

ORDINANCE NO. 213

AN ORDINANCE PROVIDING FOR THE RULES, REGULATIONS AND CONDITIONS OF SERVICE OF THE Village of Spencer, Medina COUNTY, OHIO, MUNICIPAL SANITARY SEWER SYSTEM, AND TO DECLARE AN EMERGENCY.

WHEREAS, Village of Spencer, Medina County, Ohio, hereinafter called municipality, has undertaken to construct a municipal sanitary sewer system; and

WHEREAS, the municipality is financing the acquisition of the sanitary sewer system pursuant to ~~Ohio~~ F.H.A. requirements and will ~~not~~ adopt a schedule of rates and charges by Ordinance ~~Not~~ in accordance with F.H.A. requirements

NOW, THEREFORE, be it ordained by the ~~town~~ council of Village of Spencer, Medina County, Ohio, as follows:

SECTION I DEFINITIONS

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

A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

B. "Superintendent" shall mean the Superintendent of the Municipal Sewage Works of the Village of Spencer, Ohio or his authorized deputy, agent or representative.

C. "Inspector" shall mean any person or persons duly authorized by the Village of Spencer to inspect and approve the installation of building sewers and their connection to the public sewer system.

D. "Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

E. "Sewer" shall mean a pipe or conduit for carrying sewage.

F. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

G. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

H. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

I. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

J. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

K. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

L. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

M. "Shall" is mandatory; "May" is permissive.

SECTION II USE OF PUBLIC SEWERS REQUIRED

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Village of Spencer, Ohio, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.

B. It shall be unlawful to discharge to any natural outlet within said Village, or in any area under the jurisdiction of said Village, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage.

D. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes situated within the Village and abutting any street, alley or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within Ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

E. The municipality shall install and maintain at its expense that portion of the service from the main to the lot or easement line, and the customer shall install and maintain at its expense that portion of the service from said lot or easement line to his premises. The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the municipality, but in no event shall the diameter be less than four (4) inches. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor.

SECTION III PUBLIC SEWAGE DISPOSAL

A. Where a public sanitary or combined sewer is not available under the provisions of Section II-D, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the local board of health.

B. At such times as a public sewer becomes available to a property served by a sewage disposal system as provided in Section II-D, a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned.

C. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.

D. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Medina County Health Office.

SECTION IV BUILDING SEWERS AND CONNECTIONS

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Spencer Bd. of Public Affairs. Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed into the Village of Spencer and deposited with the Bd. of Public Affairs a corporate surety in the sum of \$1,000.00 conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority or any ordinances of the Village of Spencer pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the Village of Spencer and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this

G. All joints and connections shall be made gas tight and water tight. Vitrified clay sewer pipe shall be fitted with factory made Resilient Compression Joints meeting the A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties" (Designation C425). Concrete sewer pipe joints shall be of the rubber ring, flexible compression type, similar and equal to joint specified for vitrified clay pipe.

Before joining the pipe in the trench, the bell and spigot surfaces shall be wiped free of dirt or other foreign matter. A lubricant or sealer as recommended by the pipe manufacturer shall be applied to the bell and spigot mating surfaces just before they are joined together. The spigot end shall be positioned into the bell end of the pipe previously laid and shall then be shoved home to compress the joint and to assure a tight fit between the interfaces. Joint for cast iron soil pipe shall be made by inserting a roll of hemp or jute and thoroughly caulking it into place and then following with pure molten lead well caulked, not less than one inch deep. No paint, varnish or putty will be allowed in the joints until they have been tested and approved. Joints for cast iron soil pipe may also be of an acceptable compression type.

Asbestos-Cement pipe joints shall be made with sleeves and rubber sealing rings. Plastic P.V.C. pipe joints shall be made with sleeves and/or rubber sealing rings.

H. The size and slope of the building sewers shall be subject to the approval of the said Inspector, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth (1/8) inch per foot. A slope of one-fourth (1/4) inch per foot shall be used wherever practical.

I. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with A.S.T.M. Specification (Designation C12) except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.

J. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water operated sewage ejector shall be used.

K. The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for that property, if such branch is available at a suitable location. Any connection not made at the designated "Y" branch in the main sewer, shall be made only as directed by the said Inspector.

D. The admission into the public sewers of any waters or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the Superintendent, who may prescribe limits on the strength and character of these waters or wastes. Where necessary, in the opinion of the Superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to treat these wastes prior to discharge to the public sewer. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the said Superintendent and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

E. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observation sampling and measurement of the wastes. All measurements, tests, and analyses of the characteristics of waters and wastes shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

F. Grease, oil, and sand interceptors shall be provided when, in the opinion of the said Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

SECTION VI PROTECTION FROM DAMAGE

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION VII POWERS AND AUTHORITY OF INSPECTORS

The Superintendent, inspector, and other duly authorized employees of the Village of Spencer bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this Ordinance.

H. Any person violating any of the provisions of this ordinance shall become liable to the Village of Spencer for any expense, loss or damage occasioned the Village of Spencer by reason of such violation.

SECTION IX VALIDITY

All ordinance or parts of ordinance in conflict herewith are hereby repealed.

SECTION X ORDINANCE IN FORCE - EMERGENCY

A. This ordinance to be in full force and effect from and after its passage, approval and publication according to the law of the State of Ohio.

B. Special terms and conditions may be made where sewer service is used by the municipality or community for public purposes such as public parks, etc.

C. These rules may be changed or amended.

D. This Ordinance is declared to be an emergency measure, necessary for the immediate preservation of the public health.*

Passed and adopted by the Council of Village of Spencer, Ohio,

on February 13, 1969

_____ , and approved by me

on February 13, 1969

Walter A. Ziegler
Walter A. Ziegler

Acting President of Council
~~Mayor of~~ Village of Spencer

(SEAL)

ATTEST:

Myford L. Taylor
Clerk

*safety and welfare of the Village and for the further reason it is necessary so as to immediately proceed with steps to finance the construction of said system.