$10.00) is paid for turning on the water.

(c) The penalties herein are in addition to the penalties provided by the criminal laws of Granville and the State and making payment herein shall not in any way relieve any person from criminal prosecution.

(d) No person shall operate, open or otherwise tamper with any valve, stopcock, curbstop or other device, after the same has been closed for violation of any rule or regulation of the Division of Water, or unlawfully secure a supply of water through such valve, stopcock, curbstop or other device after the same has been closed for the violation of any rule or regulation of the Division of Water or in any way take water for private use unlawfully or without first having secured the necessary permit from the authorized representative of the Division of Water.

(e) No person shall put filth, animal matter, drugs, chips, shavings or any other substance into any municipal reservoir or bathe or swim therein.
(Ord. 4-84. Passed 3-21-84.)

925.03 WATER MAIN CLASSIFICATION.

(a) Any water main or main extension intended primarily to serve properties or premises abutting the street, road or way in which it is laid shall be known as a distribution main.

(b) Any water main not less than eight inches in diameter intended primarily to carry water for the supply of distribution mains shall be known as a trunk main.

(c) A pipe tapped into a water main for the purpose of serving private premises shall be known as a service branch. Installation of service branches shall be in accordance with Section 925.06.
(Ord. 4-84. Passed 3-21-84.)

925.04 WATER MAIN EXTENSIONS.

Except as specifically provided by ordinance of Council, all construction of water main extensions and water service branches in streets and ways not already supplied with water shall be in accordance with one of the plans set forth herein:

- (a) Plan No. 1: Payment of Entire Cost in Advance. Any one or more property owners may request the Manager to determine the feasibility and the estimated cost of the construction of a proposed water extension to serve their premises. If the Manager and Council approve the proposed extension and determine the estimated construction cost, such property owners may deposit with the Municipality a sum equal to such estimated cost and the Manager shall thereupon proceed with the construction. Any surplus in the deposit over and above the construction cost shall be refunded to the owner or their agent. Should the construction cost exceed the deposit amount the owner or owners shall pay this excess amount and no water service shall be rendered from the extension until the cost is paid in full.
- (b) Plan No. 2: Construction by Owner. In undedicated streets and in new subdivisions, the Water Division may permit or require the owner or owners to arrange for the laying of water main extensions by private contract, the work to be under the supervision of the Water Division. In any such case the Water Division shall require a deposit in the sum of three percent (3%) of the total estimated cost as a guarantee against defective workmanship or materials. Such deposit, less any sums expended by the Department for repair or replacement of defective work or materials, shall be refunded one year after the water main extension has been placed in service. No other refund or payment shall be made. Materials and plans used for water main extension under Plan 2 must be approved by the Division of Water.
- (c) Plan No. 3: Assessment in Accordance with Ohio Revised Code. The owners of property to be served by a proposed water main extension may petition for, or Council may authorize the construction of such extension and the assessment of the cost thereof in accordance with the provisions of the Ohio Revised Code.
- (d) Plan No. 4: Construction Authorized by the Municipal Division. If in the opinion of the Water Division Superintendent and the Manager it is necessary to extend a water main through an area not suitable for immediate development or an area the ownership of which is such as to make Plans 1, 2 and 3 undesirable, Council may then authorize construction of such main and charge a front foot rate for tapping the same in addition to the regular service branch charge, as provided in this chapter. The front foot rate shall be the same for all premises involved and shall be sufficient to ultimately return the entire cost to the Municipality except that in the case of a trunk main, the front foot rate shall only return to the Municipality such an amount as would have constructed a main of sufficient size to serve the area with water and with fire protection. The installation of a service branch to serve each lot with water shall be required under any of the above water main extension plans.
(Ord. 4-84. Passed 3-21-84.)

925.05 GENERAL RULES FOR EXTENSIONS.

(a) No extension of a water main shall be approved for less than the entire frontage of the application and the necessary length from the existing main to that frontage.

