

Belle Center
Ordinances & Resolutions
1997-2003

ORDINANCE 2003-10

AN ORDINANCE SETTING THE FEES FOR SEWER HOOKUPS IN THE VILLAGE OF BELLE CENTER AND DECLARING AN EMERGENCY IN SAID Village Of Belle Center

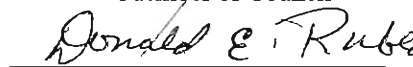
BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, all of the members thereto concurring.

- Section I: That the fee for future hookups will be as follows:
- Section II: If a tap in exists, the hookup fee will be \$ 4,625.00 plus the tap in fee. If there is no tap in , the hookup fee will be \$ 2,682.80 plus the tap in fee and the owner will have to arrange and pay for the tap into the sewer system including the purchase of the grinder pump. The work must be done by a certified contractor. The specifications will be provided by the Village who will then maintain the grinder pump.
- Section III: Any resident who paid the original assessment of \$ 2,682.80 is exempt from these fees.
- Section IV; That this Ordinance is hereby declared to be an emergency measure, made necessary to preserve the financial fiscal responsibility of the Village of Belle Center and shall be in full force and effect immediately upon its passage and signature by the Mayor.

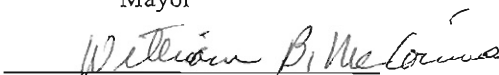
Passed: _____


Member of Council

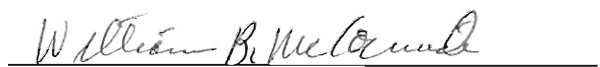
Approved: _____


Mayor

Attest: _____


Fiscal Officer

I, William B. Mc Cormick , Fiscal Officer of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance Number 2003-05 Passed by Council of said Village on the 29th day of December, 2003.


William B. Mc Cormick, Fiscal Officer

ORDINANCE NO. 2003-09

AN ORDINANCE GRANTING A CABLE TELEVISION FRANCHISE TO TWFANCH-TWO CO., d/b/a TIME WARNER CABLE, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE VILLAGE OF BELLE CENTER; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; AND PROVIDING FOR REGULATION AND USE OF THE SYSTEM.

WHEREAS, the public interest will be served by the granting of a non-exclusive franchise to TWFANCH-TWO CO., d/b/a TIME WARNER CABLE to erect, install, construct, reconstruct, maintain, operate, dismantle, test, repair, replace, retain, and use a Cable Television System in, upon, along, across, above, over, under or in any manner connected with the streets, lanes, avenues, sidewalks, alleys, bridges, and highways, and other public places in the Village of Belle Center as the same now or in the future may exist, for the purpose of transmission and distribution of Cable Services servicing the inhabitants of said Village, and other purposes, for a period of fifteen (15) years, and regulating same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BELLE CENTER:

SECTION I
SHORT TITLE

This ordinance shall be known and cited as the "Time Warner Cable Television Franchise Ordinance". Within this document it shall also be referred to as "this Franchise" or "the Franchise".

SECTION II
DEFINITIONS

For purposes of this Franchise, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

- A) "Basic Service" means that service tier which includes the retransmission of local television broadcast signals.
- B) "Cable Television System" or "System" means a facility consisting of a set of closed transmission paths associated signal generation, reception, and control equipment that is designed to provide Cable Services and which is provided to multiple subscribers within the Village. Such term does not include:
 - 1) A facility that serves only to retransmit the television signals of one (1) or more television broadcast stations;

- 2) A facility that serves subscribers without using any public right-of-way;
 - 3) A facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Communications Act of 1934, as amended, except that such facility shall be considered a cable system to the extent such facility is used in the retransmission of video programming directly to subscribers unless the extent of such use is solely to provide interactive on-demand services;
 - 4) An open video system that complies with section 653 of the Communications Act of 1934 as amended; or
 - 5) Any facilities of any electric utility used solely for operating its electric utility systems.
- C) "Cable Service" means (1) the one-way transmission to subscribers of video programming (i.e., programming provided by, or generally comparable to programming provided by, a television broadcast station) and other programming; and (2) subscriber interaction, if any, which is required for the selection or use of such video programming.
- D) "Village" shall mean the Village of Belle Center, and any area annexed thereto from time to time. For purposes of this Agreement, any annexation shall become effective within sixty (60) days of the Village's written notification to Grantee of the annexation including a complete and accurate listing of the affected addresses.
- E) "FCC" means the Federal Communications commissions or any successor thereto, having jurisdiction over cable television.
- F) "Force Majeure" means a strike, acts of God, acts of public enemies, orders of any kind of a government of the United States of America or of the State or any of their departments, agencies, political subdivisions; riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, tornadoes, volcanic activity, storms, floods, washouts, droughts, civil disturbances, explosions, labor unrest, shortage of materials or supplies, partial or entire failure of utilities or any other cause or event not reasonably within the control of the disabled party.
- G) "Grantee" means TWFANCH-TWO CO., d/b/a TIME WARNER CABLE, its agents, lawful successors, transferees or assignees.
- H) "Gross Revenues" means all service fees, installation charges, and all other fees or charges collected from the provision of Cable Services to subscribers of the System in the Village. Gross Revenues shall not include (1) excise taxes; or (2)

sales taxes or any other taxes or fees, including the franchise fee, which are imposed on the Grantee or any subscriber by any governmental unit and collected by the Grantee for such governmental unit.

- D) “Person” means any corporation, partnership, proprietorship or organization authorized to do business in the State or any natural person.
- J) “Public Property” means any real property other than a street owned by any governmental unit.
- K) “State” means the state of Ohio.
- L) “Street” means the surface of and the space above and below any street, road highway, freeway, lane, path, way, alley, court, sidewalk, boulevard, parkway, drive, or any public easement or right-of-way now or hereafter held by the Village including poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments and other property as may be ordinarily necessary and pertinent to a System.
- M) “Subscriber” means a member of the general public who legally receives broadcast programming distributed by a cable television system and does not further distribute it.

SECTION III GRANT OF AUTHORITY

For the purposes of constructing, operating and maintaining a System in the Village, Grantee may erect, install, construct, repair, replace, relocate, reconstruct and retain in, on, over, under, upon, across and along the Streets, including over public rights-of-way and through easements, within the Village such lines, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, pedestals, attachments and other operating equipment as are necessary and pertinent to the operation of the System.

SECTION IV COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES

- A) This Franchise is granted pursuant to the terms and conditions contained herein. Such terms and conditions shall be subordinate to all applicable provisions of state and federal laws, rules and regulations.
- B) Grantee’s rights are subject to the police powers of the Village to adopt and enforce ordinances of general applicability necessary to the health, safety and welfare of the public that are not otherwise inconsistent with the terms and conditions of this Franchise.

Grantee shall comply with all generally applicable laws and ordinances enacted by the Village pursuant to that power.

SECTION V
TERRITORIAL AREA INVOLVED

This Franchise is granted for the territorial boundary of the Village. In the event of annexation by the Village, any new territory shall become part of the area covered upon sixty (60) days advance written notice by the Village to the Grantee.

SECTION VI
FRANCHISE TERM

This Franchise shall commence upon the effective date of this Ordinance, and shall expire fifteen (15) years thereafter unless renewed, revoked or terminated sooner as herein provided.

SECTION VII
FRANCHISE NON-EXCLUSIVE

The Franchise granted herein is non-exclusive. The Village specifically reserves the right to grant, at any time, one or more additional franchises for a System in accordance with state and federal law; provided, however, no such future franchise shall be granted on terms more favorable or less burdensome than those contained herein.

SECTION VIII
WRITTEN NOTICE

All notices or demands required to be given under this Franchise shall be deemed to be given when delivered personally to the persons designated below or upon the date actually received as evidenced by registered or certified mail receipt addressed as follows:

If to the Village: P.O. BOX 508
BELLE CENTER, OH 43310

(To be added)

If to Grantee: Time Warner Cable North Area General Manager And 1441 Newark Road Mount Vernon, OH 43050	Rhonda Fraas - President Time Warner Cable 1266 Dublin Road Columbus, Ohio 43215
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Such addresses may be changed by either party upon notice to the other party given as provided in this Section.

SECTION IX
REPAIR OF STREETS AND PROPERTY

Any and all Streets or Public Property or private property which are disturbed or damaged by the Grantee during the construction, repair, replacement, relocation, operation, maintenance or reconstruction of the System shall be promptly repaired by Grantee to a condition as good as that prevailing prior to Grantee's work.

SECTION X
CONSTRUCTION AND USE OF FACILITIES

- A) Subject to the Village's generally applicable permitting procedures, the Grantee shall have the right to erect and maintain its own poles at locations as it may find necessary for the proper construction and maintenance of the Cable Television System. Approval shall be procured by the Grantee from the proper Village department providing for the erection of these poles. The Village agrees that such prior approval shall be granted on a timely basis and will not be unreasonably withheld.
- B) The Grantee's transmission and distribution system poles, wires, appurtenances, shall be located, erected, and maintained, so as not to endanger or interfere with the lives of persons or to interfere with any improvements the Village may deem proper to make or to unnecessarily hinder or obstruct the free use of the streets, alleys, bridges, sidewalks, or other public property. Removal or relocation of poles or equipment when necessary to avoid such interference shall be at the Grantee's expense. However, if any user of the street or right of way is compensated for such removal or relocation, Grantee shall be similarly compensated.
- C) Construction and maintenance of the System shall be performed in an orderly and workmanlike manner. Grantee shall at all times comply with the National Electrical Safety Code and such applicable ordinances and regulations of the Village affecting electrical and structural installations which may be presently in effect. The Village acknowledges that as of the effective date of this Franchise, Grantee's existing cables, wires, and other like facilities are in compliance with this provision.
- D) The Cable System shall be installed in accordance with good engineering practice, so as not to unreasonably interfere with the right of the public or individual property owner and shall not interfere unduly with the travel and use of public places by the public during the construction, repair, or removal thereof, and shall not unduly obstruct or impede traffic. For all new residential structures in which undergrounding is required by the Village, the builder, subdivider, or developer of such structure, at his sole cost and expense shall provide, in accordance with Grantee's current specifications, all conduits, trenches to buildings point of entry, from the boundary of the development, back fill and restoration of the trench area.