(b) Plans for subdivision shall be drawn by a registered engineer and must include complete circulation within the area and between the area and the existing system.

(c) All water mains shall be installed to plan and profile in accordance with standard specifications of the Division of Water and be approved by the Manager on advice of the consulting engineer and the Ohio Environmental Protection Agency.

(d) The Division of Water and consulting engineer shall in all cases specify the size and location of the water main to be installed as well as the number and location of valves, fire hydrants or other appurtenances thereto.

(e) The Manager, on the advice of the consulting Engineer, may designate any street or way as one requiring a trunk main. Where mains are to be installed to serve both trunk and distribution requirements, the installation cost shall be divided between the Municipality and the owners of the abutting property, with the owners paying the cost of constructing a line of sufficient size to serve the area with water and fire protection (a minimum of eight inches) and the Municipality paying the remainder.

(f) All water mains extended or installed under these rules and regulations, shall upon being supplied with water become the sole property of the Municipality and all maintenance and repair costs and charges shall be assumed by the Division of Water.
(Ord. 4-84. Passed 3-21-84.)

925.06 PERMITS.

(a) Any property owner, firm, corporation or contractor desiring a service branch to the municipal water mains shall make application in person or by agent at the municipal office for such connection and sign a contract for water and sewer service, if sewers are available. Total charges for such permit, as determined from capacity fees shall be paid at the time of application. The application for a permit shall be reviewed by the Manager and Director of Utilities. Notification of approval or disapproval shall be given within three days after receipt of the application.

(b) A permit for a water service branch to serve a property or premises shall be issued only after a County Health Department plumbing permit has been issued.

(c) Contractors and tradesmen for building construction shall pay a monthly flat rate water charge of twenty-five dollars (\$25.00) per month or fraction of month for each unit of residential construction. Such charge shall begin on the date that water is first turned on at the building site and shall continue until the Division of Water is notified that the final plumbing inspection has been made by the County Health Department and the premises are ready for water meter installation.

(d) No permit shall be issued for a service branch to serve any premises unless such premises abuts on a street or road in which an adequate size main has been installed across the entire frontage to be served. A permit for a service branch may be refused if, in the judgment of the Water Division Superintendent and the Manager, the wafer main is of insufficient size to supply the additional water demand and maintain satisfactory service to established consumers.

(e) No person shall make any extensions or alterations for water service into any premises until he first obtains a written permit from the Manager's office for each separate job. (Ord. 4-84. Passed 3-21-84.)

925.07 SERVICES.

(a) The existence of a service branch to private property shall bind the owner thereof to comply with the water rules and regulations of the Municipality and shall be evidence of his guarantee of all water rents and assessments even though a tenant occupies the property.

(b) The service branch from the main to the property line curbstoep shall be installed by a bonded contractor at the property owners expense. The contractor shall furnish all supervision, labor, equipment, tools, pipe fittings, paving materials and any miscellaneous items necessary to complete the tapping of the main and installation of the service branch up to and including the curb stop and box which shall be located as near the property line as practicable. All work is to be performed in the presence of a Water Division inspector.

(c) The service branch from the water main to the point of connection with the building, plumbing shall be installed by the property owner or his agent and insofar as possible shall be in a straight line. A service branch may be of type K soft copper tubing pipe for sizes three-quarter inch up to and including two inches. Sizes four inches and over shall require approval of the Water Superintendent and the Manager.

(d) All single living unit dwellings for which municipal water service is required shall be individually provided with water through a service branch equipped with a shut-off valve and meter according to Division of Water standards. There shall be but one such dwelling or building on a service branch and each service branch shall be metered. The service branch to each such dwelling or building shall have a separate and distinct curbstoep located outside the premises, opposite the premises and on a public right-of-way. (Ord. 4-84. Passed 3-21-84.)