- E) The Grantee shall maintain its System so that its facilities shall conform to the pattern of the existing public utility facilities, subject to the right of the Village to require relocation, either overhead or underground, of all such utility facilities when the Village determines that such relocation is necessary and in the public interest but not for arbitrary and capricious reasons. Any such relocation shall be at the Grantee's pro-rata expense unless any other user of the street or public right of way is compensated for such relocation, in which case the Grantee shall be similarly compensated.
- F) The Grantee shall maintain its System so that poles and other structures of public utilities which are available shall be used to the extent practicable and subject to Grantee's ability to obtain such use on reasonable terms and conditions. Before placing or setting new poles, the Grantee shall file any requested notice of such intention with the Village.
- G) Whenever by reason of the construction, repair, maintenance, relocation, widening, raising, lowering of the grade, or vacation of any street by the Village for rehabilitating any section of the Village, it shall be deemed necessary by the Village for the Grantee to move, relocate, change, alter or modify any of its facilities or structures, such change, relocation, alteration or modification shall be promptly made by the Grantee. Any such relocation shall be at the Grantee's expense unless any other user of the street or public right of way is compensated for such relocation in which case the Grantee shall be similarly compensated. In the event the Grantee, after such notice, fails or refuses to commence, pursue or complete such relocation work within a reasonable time, the Village shall have the authority, but not the obligation, to remove or abate such structures of facilities and to require the Grantee to pay to the Village the cost of such relocation, alteration, or modification. If the Grantee fails to complete in a timely manner, any relocation requested by the Village and the Village incurs any costs resulting from such delay, the Grantee shall be liable to the Village for such costs.
- H) The Grantee shall, upon request of any person holding a building moving permit or permit to move oversize loads issued by the Village, temporarily raise or lower its wires to permit the moving of buildings or oversize loads. The expense of such temporary removal or raising or lowering of the wires shall be paid by the person requesting the same and Grantee shall have the authority to require such payment in advance. The Grantee shall be given not less than seventy-two (72) hours advance notice to arrange for such temporary changes.
- I) The Grantee shall have the authority to trim trees upon and overhanging the streets of the Village as to prevent the branches of such trees from coming in contact with the Grantee's wires and cables.
- J) All work undertaken in connection with the construction, reconstruction, maintenance, operation or repair of the Grantee's System shall be subject to and governed by all State and Federal laws, rules and regulations including those of the FCC and any other federal agency having jurisdiction.

SECTION XI
LEGAL OBLIGATIONS

- A) The Grantee shall, at its sole cost and expense, indemnify, defend and hold harmless the Village, its officers, boards, commissions, agents and employees, against and from any and all claims, demands, causes of actions, suits, proceedings, damages, liabilities and judgments of every kind arising out of or due to the Grantee's construction or operation of the System in the Village, including but not limited to damages for injury or death or damages to property, real or personal, and against all liabilities to others and against all loss, cost and expense, resulting or arising out of any of the same. However, Grantee shall not be required to hold harmless and indemnify the Village for any claims arising out of the negligence of the Village, its officers, boards, commissions, councils, elected officials, agents or employees. The Village shall indemnify and hold harmless Grantee from any damage or claims resulting from any acts of the Village, its officers, boards, commissions, councils, elected officials, agents or employees, including but not limited to any acts committed by the Village in connection with its use of the System and work performed by the Village on, or adjacent to, the Cable System.
- B) The Grantee shall, at the sole risk and expense of the Grantee, upon demand of the Village, appear in and defend any and all suits, actions, or other legal proceedings, whether judicial, quasi-judicial, administrative, or otherwise brought or instituted or had by third persons or duly constituted authorities, against or affecting the Village, its officers, boards, commission, agents, or employees, arising out of or due to the Grantee's construction or operation of the System in the Village.
- C) The Grantee shall pay and satisfy and shall cause to be paid and satisfied any judgment, decree, order, directive, or demand, rendered made or issued, against the Grantee, the Village, its officers, boards, commissions, agents or employees, for the foregoing; and such indemnity shall exist and continue without reference to or limitation by the amount of any bond, policy of insurance, deposit, undertaking or other assurance required hereunder or otherwise.
- D) In order for the Village to assert its rights to be indemnified, defend and held harmless, the Village must:
- 1) Promptly notify Grantee of any claim or legal proceeding which gives rise to such right;
 - 2) Afford Grantee the opportunity to participate in and fully control any compromise, settlement, resolution or disposition of such claim or proceeding; and
 - 3) Fully cooperate in the defense of such claim and make available to Grantee all such information under its control relating thereto.

SECTION XII
CUSTOMER SERVICE STANDARDS

Grantee shall at all times comply with the customer service standards of the FCC including without limitation those related to notifications to subscribers, office hours and availability, installations, outages, service calls, billing, refunds, and credits as they may be amended from time to time.

SECTION XIII
LIABILITY INSURANCE

- A) Grantee shall maintain, throughout the term of this Franchise, liability insurance insuring the Village and the Grantee with regard to all damages mentioned in Section XI above in the following minimum amounts:
- 1) One Million Dollars (\$1,000,000) for bodily injury or death to any one person;
 - 2) One Million Dollars (\$1,000,000) for bodily injury or death resulting from any one accident; and
 - 3) One Million Dollars (\$1,000,000) for all other types of liability.
- B) Upon request of the Village, Grantee shall furnish to the Village satisfactory evidence that an insurance policy has been obtained and is in full force and effect.

SECTION XIV
PERFORMANCE STANDARDS

- A) The Grantee shall construct, operate and maintain its System according to the specifications of the FCC.
- B) The Grantee shall at all times employ a reasonable standard of care to prevent failures or accidents which are likely to cause damages, injuries or nuisances to the public.
- C) Subject to the requirements of the FCC, the Grantee shall provide a parental control device capability for a reasonable charge, upon request, to any subscriber.

SECTION XV
TRANSFER OR ASSIGNMENT OF FRANCHISE

The rights granted herein shall not be transferred or assigned by the Grantee without written notice to the Village. Notwithstanding the foregoing, no notice shall be required for any transfer or assignment of the franchise to any entity controlling, controlled by or under the same common control as the Grantee.

SECTION XVI
FRANCHISE RENEWAL

This Franchise shall be renewed in accordance with applicable state and federal law.

SECTION XVII
VILLAGE'S RIGHT TO REVOKE

In addition to all other rights which Village has pursuant to law or equity, the Village reserves the right to revoke, terminate or cancel this Franchise and all rights and privileges pertaining thereto in the event that:

- A) Grantee violates any material provision of this Franchise; or
- B) Grantee practices any fraud upon the Village; or
- C) Grantee becomes insolvent, unable or unwilling to pay its debts, or is adjudged bankrupt or a receiver is appointed to it.

SECTION XVIII
REVOCATION PROCEDURES

- A) The Village shall notify the Grantee of its intention to revoke, terminate or cancel this Franchise. The written notice shall describe in reasonable detail the specific violation so as to afford Grantee an opportunity to remedy the violation.
- B) Grantee shall have ninety (90) days subsequent to receipt of the notice in which to correct the violation before the Village may formally revoke, terminate or cancel this Franchise. Grantee may, within thirty (30) days of receipt of the notice, notify the Village that there is a dispute as to whether a violation has, in fact, occurred. Such notice by Grantee to the Village shall stay the ninety (90) day period described above.
- C) Upon receipt of the Grantee's notification of a dispute as to whether a violation has, in fact, occurred pursuant to paragraph (B) above, the Village shall hear Grantee's dispute and shall determine whether a default or violation by Grantee has occurred. In the event the Village shall determine that a default or violation has occurred, the Village shall supplement the decision with written findings of fact.
- D) If after hearing the dispute, Grantee has been found to be in default, Grantee shall then have ninety (90) days (or such longer period of time as may be reasonably necessary) from such a determination to remedy the violation or failure. At any time after that ninety (90) day period the Village may by formal action at a public hearing affording reasonable notice and opportunity for Grantee to be heard, revoke, terminate or cancel this Franchise if Grantee fails to cure such default.

- E) Any such final decision of the Village may be appealed to any court of competent jurisdiction, which filing shall stay any such revocation, termination or cancellation of this Franchise.

SECTION XIX
REMOVAL UPON REVOCATION

Upon the final revocation, termination or cancellation of this Franchise as herein provided, Grantee shall, upon request of the Village, remove all of its attachments and wires from poles used as authorized herein.

SECTION XX
FORCE MAJEURE

If by reason of a Force Majeure any party is unable in whole or in part to carry out its obligations hereunder, that party shall not be deemed to be in violation or default during the continuance of such inability.

SECTION XXI
SERVICE AREA

- A) Residents in those areas with an average density of at least forty (40) homes per aerial mile or eighty (80) homes per underground mile, as measured from the nearest point of usable trunk, shall be provided service upon payment of the standard installation charge and applicable monthly fees; except that installations requiring aerial drops in excess of one hundred and fifty (150) feet or underground installations shall be considered a non-standard installation to be charged to the subscriber at Grantee's actual cost of installation.
- B) Service to homes not meeting those density requirements of paragraph (A) above shall be provided on a time plus material basis.
- C) Grantee shall, upon request, make service available to all commercial establishments located within three hundred feet (300') of its useable trunk at the expense of such commercial establishment.
- D) Grantee is not required to extend its system or construct plant within private rights-of-way for which Grantee is unable to secure easements or other rights of access on reasonable terms and conditions.

SECTION XXII
UNAUTHORIZED CONNECTIONS OR MODIFICATIONS

- A) It shall be unlawful for any Person, without the expressed consent of the Grantee to make any connection, extension, or division whether physically, acoustically, inductively, electronically or otherwise with or to any segment of the System for any purpose whatsoever.
- B) It shall be unlawful for any Person to willfully interfere, tamper, remove, obstruct or damage any part, segment or content of the System for any purpose whatsoever.
- C) It shall be unlawful for any Person to construct, operate or maintain a System without having first applied for and received a franchise from the Village.
- D) Any Person convicted of a violation of this Section shall be subject to all federal, state and local penalty provisions which penalty provision are incorporated herein by reference.

SECTION XXIII
FRANCHISE FEE PAYMENTS

Subject to applicable law, the Grantee shall pay to the Village a franchise fee in the amount of 3 percent (%) of the Grantee's annual Gross Revenues (the "Franchise Fee"). The Village shall have the right to inspect, at the Grantee's business office during normal business hours, the books and financial records of the Grantee compiled in the ordinary course of business necessary to verify Franchise Fee payments. The Franchise Fee shall be deemed to reimburse the Village for the rights granted herein and for all costs of regulation and administration of the Franchise. The Franchise Fee shall be paid semiannually as follows:

- A) Payment for revenue received on or before June 30 of each calendar year shall be made within thirty (30) days of June 30; and
- B) Payment of the fee for the balance of each calendar year shall be made within ninety (90) days after the end of that calendar year.

SECTION XXIV
CONSENT/APPROVALS

Where in this document consent and/or approval of the Village is required, such consent or approval shall be timely delivered and not unreasonably withheld.

SECTION XXV
CABLE SERVICE TO SCHOOLS AND VILLAGE BUILDINGS

Upon request, Grantee shall install and provide Basic Cable Service to all state accredited K-12 schools and village government buildings (excluding county, state and federal buildings) designated by the Village at no charge for the initial installation and monthly service provided the facility is within one hundred fifty (150) feet of Grantee's System and capable of an aerial installation. Each of these installations may include a Signal Drop, one outlet, and one converter, if required. Additional service connections within the same building of any such institution, service connections exceeding one hundred and fifty (150) feet or service connections not capable of an aerial installation shall be charged on a time and materials basis, or otherwise as the parties may agree.

SECTION XXVI
SEVERABILITY

If any term, condition or Section of this Franchise or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof and the application of such term, condition or Section to persons or circumstances other than those as to whom it shall be held invalid or unenforceable shall not be affected thereby, and this Franchise and all the terms, conditions and Sections hereof shall, in all other respects, continue to be effective and to be complied with.

SECTION XXVII
REPEAL OF ORDINANCES

Ordinance _____ and all other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION XXVIII
PASSAGE AND EFFECTIVE DATE

This Franchise, having been published as required, shall take effect and be in force from and after thirty (30) days following its final passage and approval.

Passed and adopted this 9 day of DECEMBER, 2003.

ATTEST:

THE COUNCIL OF THE VILLAGE OF BELLE CENTER

By: W.B. McConick By: Donald E. Ruble

Title: FISCAL OFFICER Title: MAYOR

TWENTY-TWO CO. d/b/a TIME WARNER CABLE

By: 

Title: Division President



January 22, 2004

Mr. Steven Moore
Clerk
Village of Belle Center
P.O. Box 508
Belle Center, OH 43310-0508

Dear Mr. Moore,

Enclosed for the Village of Belle Center's records is a signed and completed copy of Ordinance 2003-09, the cable franchise agreement between the Village and Time Warner Cable. Please note that this agreement took effect January 9th, 2004 and will expire at the conclusion of its fifteen (15) year term on January 9th, 2019.

I would like to take this opportunity to extend my sincere thanks to you, Village Solicitor Chris Schrader, Village Administrator Bob Anderson, Mayor Don Ruble and the Village Council for working to successfully renew the cable franchise between Time Warner Cable and the Village of Belle Center.

In the meantime, please do not hesitate to contact me at **(614) 255-6222** or at **rick.carfagna@twcable.com** if any future questions or comments arise regarding the Village's cable service, or if I can otherwise be of service to your community. Again, we appreciate the opportunity to bring your community the latest in cable technology, and look forward to continuing our service to the Village of Belle Center.

Sincerely,

A handwritten signature in blue ink that reads "Rick Carfagna".

Rick Carfagna
Manager, Government Relations

ORDINANCE 2003-08

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR THE FISCAL OFFICER FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:


Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with William McCormick, for the purposes of representing this Village from January 1 2004 through December 31 , 2004 and for the sum of \$750.00 per month along with pick-up of 8.5% PERS Retirement contribution , payable semi-monthly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.


PASSED _____


President of Council

APPROVED _____


Mayor

ATTEST _____


Fiscal Officer

I, William B. Mc Cormick , Fiscal officer of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2003-07 Passed by Council of said Village on the 9th day of December, 2003.


William B. McCormick , Fiscal Officer

ORDINANCE 2003-07

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A TAX ADMINISTRATOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

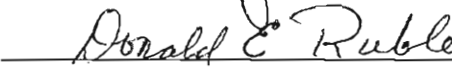
Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with William McCormick, for the purposes of representing this Village from January 1 2004 through December 31 , 2004 and for the sum of \$850.00 per month along with pick-up of 8.5% PERS Retirement contribution , payable semi-monthly. The Administrator is responsible for administering the Income Tax in accordance with the Income Tax Ordinance.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

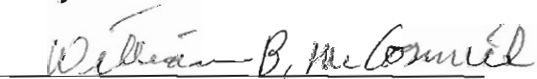
PASSED _____


President of Council

APPROVED _____


Mayor

ATTEST _____


Fiscal Officer

I, William B. Mc Cormick , Fiscal officer of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2003-07 Passed by Council of said Village on the 9th day of December, 2003.


William B. McCormick , Fiscal Officer

ORDINANCE 2003-06

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A SOLICITOR FOR SAID VILLAGE AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:


Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Chris Schrader, Attorney at Law, for the purposes of representing this Village from January 1, 2004 through December 31, 2004 and for the sum of \$3,600.00 per year, with the Village picking up OPERS. Salary to be paid quarterly.

Section II: This ORDINANCE is declared an emergency made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.


PASSED _____


President of Council

APPROVED _____


Mayor

ATTEST _____


Fiscal Officer

I, William B. Mc Cormick , Fiscal Officer of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2003-06 Passed by Council of said Village on the 9th day of December, 2003.


William B. Mc Cormick , Fiscal Officer

ORDINANCE 2003-05

AN ORDINANCE CLARIFYING THE MONTHLY FEES FOR THE OWDA LOAN AT \$ 7.68 AND THE OHIO PUBLIC WORKS COMMISSION LOAN AT \$ 2.60


BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

- Section I: That the monthly fee for the OWDA Loan will be \$ 7.68 and the Ohio Pubic Works Loan will be \$ 2.60. Ordinance 2000-15 set the fee at \$ 20.51 which included the amount included in the charge from Indian Lake for the processing of the sewage.
- Section II: The effective date was the date that the Village first started collecting monthly fees for the Sewer System.
- Section III That this Ordinance is hereby declared to be an emergency measure, made necessary to preserve the financial fiscal responsibility of the Village of Belle Center and shall be in full force and effect immediately upon its passage and signature by the Mayor.

Passed: _____


President of Council


Approved: _____


Mayor

Attest: _____


Fiscal Officer

I, William B. Mc Cormick , Fiscal Officer of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance Number 2003-05 Passed by Council of said Village on the 9th day of December, 2003.


William B. Mc Cormick, Fiscal Officer

ORDINANCE NUMBER 2003-04

AN ORDINANCE CREATING THE POSITION OF VILLAGE FISCAL OFFICER IN ACCORDANCE WITH THE PROVISIONS OF SECTION 733.262 OF THE REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, when there is a vacancy in the office of village clerk or clerk-treasurer, Section 733.262 of the Revised Code empowers this council to create the position of village fiscal officer and;

WHEREAS, it is the judgement of this Council that the interest of the citizens of the Village will be better served through the creation of the position of Village Fiscal Officer;

NOW, THEREFORE, BE IT ORDAINED by three-fourth (3/4) of the Council of the Village of Belle Center, concurring as follows:

SECTION 1: In accordance with Section 733.262, Revised Code, there is hereby created the position of Village Fiscal Officer. The salary of the Village Fiscal Officer shall be \$8,400.00 per year.

SECTION 2: Village Fiscal Officer shall have those powers, duties and functions as provided by the general laws of the State of Ohio; and in addition he/she shall have the powers as authorized by Section 733.262 of the Revised Code.

SECTION 3: This Ordinance is declared an emergency measure necessary for the immediate preservation of the public peace, health and safety and to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon passage and approval of the Mayor.

PASSED: 6/10/2003

William B. McConnel
President of Council

APPROVED: 6/10/2003

Donald E. Ruble
Mayor

ATTEST:

6/10/2003

Allie Schrader
Councilman

I, Allie H. Schrader, Councilman of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2003-04 Passed by Council of said Village on the 10th day of June, 2003.

Allie Schrader
Allie H. Schrader, Councilman

ORDINANCE 2003-01

A ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

- Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.
- Section II: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED 1-14-03

William B. Mc Cormick
President of Council

APPROVED 1-14-03

Dennis Ruble
Mayor

ATTEST 1-14-03

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2003-01 Passed by Council of said Village on the 14th day of January, 2003.

Steven A. Moore
Steven A. Moore, Clerk

RESOLUTION R-2003-03

A RESOLUTION TO AUTHORIZE THE VILLAGE OF BELLE CENTER TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

WHEREAS, Ohio's Cooperative Purchasing Act. (AM.Sub. H.B. No. 100) as signed into law on December 4 , 1985, and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the State of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, equipment and certain materials; now therefore,

BE IT ORDAINED BY THE VILLAGE OF BELLE CENTER

Section 1. That the Fiscal Officer of the Village of Belle Center hereby requests authority in the name of The Village of Belle Center to participate in State contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

Section 2. That the Fiscal Officer is hereby authorized to agree in the name of The Village Of Belle Center to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of The Village Of Belle Center participation in the contract. Further that the Fiscal Officer does hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by ORC 125.04.

Section 3. That the Fiscal Officer is hereby authorized to agree in the name of the Village Of Belle Center to directly pay the vendor, under each such State contract in which it participates for items it receives pursuant to the contract, and the Fiscal Officer does hereby agree to directly pay the vendor.

Approved this 29 th day of December , 2003.

Signature

Allie Schrader
Member of Council

Donald E. Ruble
Mayor

William B. McCormick
Fiscal Officer

Printed Name

ALLIE SCHRADER

DONALD E. RUBLE

WILLIAM B. MCCORMICK

I, William B. McCormick, Fiscal Officer of the Village Of Belle Center , Ohio do hereby certify that the foregoing is a true and correct copy of Resolution 2003-03 passed by Council of said Village on the 29th. Day of December , 2003.

William B. McCormick
William B. McCormick, Fiscal Officer

RESOLUTION R-2003-02

A RESOLUTION TO ADOPT AS OUR OWN THE LOGAN COUNTY NATURAL DISASTER MITIGATION PLAN

WHEREAS, the Disaster Mitigation Act of 2000 (DMA 2000) , also known as Public Law 106-390 , authorizes a pre-disaster mitigation program to reduce losses from natural disasters.

WHEREAS, DMA 2000 further requires that every jurisdiction must have a FEMA approved Natural Mitigation Plan in place by November 1 , 2003 or become ineligible to receive federal mitigation grant funds.

WHEREAS, Logan County has performed a Hazard Analysis of the Natural Hazards affecting the County, and undertaken to prepare a Countywide Natural Disaster Mitigation Plan.

WHEREAS, We the Village of Belle Center have been notified and invited to participate in the process of developing this plan and,

WHEREAS, our jurisdiction is represented by a project in the plan.

Approved this 9 th day of December , 2003.

Signature

Printed Name

Robert James
President of Council

Robert JAMES

DONALD E. RUBLE
Mayor

Donald E. Ruble

William B. McCormick
Fiscal Officer

WILLIAM B. MCCORMICK

ORDINANCE 2001-12

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A TAX ADMINISTRATOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:


Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Steve Moore, for the purposes of representing this Village from January 1, 2002 through December 31, 2002 and for the sum of 9% of amount of tax collected per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

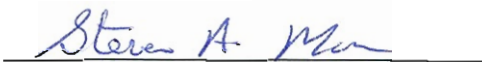
PASSED 12-11-01


President of Council

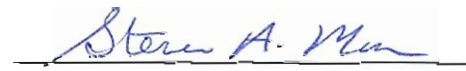
APPROVED 12-11-01


Mayor

ATTEST 12-11-01


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2001-12 Passed by Council of said Village on the 11th day of December, 2001.


Steven A. Moore Clerk

ORDINANCE 2001-11

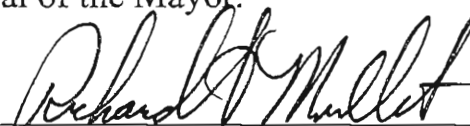
AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A SOLICITOR FOR SAID VILLAGE AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:

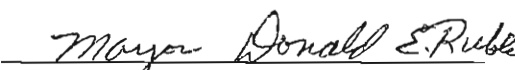
Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Chris Schrader, Attorney at Law, for the purposes of representing this Village from January 1, 2002 through December 31, 2002 and for the sum of \$3,600.00 per year, payable quarterly.