- (e)
 - (1) When multi-family or multi-unit structures are to be constructed and individual metering is requested, each unit shall have a separate tap into the water main, water meter, and curb valve. The water capacity fee shall be paid to the Village based upon the size of water tap serving each unit. Easements must be provided as required by the Division of Water.
 - (2) When multi-family or multi-unit structures are to be constructed and one central meter is requested to serve those units or structures, and a single tap will be required, the curb valve and meter are to be installed as close as is possible to the water main tap serving the premises. The water capacity fee shall be paid to the Village based upon the size of the water main tap serving the premises. Easements must be provided as required by the Division of Water. Proper tap size and number of units/ structures to be served shall be approved by the Division of Water. (Ord. 8-86. Passed 6-4-86.)
- (f) The Division of Water shall determine the size of water service line required to provide adequate service to all living units.
- (g) Whenever a break or leak occurs in a service branch between the main and the curb box the Division of Water shall repair this at its own expense as soon as possible, but if such break or leak occurs back of the curb box at any place upon the premises supplied, the property owner shall have the break or leak repaired at his own expense. Failure to make repairs may result in wafer being turned off with the property owner being charged for the estimated quantity of water wasted.

(h) Any person, firm or corporation or water user may discontinue water service by proper notice to the municipal office and be relieved of their responsibility when the water is turned off at the curb box and the account cleared on the records of the Municipality.

(i) Any property owner or his duly authorized agent desiring water service from an existing service branch must sign for such service at the municipal office before such service shall be provided. Water service shall be refused an applicant or premises owing for previous service or assessments. (Ord. 4-84. Passed 3-21-84.)

(j) Backflow prevention and cross-connection control is hereby adopted by the Village for the purpose of preventing backflow and providing cross-connection control in the public water system, Rules 3745-95-01 through 3745-95-08 of the Ohio Environmental Protection Agency Rules and Regulations for Public Water Systems, as were effective November 26, 1980, except that "Director" as defined in Rule 3745-95-01(W) means the Director of Utilities of the Village or his duly authorized representative and further provided that "public water system" as defined in Rule 3745-95-01(T) means the Village's public water system. (Ord. 8-93. Passed 4-21-93.)

(k) Implementation of dual checks meeting ASSE 1024 Standards with expansion tank on residential dwellings will be required on all new replacement water service lines and new water services applied for after November 1, 1994.

Implementation of dual checks meeting ASSE 1024 Standards with expansion tank on residential dwellings will be required wherever a cross connection is found to exist, and wherever there is a second source of water to a facility.
(Ord. 27-94. Passed 9-21-94.)

925.08 METERING.

(a) The appropriate size water meter to supply the anticipated water demand shall be furnished and installed by the Division of Water in accordance with standard meter setting specification, a copy of which shall be furnished with each service branch permit. A new meter with generator and remote register shall be installed by the Division of Water the cost of which is to be paid by the property owner (cost of the meter, fitting, etc., plus twenty percent (20%)).

(b) Water meters may be installed either inside the building or residence or in an approved type pit on the outside of the building. The Division of Water shall specify the meter location.

(c) Each meter on 5/8 inch by 3/4 inch size or greater shall be provided with a gate valve on the inlet side and a gate valve on the outlet side. Such shut-offs shall be readily accessible. (Ord. 4-84. Passed 3-21-84.)

(d) Inspectors, meter readers and employees of the Water Division, whose duty it may be to enter upon private premises to examine meters, pipes or other fixtures used in connection with the municipal water supply, shall be equipped with a proper badge or such other credentials as the Manager may deem necessary to identify them as agents of the Water Division. Such inspectors, meter readers or employees authorized by the Water Division must have free access at all reasonable hours to all parts of the building for the purposes of inspecting meters, examining fixtures and observing the manner in which the water is used. In case any authorized inspector, meter reader or employee is refused admittance to any premises or shall be hindered or prevented from making such examination, the water shall be turned off and not turned on again until free access is given and the fee of twenty-five dollars (\$25.00) is paid as determined by Section 925.02(b). (Ord. 03-01. Passed 3-7-01.)