Section II: This ORDINANCE is declared an emergency made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

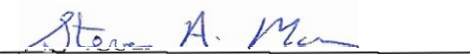
PASSED 12-11-2001


President of Council

APPROVED 12-11-2001


Mayor

ATTEST 12-11-2001


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2001-11 Passed by Council of said Village on the 11th day of December, 2001.


Steven A. Moore Clerk

RESOLUTION 2001-10

A RESOLUTION TO ESTABLISH A SEWER FUND FOR THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:


- Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current projects starting in the said Village of Belle Center it is necessary to establish a Sewer Fund.
- Section II: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED 12-11-01



President of Council

APPROVED 12-11-01



Mayor

ATTEST 12-11-01



Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution 2001-10 Passed by Council of said Village on the 11th day of December, 2001.



Steven A. Moore, Clerk

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(VILLAGE COUNCIL)

Revised Code, Secs. 5705.34-5705.35

2001-9

The Council of the Village of Belle Center, Logan County, Ohio,
met in Regular session on the 11th day of September, 20 01, at
the office of Belle Center Council with the following members present:

MR. Allie Schrader

MR. William McCormick

MR. Robert James

MR. Richard Mullet

MR. E.S. Heminger

MRS. Dione Campbell

Mr. Allie Schrader Moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Logan County, Ohio, has abolished the
Tax Budget for the next succeeding fiscal year commencing January 1st, 20 02 and

WHEREAS, The Budget Commission of Logan County, Ohio, has certified its
action thereon to this Council together with an estimate by the County Auditor of the rate of each tax
necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill
limitation; therefore, be it

RESOLVED, By the Council of the Village of Belle Center, Logan County,
Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the
same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax
necessary to be levied within and without the ten mill limitation as follows:

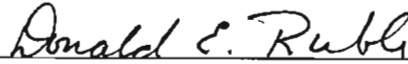
Section IV: This ORDINANCE is declared an emergency measure made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED 7-10-01



President of Council

APPROVED 7-10-01



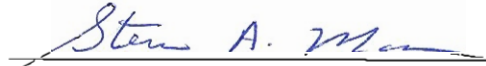
Mayor

ATTEST 7-10-01



Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2001-8 Passed by Council of said Village on the 10th day of July, 2001.



Steven A. Moore Clerk

SCHEDULE A

SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Com- mission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
General Fund		\$ 20,000.00	2.70	
General Bond Retirement Fund				
Park Fund				
Recreation Fund				
Fund				
Fund				
TOTAL		\$ 20,000.00	2.70	

ORDINANCE 2001-8

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE ADMINISTRATOR AND CLERK OF THE VILLAGE OF BELLE CENTER, OHIO TO SIGN DOCUMENTS AND ENTER INTO ANY LOAN AGREEMENTS WITH THE UNION BANKING COMPANY, AUTHORIZING THE PAYMENT OF ANY LOAN FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: That the Mayor and/or Village Administrator and Clerk of the Village of Belle Center, Ohio, is hereby authorized to sign any and all documents necessary to enter into an agreement with The Union Banking Company for the purposes of a loan in the amount of \$241,000.00 for payment to Environment One Corporation for purchase of grinder pumps for the sanitary sewer collection system in the Village of Belle Center.

Section II: The Clerk/Treasurer of Council is authorized to sign any and all documents necessary to said loan applications or agreements requiring the signature of the Village's fiscal officer.

Section III: The Clerk/Treasurer is authorized to pay any loan application fees appropriate to said loan agreements.

ORDINANCE 2001-07

AN ORDINANCE SETTING THE COMPENSATION FOR THE OFFICE OF COUNCILPERSON FOR THE VILLAGE OF BELLE CENTER, LOGAN COUNTY, OHIO.

BE IT ORDAINED, by the Council of the Village of Belle Center, Ohio, three fourths (3/4) of the members thereto concurring:

SECTION I: The compensation for the Office of Village Council is hereby fixed at Seven Hundred Twenty Dollars (\$720.00) per year, to be paid quarterly. This salary shall become effective on January 1, 2002.

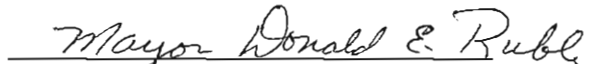
SECTION II: Any Ordinance or Resolution in conflict with Section I of this Ordinance is hereby repealed, provided however that compensation for councilperson as fixed by Ordinances or Resolutions effective upon passage of this Ordinance shall be effective until January 1, 2002 or councilpersons next term begins.

SECTION III: This Ordinance will be effective at the earliest time allowed by law.

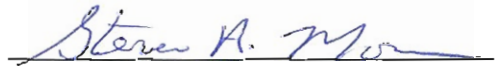
PASSED: Aug 14, 2001


President of Council

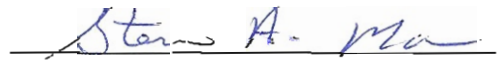
APPROVED: Aug 14 2001


Mayor

ATTEST: Aug 14, 2001


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2001-07. Passed by Council of said Village on the 14th day of August, 2001.


Steven A. Moore Clerk

RESOLUTION 2001-5

A RESOLUTION AUTHORIZING THE CLERK/TREASURER AND/OR VILLAGE ADMINISTRATOR TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE DIVISION OF FORESTRY'S URBAN FORESTRY ASSISTANCE PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the quality of urban life is enhanced by the proper management of the urban forest resource; and

WHEREAS, The Village of Belle Center recognizes the importance of providing tree and shrub related benefits to its citizens; and

WHEREAS, funding for the purchase, installation and care of trees and other urban vegetation is available through the Ohio Department of Natural Resources, Division of Forestry.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Belle Center, County of Logan, State of Ohio:

Section 1. That the Clerk/ Treasurer and/or Village Administrator is hereby authorized to apply for and, if awarded, enter into an agreement with the Department to administer a grant to implement said program, and that the Clerk/Treasurer and/or Village Administrator is (are) authorized to sign said agreement.

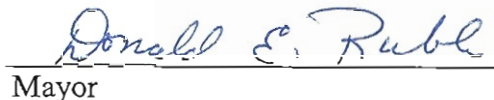
Section 2. That the Council of the Village of Belle Center hereby requests the Department of Natural Resources, Division of Forestry, to consider and fund its application project.

Section 3. That it is found and determined that all formal actions of this council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this, Council and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.


ADOPTED ON MARCH 13, 2001.



President of Council



Mayor

WITNESSES: 

Clerk

ORDINANCE 2001-4

VILLAGE OF BELLE CENTER

A RESOLUTION AUTHORIZING PARTICIPATION AND RATIFYING PRIOR PARTICIPATION OF THE VILLAGE OF BELLE CENTER, LOGAN COUNTY, OHIO WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, FOR IMPLEMENTATION OF THE BELLE CENTER SANITARY SEWER PROJECT AND AUTHORIZING THE CLERK/TREASURER OR VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, TO EXECUTE, ACCEPT, OR OTHERWISE APPROVE ALL DOCUMENTS, AGREEMENTS, INSTRUMENTS, OR OTHER NECESSARY PAPERS, REQUIRED BY THE DEPARTMENT OF THE ARMY FOR PARTICIPATION IN THE BELLE CENTER SANITARY SEWER PROJECT AND DECLARING AN EMERGENCY IN SAID VILLAGE.

THIS ORDINANCE DULY ENACTED AND ADOPTED by COUNCIL OF THE VILLAGE OF BELLE CENTER, LOGAN COUNTY, that:

SECTION 1: THE COUNCIL OF THE VILLAGE OF BELLE CENTER hereby ratifies prior participation and acts of THE VILLAGE OF BELLE CENTER and its officers and officials in the implementation of the BELLE CENTER SANITARY SEWER PROJECT with the Department of the Army, Corps of Engineers, and, further hereby authorizes and approves the participation of THE VILLAGE OF BELLE CENTER in the implementation of the BELLE CENTER SANITARY SEWER PROJECT with the Department of the Army, Corps of Engineers;

SECTION 2: THE COUNCIL OF THE VILLAGE OF BELLE CENTER hereby authorizes the CLERK/TREASURER AND/OR VILLAGE ADMINISTRATOR of THE VILLAGE OF BELLE CENTER to execute, accept, or otherwise approve, for and on behalf of THE VILLAGE OF BELLE CENTER, all documents, agreements, instruments, or other necessary papers, including, but not limited to, the Project Cooperation Agreement between the Department of the Army and VILLAGE OF BELLE CENTER for implementation of the BELLE CENTER SANITARY SEWER PROJECT as may be considered necessary or required by the Department of the Army for participation of THE VILLAGE OF BELLE CENTER for the implementation of the BELLE CENTER SANITARY SEWER PROJECT, including, but not limited to, holding and saving the United States Government free from all damages arising from the implementation of the BELLE CENTER SANITARY SEWER PROJECT, except for damages due to the fault or negligence of the Government or its contractors; paying the non-Federal share of total implementation costs; acquisition of lands, easements, rights-of-way, including those required for relocations, borrow materials, and dredged or excavated material disposal, determined to be necessary for the Project by the Department of the Army; performance or assurance of performance of relocations determined to be necessary for the Project by the Department of the Army; operation, maintenance, repair, replacement, and rehabilitation of the Project without cost to the United States of America; and compliance with all applicable Federal and State laws and regulations.

Section 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village, and for the further reason that this Resolution is required to be immediately effective with the Department of the Army, Corps of Engineers; wherefore, this resolution shall be in full force and effective immediately upon its passage and signature by the Mayor.

DULY PASSED AND ADOPTED BY THE VILLAGE OF BELLE CENTER IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO THIS THE 13th DAY OF March, 2001.

Village of Belle Center:

Donald E. Rubb
Mayor

Richard H. Mallot
Council President

Steven A. Moore
Clerk

ATTESTED AND CERTIFIED AS TRUE AND CORRECT:

Steven A. Moore
Steven A. Moore Clerk

DATE: March 13, 2001

ORDINANCE 2001-01

A ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:


Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.

Section II: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.


PASSED JAN 9, 2001


Richard A. Muller
President of Council 2/9/01

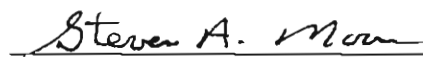
APPROVED Jan 9 2001


Donald E. Ruble
Mayor

ATTEST Jan 9 2001


Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2001-01 Passed by Council of said Village on the 9th day of January, 2001.


Steven A. Moore, Clerk

ORDINANCE 2000-21

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A TAX ADMINISTRATOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:


Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Steve Moore, for the purposes of representing this Village from January 1, 2001 through December 31, 2001 and for the sum of 9% of amount of tax collected per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

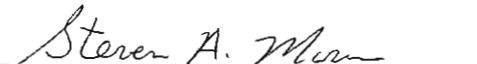
PASSED December, 12 2000


President of Council

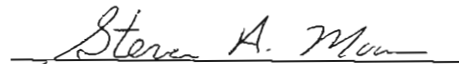
APPROVED Dec 12 2000


Mayor

ATTEST Dec 12 2000


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2000-21 Passed by Council of said Village on the 12 day of December, 2000.