(e) The Water Division shall on its initiative undertake to test and correct any meter, which in its judgment is registering incorrectly, without the consent of the property owner. The Water Division shall not be responsible for breakage of pipes or valves occurring during removal or installation of a meter where such breakage is due to old or faulty plumbing.

(f) Upon request from an owner or consumer and agreement to pay for test charges, the Water Division shall remove any meter to the meter shop for test, upon payment of fifteen dollars (\$15.00) for a ½ inch by ¾ inch and 5/8 inch by ¾ inch meter and for all other sizes the actual cost plus twenty percent (20%). If, upon examination and test, it is found that the meter registers over the tolerance limits of the following percentages of water through it, viz two percent (2%) over on disc meters size ½ inch to 2 inches on flows from one to twenty gallons per minute, five percent over on all other types and sizes of meters on flows from low to high rating, then it shall be considered inaccurate and the most recent water charges shall be adjusted upon basis of that test and no charge shall be made for testing, removing and installation.

(g) Meters damaged by abuse, misuse, accident or any act of carelessness shall be repaired by the Division of Utilities at the expense of the owner. Meters damaged beyond repair shall be replaced at the expense of the property owner by the Division of Utilities. (Ord. 4-84. Passed 3-21-84.)

925.09 FIRE PROTECTION SERVICE AND FIRE HYDRANTS.

(a) Applicants for connections with the municipal mains for the purpose of obtaining a supply of water for a sprinkler system must first furnish plans and specifications of the same to the Water Division for approval. Plans and specifications shall include a detector check or equal instrument. Plans or blueprints showing the fire system as completed, with all measurements, outlets, etc., must be filed with the Water Division office before water shall be allowed to supply the system. Pipes intended for fire protection must not be tapped or used for the general supply of any building, structure or premises.

(b) No persons except an authorized agent of the Division of Water or the Fire Department shall take any water from fire hydrants under any circumstances. In case any damage is done to a fire hydrant by any person he shall, upon demand of the Division of Water, pay such damages and all costs and expenses incurred by reason thereof. Procedure and rules for water taken from the fire hydrants for any reason except fire fighting shall be established by the Manager.

(c) In case of fire the Fire Department shall have the right to use water from any hydrant, hose, pipe or other fixture wholly or in part for fire protection. (Ord. 4-84. Passed 3-21-84.)

925.10 METER READING AND BILLING.

(a) For the purpose of accounting and billing the Municipality shall be divided into five districts with each district being billed monthly. The accounts shall be lettered by district and shall be numbered within the district.

(b) Meters shall be read semi-monthly and as near the same date as possible. If the meter reader is unable to gain access to the premises or meter, or if the meter is out of order, an estimated charge shall be made from previous readings or similar services of the same water use. Water service shall be discontinued if the property owner fails to provide access for the Division of Water to the premises or water meter for the Division of Water to the premises or water meter for a prolonged period of time as specified in Section 925.08(d).

(c) Industrial accounts, factories or other large consumers shall have their meters read monthly, and be billed accordingly unless a written request is made to the Division of Water requesting quarterly meter reading and billing. (Ord. 4-84. Passed 3-21-84.)

925.11 WATER SYSTEM CAPACITY CHARGES.

A water system capacity charge shall be made for each new service branch to any property and shall be paid at the time that the application for the connection permit is made for the service. This charge shall be in addition to any other fees or charges made for water connections and shall be payable to the Village.
(Ord. 29-92. Passed 9-16-92.)

925.12 PROHIBITION.

No person, firm or corporation shall install a service branch, or any part thereof, to the water system of the Village unless he or they have been issued a permit therefor by the Village. (Ord. 4-84. Passed 3-21-84.)

925.13 WATER SYSTEM CAPACITY CHARGES.

(a) A water system capacity charge shall be paid to the Village whenever an application for a connection permit is made for a water service tap to be connected to a water line which is part of or will become a part of the Village's water system, or which is built by or under the direction and/or supervision of the Village. No water service tap shall be connected to such water lines without a connection permit first being issued by the Village.

Upon proper proof of hardship, the Village Manager may arrange for a payment schedule for the foregoing capacity charge.
(Ord. 29-92. Passed 9-16-92.)

(b) Capacity Charges:

(1) Capacity charges for normal water service shall be as follows:

<u>Nominal Tap Diameter (inches)</u>	<u>Capacity Charge</u>
3/4	\$ 2,136
1	3,797
1-1/2	8,543
2	15,196
3	34,174
4	60,753
6	136,695
8	243,013

(2) Capacity charges for standby water service, where connection permits are granted solely for fire protection, shall be as follows:

<u>Nominal Tap Diameter (inches)</u>	<u>Capacity Charge</u>
2	\$ 550
3	1,250
4	2,200
6	5,000

(Ord. 08-99. Passed 2-17-99.)

(3) Capacity charges where a connection permit is granted for a combination of normal and fire protection service shall be the sum of the capacity charge in subsection (b)(1) hereof for the tap size required for normal service plus the capacity charge in subsection (b)(2) hereof for the actual tap size installed.

- (4) In the event a water service tap is enlarged, the capacity charge difference between the two diameter sizes shall be paid to the Village.
- (5) Any water service tap larger than those set forth herein shall be the subject of a special action by Council prior to issuance of a connection permit.
- (6) Water service taps shall not be smaller than the water service line connecting the tap to the property or facility serviced.
- (7) Property owners of record as of the effective date of this subsection (b) where water lines are either existing or presently under construction as of the effective date and where there is an existing residence or business as of the effective date shall be allowed to be issued a connection permit at the capacity charges in effect immediately preceding the effective date hereof if application for same is made within sixty days of the effective date hereof. Connection permits issued pursuant to this subsection shall be valid for a period of ninety days from the date of issuance or for a period of ninety days after completion of construction, if applicable, whichever is later.
- (8) Except as otherwise provided under subsection (b)(7) hereof, all connection permits issued pursuant to this section shall be valid for a period of ninety days from the date of issuance.
(Ord. 10-92. Passed 6-3-92.)
- (9) In the event that water usage does not commence within the validity period of any connection permit issued under this section, then an application for a new connection permit must be submitted and an additional water system capacity charge shall be paid, at the time of such application submittal, equal to the greater of:
 - A. The difference between the charges stipulated in subsections (b)(1) through (b)(5) hereof and the amount previously paid, or
 - B. Fifty dollars (\$50.00). (Ord. 29-92. Passed 9-16-92.)
- (10) Water system capacity charges shall be deposited into the Village's Water Capital Improvement Fund.
(Ord. 10-92. Passed 6-3-92.)

925.14 SERVICE CHARGES OUTSIDE MUNICIPALITY.

(a) The rates for water service to consumers located outside the municipal limits shall be in accordance with Section 925.19. The location of water use shall control and not the location of the main.

(b) The provisions of Ohio R.C. 743.14, "Supervision of Territory Having Water Service Outside Municipal Corporations," shall apply to this chapter. Any firm, person, corporation or premises, either presently connected or desiring to be connected with the City water supply shall comply with the requirements and provisions of all pertinent municipal ordinances and departmental rules and regulations. (Ord. 4-84. Passed 3-21-84.)

925.15 REPAIR CHARGE.

For each trip requested in turning off service for repairs or on after repairs there shall be a charge of six dollars (\$6.00). (Ord. 4-84. Passed 3-21-84.)

925.16 TURN-OFF AFTER VIOLATION OF RULES.

When water is shut off for nonpayment or other violation of rules and regulations, it shall not be turned on again unless the amount of charge, including all back charges, is paid in full, plus the turn on fee provided in Section 925.02(b). (Ord. 4-84. Passed 3-21-84.)