Steven A. Moore Clerk

ORDINANCE 2000-19

AN ORDINANCE FOR THE VILLAGE OF BELLE CENTER ACCEPTING THE BIDS OF ENVIROMENT ONE CORP. AND MID OHIO PIPELINE CO. INC. AND DECLARING AN EMERGENCY

WHEREAS, the Legislative authority of the Village of Belle Center has received various bids for the purchase of necessary materials and various bids for the construction of the Village of Belle Center's sanitary sewer project and;

WHEREAS, after careful examination of all bids, the Village of Belle Center has determined that the best bids were from Environment One Corp and Mid Ohio Pipeline Co. Inc.

NOW THEREFOR, BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, (3/4) three quarters of its members concurring as follows;

1. The bid of Environment One Corp. in the amount of \$531,784.64 is hereby accepted and the Mayor of the Village of Belle Center and all necessary village officials are hereby authorized to execute any necessary contracts or documents to enter into said contract with Environment One Corp.
2. The bid of Mid Ohio Pipeline Co Inc. in the amount of \$1,469,319.40 is hereby accepted and the Mayor of the Village of Belle Center and all necessary village officials are hereby authorized to execute any necessary contracts or documents to enter into said contract with Mid Ohio Pipeline Co Inc.
3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village, and for further reason that this ordinance is required for the construction of the sanitary sewer project, wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

Passed: November 18, 2000

Approved: November 18, 2000

ATTEST: Steven A. Moore

Donald E. Ruble
MAYOR

ORDINANCE 2000-20

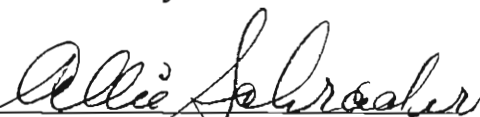
AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A SOLICITOR FOR SAID VILLAGE AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:


Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Chris Schrader, Attorney at Law, for the purposes of representing this Village from January 1, 2001 through December 31, 2001 and for the sum of \$3,600.00 per year, payable quarterly.

Section II: This ORDINANCE is declared an emergency made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

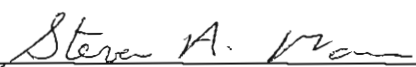
PASSED Dec 12, 2000


President of Council

APPROVED Dec 12 2000


Mayor

ATTEST Dec 12 2000


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2000-20 Passed by Council of said Village on the 12 day of December, 2000.

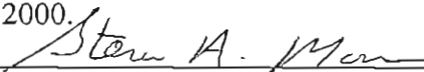

Steven A. Moore Clerk

EXHIBIT "A"
INTERGOVERNMENTAL SERVICE AGREEMENT

This contract for the treatment of sewage and operation of the Village of Belle Center sewage collection system is entered into this 14th day of November, 2000, between The Logan County Water Pollution Control District, operating as The Indian Lake Water Pollution Control District, Russells Point, Ohio, hereinafter referred to as the "District" and the Village of Belle Center, Ohio hereinafter referred to as the "Village".

WHEREAS, the Village is organized and established under the provisions of the Ohio Revised Code; and

WHEREAS, THE Village is authorized and empowered to construct and operate a wastewater collection system within the area defined as THE VILLAGE OF BELLE CENTER and it's immediate environs as described in exhibit "A" attached hereto, and to accomplish this purpose the Village will require a source of wastewater treatment, and;

WHEREAS, the District owns and operates a wastewater collection and treatment system with a capacity currently capable of serving the present customers of the District's system and the estimated numbers of sewer users to be served by the said Village at a point of connection depicted on Exhibit "A" attached hereto, and;

WHEREAS, by Resolution No. 408-00 enacted on the 26th day of September, 2000, by the Board of County Commissioners of Logan County, Ohio, the treatment of sewage for the Village in accordance with the provisions of said Resolution was approved, and the execution of this Contract carrying out the said sewage treatment by the Manager was duly authorized, and;

WHEREAS, by Ordinance No. 2000-18, enacted on the 14 day of November, 2000 by the Council of the Village, the purchase of sewage treatment from the District in accordance with the terms set forth in the said Ordinance was approved, and the execution of this Contract by the Mayor and attested by the Clerk was duly authorized.

NOW, THEREFORE, in consideration of the foregoing and the mutual agreements herein to after set forth the parties hereto agree:

SECTION A:

THE DISTRICT AGREES TO:

1. Furnish the Village at the point of connection specified in Exhibit A, during the term of this contract or any renewal or extension thereof, wastewater treatment meeting applicable standards of the Ohio Environmental Protection Agency for a quantity of wastewater flow not to exceed one hundred seventy thousand (170,000) gallons average daily flow;

2. Provide ongoing operation and maintenance of the Village's collection system for fees identified in the approved user charge system of the Village. Such fees may be adjusted annually in accordance with the Village's annual evaluation and modification of OM&R costs as required by OEPA. (See Exhibit "C" for specific O & M responsibilities);

3. Comply with all requirements related to Federal or State Financial Assistance as if it were the recipient of the assistance;

4. Operate its wastewater facilities in accordance with all Federal, State and local governmental requirements.

SECTION B:

THE VILLAGE AGREES TO:

1. Plan, design, construct, own and finance a wastewater collection system for the area defined as the Village of Belle Center and its immediate environs (Exhibit "A");

2. Permit the District access to the force main and pumping station across properties owned by the Village;

3. Secure all rights-of-way and permits required to construct the project, and once completed, to provide access for on going operations and maintenance;

4. Adopt appropriate legislation as follows:

a. Sewer Use Ordinance requiring mandatory hook-up to the system and setting rules and regulations for hook-up and wastewater characteristics at least as stringent as the District's;

b. A user charge system proportional for its users which will provide sufficient revenues to cover payments to the District and sufficient revenue for the Village to operate and maintain its collection system; (See "EXHIBIT B" for a & b)

5. Provide two (2) sets of as-built drawings of the wastewater collection system;

6. Be billed for such flow on an EDU basis. Such bill will be due on the established due date of the District and will be subject to a 10% late penalty;

7. Provide the District, monthly, a statement of any changes in the number of customer connections, to include, but not be limited to, the date of last service or date of commencement of service.

8. In the case of an industrial user as defined in the Sewer Use Ordinance (Exhibit B), the Village will provide to the district water usage records of the industrial user and will be billed proportionately as per the EDU system to cover the additional O, M & R as a result of the industrial user's excess flow.

SECTION C:

IT IS MUTUALLY AGREED BETWEEN THE DISTRICT AND VILLAGE AS FOLLOWS:

1. That this contract shall extend for a term of twenty (20) years from the date of completion of construction and thereafter may be renewed for such term or terms as may be agreed upon by the Village and the District;

2. That 30 days prior to the completion of construction of the Village's sewer collection system, the Village will notify the District, in writing, of the date of anticipated initial delivery;

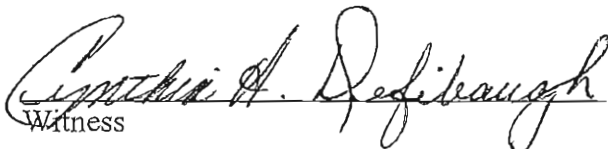
3. That the District will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the Village with sewage treatment required by the Village;

4. After one (1) year, the provisions of this contract pertaining to the schedule of rates to be paid by the Village for sewage treatment are subject to modification. Any increase or decrease in rates shall be based on a demonstrable increase or decrease in the costs of performance hereunder. But such costs shall not include increased capitalization of the District's collection system or WWTP capacity due solely to the District's growth. Any future rate modification by the District will be applied to all users of the system and will remain proportionate to current rates for the District and Village users. Other provisions of this contract may be modified or altered by mutual agreement of the parties;

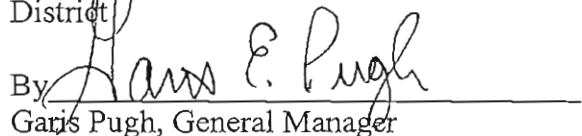
5. That this contract is subject to the SEWER USE ORDINANCE or RESOLUTION of the parties and such rules, regulations or laws as may be applicable to similar agreements in this State. The District and the Village will collaborate in obtaining such permits, certificates or the like as may be required to comply therewith;

6. Should a billing or operations dispute occur it will be the duty of the General Manager of The District and the Village Administrator to resolve the dispute. If such dispute is of a legal nature, the Logan County Prosecutor and the Village Solicitor shall participate in the resolution of said dispute. IN ANY CASE, ALL EFFORTS TO MAINTAIN CUSTOMER SERVICE WILL BE MADE.

IN WITNESS WHEREOF THE PARTIES HERETO, ACTING UNDER AUTHORITY OF THEIR RESPECTIVE GOVERNING BODIES, HAVE CAUSED THIS CONTRACT TO BE DULY EXECUTED ON THE DATE FIRST ABOVE WRITTEN.


Witness

Logan County Water Pollution Control
District

By 
Garis Pugh, General Manager

By 151 Donald E. Ruble
Donald E. Ruble, Mayor

Witness

Gerald L. Heaton
Logan County Prosecuting Attorney

F:\DATA\SEWER\Intergovernmental Service Agreement.wpd

VILLAGE OF BELLE CENTER, OHIO

ORDINANCE 2000-18

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF BELLE CENTER TO ENTER INTO THE INTERGOVERNMENTAL SERVICE AGREEMENT ATTACHED HERETO AND MARKED AS EXHIBIT "A AND DECLARING AN EMERGENCY

WHEREAS, the Village of Belle Center, and the Board of County Commissioners have negotiated an agreement whereby the Logan County Water Pollution Control District operating as Indian Lake Water Pollution Control District shall provide the services to the Village of Belle Center in the operation of the Village sewer system that will be constructed. Said responsibly and duties of both parties are outlined in the Exhibit "A" attached hereto

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three quarters of its members concurring that;

1. The Mayor of the Village of Belle Center is hereby authorized to execute the Intergovernmental Service Agreement as attached to this ordinance.

2. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village, and for the further reason that this ordinance is required to be immediately effective of the Intergovernmental Services Agreement; wherefore, this ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: Nov. 14, 2000

APPROVED: Nov 14, 2000

ATTEST: Steven A. Mow

Donald E. Ruble
MAYOR

VILLAGE OF BELLE CENTER, OHIO

ORDINANCE 2000-17

AN ORDINANCE ESTABLISHING THE PROPER USAGE OF
AND SPECIFICATIONS FOR CONNECTION TO THE SEWAGE SYSTEM
OF THE VILLAGE OF BELLE CENTER.

WHEREAS, the Village of Belle Center, Ohio has established a sewage system utility,
and

WHEREAS, it is necessary to establish standards for the use and connection to said
sewage system.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Belle Center,
Ohio, that:

The following Sections shall govern the connection to and the use of the Village Sewage
System:

SECTION I :
DEFINITIONS

Biochemical Oxygen Demand (BOD) - shall mean the quantity of oxygen utilized in the
biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20
degrees Centigrade (20 deg C.) expressed in milligrams per liter.

Building Wastewater Drain - shall mean that part of the lowest horizontal piping in the
structure which receives the discharges of normal domestic, commercial and industrial sewage
inside the walls of a building and conveys it to the building sewer beginning three (3) feet
outside the building wall.

Building Sewer - shall mean the extension from the building drain to the sanitary sewage
system.

Combined Sewer - shall mean a sewer intended to receive both wastewater and storm or
surface water.

Commercial User - shall mean retail or wholesale business establishments, other than an
industrial or residential user, that discharges wastewater (as defined in wastewater definition),
into the public wastewater treatment system, works, and facility.

Indian Lake Water Pollution Control District - shall mean the Water Pollution Control
District.

County Health Department - shall mean the Health Department of Logan County, Ohio.

County Sanitary Engineer - shall mean the Sanitary Engineer for Logan County, Ohio.

Foundation Drains - subsurface drains laid around the foundation of a building, either within or outside the building foundation for the purposes of carrying ground or subsurface water to some point of discharge.

Garbage- shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the commercial handling, storage, and sale of produce.

Industrial User - shall include users discharging waste resulting from food processing or manufacturing activities involving the mechanical or chemical transformation of materials or substance into other products. These activities occur in establishments usually described as plants, factories, or mills and characteristically use power-driven machines and material handling equipment.

Industrial Wastes - shall mean the wastewater from industrial processes, trade or business as distinct from normal domestic sewage.

Institutional / Governmental - hospitals, nursing homes, schools, city, county, state or federal buildings or facilities that discharge waste water into the public wastewater treatment system, parks, and facility.

“May” is permissive; “shall” is mandatory

Natural Outlet - shall mean outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

NPDES (National Pollutant Discharge Elimination System) Permit” - shall mean the same as such is defined in the Code of Federal Regulations, 40 CFR Part 125, and in Public Law 92-500, Section 402.

Nonsanitary Flow - shall mean storm water originating from downspouts, storm and groundwater drains, and foundation drains.

Normal Domestic Sewage - shall mean waste from toilets, sinks, bathtubs, showers, laundries, garbage floor drains, bars, soda fountains, cuspidors, refrigerators, drinking fountains and other typical wastes from residential dwellings, which when analyzed shows by weight a daily average of not more than 240 milligrams per liter suspended solids and not more than 200 milligrams per liter biochemical oxygen demand (BOD).

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

Public Sewer - shall mean any sewer or drain owned by the Village, including storm, sanitary, or combined sewers.

Residential User - shall mean a principal family residence or habitation classified as a single family, multifamily, or apartment dwelling that discharges normal domestic sewage and wastewater having characteristics of 200 milligrams per liter bio-chemical oxygen demand and 240 milligrams per liter suspended solids into the public wastewater treatment system, works, and facility.

Sanitary Sewer - shall mean a sewer which carries normal domestic sewage and industrial wastes, and to which storm, surface, and groundwater are not intentionally admitted.

Sewage - shall mean the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions (including polluted cooling water). Sewage does not include storm water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water.

Sewage System or Sanitary Sewer System - shall mean the structures, equipment, and process required to collect, transport, and treat normal domestic sewage and industrial wastes and dispose of the effluent and accumulated residual solids and shall be synonymous with "wastewater treatment system."

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

Slug - shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24 hours concentration of flows during normal operation.

Storm Sewer or Drain - a pipe or conduit designed for the purpose of carrying storm, surface, cooling, and drainage water from the point or origin to some point of discharge, but which is not intended to carry domestic or industrial sewage.

Structure - shall mean a building of any type including, but not limited to, mobile homes, trailers, and out buildings of any kind.

Suspended Solids - shall mean 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.

Upset - shall mean an exceptional incident in which a user unintentionally and temporarily is in a state of non-compliance with the standards set forth in this ordinance due to factors beyond the reasonable control of the user and excluding noncompliance to the extent

caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, slug flow, lack of preventative maintenance, or careless or improper operation thereof.

User - shall mean any person who discharges, causes, or permits the discharge of wastewater into the wastewater treatment system.

Village - shall mean Village of Belle Center, Ohio, acting through its duly authorized officials and employees.

Village ADM - shall mean the Village of Belle Center Village Administrator.

Village Sewage System - shall mean the sewage system of the Village of Belle Center, Ohio.

Village Sewage System Service Area - shall mean the incorporated area of the Village of Belle Center and any unincorporated area included within the service area as defined in the Intergovernmental Agreement between the Village of Belle Center, Ohio and the County of Logan, Ohio.

Waste Water - shall mean the liquid and water-carried waste from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, or storm water that unintentionally may be present, whether treated or untreated, which is discharge or permitted to enter the wastewater treatment system.

Wastewater Treatment System - shall mean the structures, equipment, and process required to collect, transport, and treat domestic and industrial wasters and dispose of the effluent and accumulated residual solids and shall be synonymous with "sewage system" and analogous with the phrase "Publicly Owned Treatment Works' (POTW)

SECTION II USE OF PUBLIC SEWERS

1. It shall be unlawful to discharge into any natural outlet or storm drain within the Village of Belle Center, Ohio , or in the Village Sewage System Service Area, any wastewater or other polluted waters.

2. It shall be unlawful to construct or maintain any privy or privy vault within the Village or Village Sewage System Service Area. No septic tank, cesspool, or other facility intended or used for the disposal of wastewater shall be constructed within the Village or Village Sewage System Service Area unless permission is obtained from the Village ADM or County Health Department, as appropriate.

3. No person, firm or corporation or user of any kind shall discharge or cause to be discharged any storm water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water into the Village Sewage System.

4. It shall be unlawful to discharge into any building sanitary sewer connected to the Village Sewage System the surface water which collects in basements or foundation excavations. If a building sanitary sewage is complete before the plumbing can be connected thereto, the builder or sewer tapper shall keep the end of the building sanitary sewer tightly closed with a plumber's plug or other watertight plug.

5. The owner of any structure situated within the Village of Belle Center from which sewage emanates shall cause at the owner's expense said structure to be connected to the Village Sewage System within ninety (90) days after receipt of official notice from the Village to do so.

6. No person, firm, or corporation shall be permitted to connect to or discharge wastewater to the Village of Belle Center, Ohio, sewage system unless it has been determined by the Village that there is sufficient capacity in the system to collect, convey, and treat the proposed wastewater discharge of such person, firm, or corporation.

7. All new or replacement sewers that are now connected to or that will be connected to the Village of Belle Center sewage system and thereby discharging to the Village's wastewater treatment plant shall be constructed in accordance with the specifications designated by this Ordinance and any other applicable Ordinance of the Village.

8. Sampling of industrial waste for the purpose of compliance determination, with respect to the prohibitions and limitations stated in Section IV, will be done at such intervals as designated by the Village.

9. Duly authorized employees/agents of the Village bearing proper credentials and identifications shall be permitted to enter all properties for the purposes of inspection, observations, measurement, sampling, and testing pertinent to discharge to the Village Sewage System in accordance with the provisions of this Ordinance.

10. Duly authorized Village employees/agents are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the Village Sewage System. An industry may withhold information considered confidential provided that such industry establishes that revealing such information to the public would reveal a trade secret.

11. While performing necessary work for private properties, referred to in item 9 above, the Village or duly authorized employees/agents of the Village shall observe all safety rules applicable to the premises.

12. Any person, corporation or entity which connects property to the Village Sewage System is required to abide by all of the ordinances, rules and regulations governing the connection to and the use of same.

SECTION III
SEWAGE SYSTEM CONNECTIONS

A. Connection Fees.

1. Connection in Village - No Prior Assessment. No person, corporation or entity shall connect any structure in the Village to the Village Sewage System that is on a lot, partial lot or parcel of land that has not been assessed at the same rate as other property for the cost of said sewage system, without paying to the Village an amount equal to the assessment amount appropriate to said lot, partial lot or parcel of land, plus a connection fee established by separate ordinance for each connection within the Village.

2. Connection in Village - Parcel Previously Assessed. No persons, corporation, or entity shall connect any structure in the Village to the Village Sewage System that is on a lot, partial lot, or parcel of land that has been assessed for the cost of said sewage system without paying to the Village a connection fee established by separate ordinance for each connection within the Village.

3. Connection - Outside Village, No person, corporation, or entity shall connect any structure outside of the Village corporation limits to the Village Sewage System without paying to the Village a connection fee set by separate ordinance for such connection outside the Village. Such connection fee shall fairly represent an amount that would have been assessed against said property if in the Village, plus the connection fee for connections in the Village, plus a reasonable surcharge.

B. Permits.

1. Application. No connection shall be made to the Village Sewage System either inside or outside the corporation limits of the Village until a written application has been submitted and a connection permit has been obtained from the Village ADM

by the owner of the premise to be connected. The fee charged for said permit shall be set by separate ordinance. The application shall be on a form provided by the Village.

2. Right to Deny. The Village ADM shall deny issuance of a permit in the event the connection to be made will cause damage to properties presently tapped into the sewage system or within it has been determined that there does not exist sufficient capacity in the sewage system to accept the wastewater that may be discharged by the applicant for the permit.

C. Sewer - Tapper Permit. Any person who performs work as a sewer-tapper shall obtain a sewer-tapper permit from the Indian Lake Water Pollution Control District upon the payment of a fee, set by separate ordinance, and shall also furnish a \$5,000 bond in favor of the Village on a form prescribed by the Village, and proof by certificate of liability insurance coverage acceptable to the Village Board of Public Affairs. Said permit will be valid for one (1) year from date of issuance, with the aforementioned bound for like term. Any sewer-tapper permit is subject to revocation for failure to follow all ordinances, regulations or rules relative to the connection of any structure to the Village Sewage System.

D. Construction, Maintenance and Repair Details.

1. No storm drains or groundwater shall be allowed to discharge into the sanitary sewer lines. Downspouts and foundation drains shall be connected to storm drains or discharged on the ground surface.

2. Sewer connections shall be a minimum of 10 feet from any well or cistern water supply sources and shall be constructed as straight as possible.

3. Materials used to connect will be subject to inspection and approval and shall be new and of their best quality. Pipe and fittings 4 inches through 15 inches diameter shall be PVC gravity sewer pipe, ASTM D-3034, with elastomeric gasket joints conforming to ASTM D-3123.

4. Service connections shall be bedded in stone placed four inches below the pipe and covering the pipe to a depth of six inches. Where trenches abut private road shoulders or driveways, it is required that limestone 304-ODOT backfill be placed to the road surface. Material shall be placed in six inch tamped layers. Bedding stone shall not exceed State of Ohio Department of Transportation specification #56 in size of Ohio EPA Class I graded stone. Gravel bedding will be mandatory where public roads are involved.

5. Adapters for changing from one type of pipe to another shall be as recommended by the manufacturer and approved by the inspector. Where 90 deg. turns are requires, two 45 deg. bends shall be used instead of one 90 deg. bend. Runs between bends shall be on a straight line and grade.