925.17 GENERAL RULES FOR CHARGES AND PAYMENTS.

(a) All unpaid water rents and sewer charges shall become due and payable on the fifteenth day of each month (excepting if the fifteenth happens to fall on a weekend or City-recognized holiday, then the next work day) following receipt of the bill. After the due date, a ten percent (10%) late fee shall be assessed against any unpaid water and sewer charge(s). Accounts not cleared by thirty days from the date of issue shall be considered as being delinquent and water service shall be discontinued at any time thereafter. (Ord. 14-05. Passed 4-6-05.)

(b) The Division of Water shall endeavor to give proper notice of water and/or waste water charges but by law cannot guarantee delivery of mail. Failure to receive notice by mail shall not excuse customers from prompt payment of bills.

(c) It shall be the established policy of the Division of Water to accept only total and complete payments for charges billed.

(d) It shall be the responsibility of owners of property to maintain their piping and plumbing fixtures in good condition and no adjustments shall be made for leaks that register on water meters.

(e) Payment of all charges for water used through a meter and for waste water shall be the responsibility of the owner of the property upon which the meter is located. Bills may be rendered to the owner or to any other person properly in possession of the property. A change in ownership of property shall not relieve any new owner from liability for unpaid charges, some or all of which may be for water and/ or waste water services supplied prior to his commencement of ownership. All unpaid accounts for water and/or waste water charges shall become a lien against the property served. (Ord. 4-84. Passed 3-21-84.)

925.18 RATES FOR RESIDENTIAL AND BUSINESS CONSUMERS.

The prices to be charged for water furnished by the Water Division to residential and business consumers situated in the Municipality are hereby fixed as follows:

- (a) If the total water used in any one month period is 1,000 gallons or less, there shall be a charge of three dollars and forty cents (\$3.40).
- (b) If the total water used in any one month period is more than 1,000 gallons, the charge for all water used shall be at the rate of three dollars and forty cents (\$3.40) per 1,000 gallons or for any fractional part thereof.
- (c) All utility accounts will be charged at least a minimum monthly utility bill unless the water service has a final reading or is shut off at the curb stop by the Granville Utilities Department. (Ord. 13-05. Passed 4-6-05.)

925.19 RATES FOR USERS OUTSIDE THE MUNICIPAL LIMITS.

The price to be charged for water furnished by the Water Division to consumers situated outside the Municipality on all water used, billed on or after October 1, 1985, is hereby fixed at two times the rate charged to consumers situated in the Municipality. (Ord. 16-85. Passed 8-21-85.)

925.20 BULK WATER CHARGES.

(a) Purpose. This section establishes rates to be charged for bulk water supplied on special requests for water to nonsubscribers for filling swimming pools, or other uses not requiring regular tapping and regular service whether inside or outside of the Municipality.

(b) Application and Approval.

- (1) Request shall be made to the Superintendent of the Water Division and shall indicate the anticipated amount of water that is desired and the time or times it will be required.
- (2) Permission to purchase water shall rest with the Water Division Superintendent. If in his opinion the amount of water required cannot be supplied without jeopardizing service to regular subscribers, the request shall be denied.
- (3) In the event a request for bulk water is approved, the manner and time that water is supplied shall be controlled by the Water Division Superintendent who shall assure that such water is supplied at a time and place that it will cause the least draw on the municipal water supply. He shall supervise the sale to insure that proper computation of water use is effected.

(Ord. 4-84. Passed 3-21-84.)

(c) Charges. A charge of ten dollars (\$10.00) per 1,000 gallons of water shall be made.

The Water Division Superintendent shall transmit the necessary billing information to the administrative and fiscal office at the completion of the sale and all purchases shall be billed promptly for such purchase. (Ord. 29-99. Passed 8-18-99.)

925.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which an offense occurs or continues. (Ord. 4-84. Passed 3-21-84.)