6. Service lines shall be minimum of 4 inches in diameter for single family dwellings. Service lines for multifamily and commercial buildings shall be 6 inches in diameter. Minimum grade for a 4 inch service connection shall be .86 feet fall per 100 feet. Minimum grade for a 6 inch service connection shall be 0-.6 feet fall per 100 feet.

7. The service connection shall be tested in one of the two following ways;

- a) with water filled to at least 5 feet above the pipe. Water loss shall not exceed 0.15 gallons per foot of pipe per 24 hours for 4 inch pipe and 0.23 gallons per foot of pipe per 24 hours for 6 inch pipe; or
- b) by isolating the sewer section at each manhole and filling the line tested to 4 psig above ground water pressure and holding same for two minutes; then reducing pressure and holding same for the applicable time period on the air test charge appended to this ordinance. If the pressure drops less than 1 psig within the applicable time period on the aforesaid charge, said system will be deemed acceptable.

The trench shall not be backfilled until all tests are made unless special or safety conditions, as noted by the inspector, require immediate backfill. The Contractor shall furnish the test plugs and equipment necessary to perform the test. A wye shall be inserted at the beginning and end of the service connection for the test.

8. Permission for road or street cuts or boring under same, if required, is to be obtained from the Village, the Township Trustees, or the County Engineer, as appropriate, before work may proceed. No surface may be cut by backhoe. All original cuts, if permitted, shall be by saw or special jack hammer tool. Backfill in the trench will be done in the manner previously described. No road or street cuts shall be open through a street overnight. Barricades shall be furnished by the contractor or owner. Maintenance of the cut shall be the obligation of the contractor or owner.

9. The contractor or owner shall notify the Village ADM at least 24 hours before work commences, and not work shall be connected until it has been approved by the Inspector.

10. The inspector shall obtain the location of the tap from the as-built drawings and make necessary notation on the inspection sheet of these measurements and any correction. Also, notes shall be made of materials used, test for the service connection, and inspection or test to determine that no downspouts or other drains are interconnected.

11. A separate and individual sanitary sewer connection shall be made to each building which is required to connect to the Village Sewage System. No connection shall serve more than one building unless specific authority is given by the Village ADM. No building sewer or private lateral shall be run from the building or structure that it serves across or through a lot or parcel of land not owned by the owner of the lot or parcel on which said building or structure is located, unless permission to do so is granted by the

Village ADM and an easement containing a sufficient description to locate said line is properly obtained and duly recorded.

12. If any contractor or owner doing connection work to his property shall neglect or refuse to do anything required by this ordinance, fail to adequately repair and restore paving or sidewalks that are damaged in the laying of any house lateral, assume liability for all damages arising from excavations and making connections with, and openings into public sewers, subsoil drains, and utility service lines, whether above or below ground and regardless of whether damages occur within public rights-of-way, dedicated easement areas, or on private properties, fail to regrade settled backfill or reseed areas for which he is reasonable, or fail to repair damaged public property within a reasonable time (normally 96 hours) after receiving written notice from the Village ADM, or County Engineer, or County Sanitary Engineer to do so, the County Sanitary Engineer, or County Engineer or Village ADM may cause such work to be done under contract without advertising, with some capable person and the bill for the entire cost of the same shall be rendered to the contractor or owner who shall be liable for and shall pay such bill at once.

13. Damage, defects, or other problems with the sewer mains, stacks, or laterals not necessarily caused by the sewer pipe contractor by attributable to building activities (concrete delivery truck traffic, foundation excavation, landscaping excavation, etc.) will be the responsibility of the owner of the building lot involved. Failure to make adequate repairs within a reasonable period of time (normally 96 hours) after receiving written notification from the Village ADM, or County Engineer, or County Sanitary Engineer to do so may cause the Village ADM, or such work done under contract, without advertng, by some capable person and the bill for the entire cost of the same shall be rendered to the owner of the building lot who shall be liable for and shall pay such bill at once.

14. Any material (dirt, debris, etc.) which remain from any hookup, maintenance or repair work shall not be put into the sanitary sewer system or component thereof for any purpose.

15. When a septic system or tank is being disconnected as requires herein below, the contents of any septic system or tank shall not be pumped or discharge into the sanitary sewer system or any of said system's component for any purpose.

E. Ownership

1. A. sewage system user's lie form the edge of the right-of-way in which the sewer main is located to the individual home(s) or building(s) being served, shall be the sole responsibility of the property owner(s) of the home or building being served.

2. The owner of the building or structure, the construction of which is completed after the Village Sewage System lines are installed, which is permitted or required to connect said structure to the Village Sewage System is responsible of all costs of

accessing the appropriated sanitary sewer main, including but not limited to the costs of cutting or boring under any street or road as required by the Village or County Engineer.

F. Septic System Tanks Receptacles. All private septic systems shall be disconnected and shall have their tanks pumped. The bottom of any such tank or similar receptacle shall be punched in sufficient manner to prohibit the collection of any liquids. All tanks, after having been pumped and punched to permit adequate drainage shall be filled with aggregate.
(Air test chart per paragraph 7(b) follows - page 10-A)

SECTION IV NON ACCEPTABLE WASTEWATER AND INDUSTRIAL PRETREATMENT

1. The Village shall enact and enforce ordinances, rules and regulations establishing the types and characteristic of sewage, industrial waster, and other matter which shall be discharged into the sanitary sewerage system, the types and characteristics of sewage and industrial wastes admissible to the system only after pretreatment, requisites for pretreatment, and otherwise governing the discharge of sewage, industrial wastes, and other matters into the system in the intent of safety and efficient operation of the wastewater treatment system. Applicable industrial pretreatment conditions and industrial pretreatment regulations, as promulgated under Section 307(b) of the Clean Water Act, are hereby incorporated in this ordinance and made a part thereof.

2. A prospective industrial user of the Village's Wastewater treatment system must, upon application for sewer service, present to the Village a tabulation of the chemical analysis of the wastes to be discharged to the sewage system and the volume of such waster, or if this in not available, the expected waste analysis based on similar processes now in operation.

3. In cases where the character of sewage or industrial waste from any manufacturing or industrial plant, building, or premises is such that it will damage the sewerage system or cannot be treated satisfactorily at the wastewater treatment plant, the Village shall compel such users to properly dispose of such waste and prevent it from entering the sewerage system.

4. In cases where the character of the sewage or industrial waste from any manufacturing or industrial plant, building, or premises is such that it imposes an unreasonable burden upon the sewage collection, pumping, or treatment works, the Village may, at its discretion, compel such manufacturing or industrial plat, building, or premises to pre treat such sewage in such manner as specified by the Village before discharging it into the sewage system; require flow control or equalization of such wastes so as to avoid any 'slug' loads or excessive loads that may be harmful t the treatment works; and/or require payment of a surcharge on any excessive flows or loading discharged to the treatment works to cover the additional costs of having capacity for and treatment such wastes. The Village by its duly authorized agents reserve the right to inspect interceptors at any time during normal business hours. If the ADM requires pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Village ADM and be subject to the review and approval of the Village ADM and state regulatory agencies and subject to the requirements of all applicable codes, ordinances, and laws. Plans, Specifications and any other pertinent information prepared by a licensed professional engineer relating to proposed preliminary treatment or processing facilities shall be submitted to the Village ADM proper to the start of construction in the effluent from such facilities is to be discharged into the Village Sewer System. No construction of such facilities shall be commenced until such approval is obtained in writing.

5. The discharge of non acceptable industrial wastewater into the sewerage system, whether directly or indirectly, is prohibited. Wastewater shall be deemed non acceptable when the concentration of harmful or toxic substances in the wastewater exceeds certain prescribed tolerable limits. Toxic or harmful substances include, but are not limited to the following;

Toxic or Harmful SubstancesTolerable Limits

Arsenic	0.2 mg/l
Barium	1.0 mg/l
Boron	5.0 mg/l
Cadmium	0.1 mg/l
Chromium +3	0.5 mg/l
Chromium +6	0.5 mg/l
Cobalt	1.0 mg/l
Copper	0.5 mg/l
Cyanide (HCN)	5.0 mg/l
Fluoride	5.0 mg/l
Iron	0.5 mg/l
Lead	0.02 mg/l
Mercury	5.0 mg/l
Molybdenum	2.0 mg/l
Nickel	2.0 mg/l
Phenols	5.0 mg/l
Selenium	0.10 mg/l
Silver	0.03 mg/l
Sulfides	50.0 mg/l
Total Dissolved Solids	1,500.0 mg/l
Tungsten	5.0 mg/l
Zinc	2.0 mg/l
Radioactive Substances	Gross Beta activity (in the known absence of strontium and Alpha emitters) - 1,000 micro curies per liter

The preceding list of toxic or harmful substances is subject to revisions as required to meet currently water quality standards or effluent standards imposed by state or federal agencies. In special cases (low volume users), the concentration of toxic or harmful substances in the wastewater may be exceeded if it is determined by the Village that the total pounds of toxic or harmful substances discharged to the sewage system are not harmful to or will not interfere with the sewage treatment process or will not violate water quality or effluent standards, provided however, the Village reserves the right to review and rescind such permission at any time.

6. No person shall discharge or cause to be discharged, either directly or indirectly to the sewerage system, any of the following described substances, materials, waters, or wastes.

Any liquid or vapor having a temperature higher than 150 deg. F or which causes the temperatures of the incoming wastewater at the wastewater treatment plant to exceed 90 deg. F.

Any water or wastes containing an objectionable color not removed in the treatment process, caused by, but not limited to, dye wastes and vegetable tanning solutions.

Any gasoline, benzene, naphtha, fuel, oil mineral oil or other volatile flammable or explosive liquid, solid or gas.

Any noxious or malodorous gas or substance which, wither singly or by interaction with other wastes, is capable or creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance and repair.

Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property of causing damage or hazard to structures, equipment, or personnel of the sewerage system.

Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, hair and fleshing, entrails, lime slurry, lime, chemical, or paint residues, cannery wastes, bulk solids, or any other solid objects or viscous substances capable of causing obstruction to the low operation of the sewerage system.

Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewerage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewerage system.

Any water or wastes containing emulsified oil or grease exceeding, on analysis, an average of 50 milligrams of oil and grease per liter determined as total soluble matter.

Any garbage that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions of the sewer and with no particle greater than ¼ inch in any dimension.

Any water or wastes containing suspended solids of such character or quality that unusual attention or expense is required to handle such materials at the sewage treatment plant, or having a chlorine demand greater than 25 parts per million.

Any waste containing substances that would result in a violation of the NPDES permit.

The above list is subject to revisions as required to meet currently water quality standards imposed by the state or federal legislatures or agencies, and deemed to be so revised and incorporated herein upon their enactment or promulgation.

7. No statement contained in this Section shall be interpreted as preventing any special agreement or arrangement interpreted as preventing any special agreement or arrangement between the Village and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment. In all such cases, the provisions set

fourth in the Village Ordinance establishing Sewer Service Charges will be governing factors in any contracts entered into.

8. Grease, oil, and sand interceptors shall be proved by the user when, in the opinion of the Village, they are necessary for property handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptor shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. The shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. Where installed, all grease, oil and sand interceptors shall be maintained by the user at the user's expense, in continuous efficient operation a t all times.

The Village by its duly authorized agents reserve the right to inspect interceptors at any time during normal business hours.

SECTION V WASTEWATER MONITORING AND INSPECTION

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 and concentrations of such pollutants that are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable state or federal pretreatment standards or requirements.

2. Such records shall be made available upon request by the Village. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S Environmental Protection Agency (U.S. EPA) upon demand.

3. If so ordered by the Village, the owner or operator of any premise or facility discharging industrial wastes into the system shall install at his own cost and expense suitable 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.

4. 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 Village may allow such a facility to be constructed in the public right-of-way, with the approval of the public agency having jurisdiction of such right-of-way, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

5. When more than one user can discharge into a common sewer, the Village may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristic produced by different operations of a single user, the Village may require that separate monitoring facilities be installed for each discharge.

6. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Village requirements and all applicable construction standard sand specifications.

7. Compliance determinations with respect to the prohibitions and limitation stated in Section IV may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period, or a longer or shorter time span, as determined necessary by the Village in order to meet the needs of specific circumstances.

8. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standards Methods" "Methods for Chemical Analysis of

Water and Waste” published by the U.S. EPA, or the “Annual Book of Standard, part 23, Water, Atmospheric Analysis: published by the American Society for Testing and Material. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the Ohio Environmental Protection Agency (Ohio EPA). In addition, all measurement, test and analysis of the characteristic of waste water shall also be made in conformance with the October 16, 1975, Federal Register (40 CFR Part 136) entitled “Guidelines for Establishing Test Procedures for the Analysis of Pollutant.”

9. Sampling of industrial wastewater for the purposes of compliance determination, with respect to the prohibitions and limitations stated in Section IV, will be done at such intervals as designated by the Village.

10. Duly authorized employee/agents of the Village bearing proper credentials and identifications shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the Village Sewage System in accordance with the provisions of this Ordinance.

11. Duly authorized Village employees / agents are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential roved that the industry establishes that revealing such information to the public would reveal a trade secret.

12. While performing necessary work on private properties, referred to item 10 above, the Village or duly authorized employees/agents of the Village shall observe all safety rules applicable to the premises.

SECTION VI PREVENTION AND NOTIFICATION OF ACCIDENTAL DISCHARGE

1. Each industrial user shall provided protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent accidental discharge or prohibited materials shall be proved and maintained at the owner's or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Village for review within six (6) months of the adoption of this ordinances, and shall be approved by the Village 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 this facility as necessary to met the requirements of these Ordinances or rules and regulations of the Village Adm. If for any reason, an industrial user does not comply with or will be unable to comply with any prohibition, limitation, or directive in this Ordinances, the user shall immediately notify the Village so that action may be taken to protect the treatment system.

2. All users shall notify the Village ADM immediately of all discharges of prohibited materials or other wastes that could cause problems in the collection system or the Village Sewage System's treatment plant, including an slug loadings. Where such information is given orally, a written follow-up report therefore shall be filed by the discharge with the Village ADM within five (5) days. The report shall specify:

- 1) The date and time of the accidental discharge.
- 2) The cause of the discharge.
- 3) The quantity and characteristic of the discharge.
- 4) The corrective actions taken, if any, to neutralize the discharge.
- 5) The corrective actions taken to stop the discharge.
- 6) The corrective actions taken to prevent future discharges.

Such notification will not relieve users of liability for any applicable fines or for any expenses, loss, or damage to the sewage system, treatment plant, or treatment process, or for any fines imposed on the Village or account thereof.

3. In order that employees of users be informed of these reporting requirements, users shall make available to their employees copies of this section together with such other wastewater information and notices which may be furnished by the Village from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge.

4. No user shall be permitted to introduce pollutants into the Village Sewage System until the Village ADM has approved the accidental discharge protection procedures.

5. A documented and verified bonafide operating upset, as defined by this ordinances, shall be an affirmative defense to any enforcement action brought by the Village against a discharge for any non compliance with this ordinance which arises out of violations alleged to have occurred during three period of the upset. A written report alleging such an upset shall be field within five (5) days of the discharge and contain a description of the upset and shall contain all of the elements of the report required in paragraph 2 of this section.

SECTION VII VIOLATIONS, PENALTIES, AND RIGHT OF APPEAL

1. Whenever the Village finds that any person has violated or is violating any prohibition, limitation, or provision of this Ordinance, they may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days for a satisfactory correction thereof. Such notice shall also state that any person in violation of this Ordinance shall be liable for any resulting damages or applicable fees.

2. If the violation is not corrected by timely compliance, the Village may order any person who causes or allows an unauthorized discharge to show cause before the Village ADM why service should not be terminated and the Village may take temporary measures to physically eliminate the unwanted discharge when such discharges presents an imminent or substantial danger tot he health or welfare of persons or to the environment. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the ADM regarding the violation, and directing the offending party to show cause before ADM why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least 10 days before the hearing. Service may be made on any agent or officer of a corporation.

3. The ADM may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Village to:

(A) Issue in the name of ADM notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.

(B) Take the evidence.

(C) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the ADM for action thereon.

4. At any public hearing, testimony taken before the ADM or any person designated by it, must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

5. After the ADM has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives are as necessary and appropriate.

6. Any discharge in violation of the substantive provisions of this Ordinance or an Order of the ADM shall be considered a public nuisance. If any entity or person discharges

sewage, industrial wastes, or other wastes into the Village treatment system contrary to the substantive provisions of this Ordinance, or any Order of the ADM, and ADM shall commence an action for appropriate legal and/or equitable relief.

7. Any person who is found to have violated an Order of the ADM, or found to have willfully or negligently failed to comply with any provision of this Ordinance, and the orders, rules, and regulations issued hereunder, shall be fined not less than \$500.00 nor more than \$1000.00 for each offense. Each day on which a violation shall occur or continue shall be deemed as separation and distinct offense. In addition to the penalties provided herein, the Village may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, and regulations issued hereunder.

8. Any person found guilty by the ADM of violating any provision of this ordinance shall have the right to appeal that decision before the full Village Council. They shall also have all rights of any appeal available to them through the court system.

9. All records which pertain to enforcement or litigation activities shall be retained and preserved by the discharger until all enforcement activities have concluded and periods of appeals have expired.

SECTION VIII
RULE MAKING AUTHORITY

The Village ADM is hereby authorized and directed to make such rules and regulations as may be found necessary for the safe, economical, and efficient management and protection of the Village Sewage System and for the enforcement of the provisions of this ordinance.

SECTION IX
CHARGES FOR SEWER USE

Rates for use of the Village Sewer System shall be established by separate ordinance adopted by the Village.

Passed: Nov 14, 2000
Date

Donald E. Ruble
Mayor

Attest:

Steven A. Moon
Clerk-Treasurer

ORDINANCE 2000-16

**AN ORDINANCE TO APPROPRIATE PROPERTY AND VARIOUS INTEREST IN
PROPERTY IN ORDER TO COMPLETE AND CONSTRUCT A CERTAIN PROJECT
KNOWN AS THE VILLAGE OF BELLE CENTER SEWER PROJECT AND
DECLARING AN EMERGENCY**

Complete Ordinance in file.

ORDINANCE NO 2000-15

AN ORDINANCE ESTABLISHING CONNECTION CHARGES, USER CHARGES AND COLLECTION PROCEDURES FOR THE VILLAGE OF BELLE CENTER SANITARY SEWER SERVICE UTILITY AND DECLARING AN EMERGENCY

WHEREAS, this council has adopted Ordinance 2000-12 on August 8, 2000 (user charges and collection procedures) and Ordinance 2000-13 (amendment to section 3 subsection (b) and (f) on September 5, 2000 declaring the connection charges, user charges and collection procedures for the village of Belle Center.

WHEREAS, the Village has established a sewer system utility (the "Village Sewer System"); and

WHEREAS, this Council finds it necessary to adopt a schedule of connection and user charges and establish procedures for the collection of those charges, all in connection with the operation of the Village Sewer System;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, that Equivalent Dwelling Unit or EDU shall be amended from 5,250 gallons per month to 5,520 gallons per month.

Section 1. Definitions. In addition to the words and terms defined elsewhere in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Biochemical Oxygen Demand" or "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade expressed in milligrams per liter.

"Connection Charge" means the connection charge imposed and collected in accordance with Section 2 of this Ordinance.

"Debt Service Charge" means the principal of and interest on bonds and/or notes authorized and issued by the Village to construct the Village Sewer System and/or the principal of and interest on obligations of the Logan County, Ohio Sanitary Sewer Districts issued for the purpose of providing or improving service to the Village Sewer System

"Equivalent Dwelling Unit" or "EDU" means 5,520 gallons per month.

"Industrial Wastes" means the wastewater from industrial processes, trade or business as distinct from Normal Domestic Sewage.

“Non-Residential User” means any user of the Village Sewer System, which is not a Residential User.

“Normal Domestic Sewage” means waste from toilets, sinks, bathtubs, showers, laundries, garbage, floor drains, bars, soda fountains, cuspidors, refrigerators, drinking fountains and other typical wastes from residential dwellings, which when analyzed shows by weight a daily average of not more than 240 milligrams per liter suspended solids and not more than 200 milligrams per liter biochemical oxygen demand (BOD). Sewage or Industrial Wastes with daily average weights for BOD and/or suspended solids greater than stated in this paragraph shall be deemed above normal sewer strength.

“Operation and Maintenance Costs” means the cost incurred in the act of keeping all facilities for collection, pumping, locating, and disposing of sewage, in a good state of repair and functioning properly.

“O M & R” means Operating and Maintenance Costs and Replacement Costs.

“Replacement Costs” means cost incurred in obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the Village Sewer System to maintain the capacity and performance of which such system was designed and constructed.

“Residential User” means a principal family residence or habitation classified as a single family, multifamily, or apartment dwelling that discharges normal domestic sewage and wastewater having characteristics of 200 milligrams per liter Biochemical Oxygen Demand and 240 milligrams per liter Suspended Solids into the Village Sewer System

“Sewer Service Charge” means the total charge levied against users of the Village Sewer System for monthly sewer service to recover Operating and Maintenance Costs, Replacement Costs, Debt Service Charges, and the cost of rendering bills and collecting such charges.

“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.

Section 2. Sewer Connection Charges.

- (a) Necessity for Connection Charges. For the purpose of providing revenue for the financing and equitable distribution of the cost of construction and enlargement of the Village Sewer System, it is hereby determined and declared necessary to provide for the establishment and imposition of a Village Sewer System connection charge, to be paid in addition to any and all other fees which may be imposed herein or elsewhere with respect to the Village Sewer System.

- (b) Connection Charges. The Village Administrator shall be and is hereby authorized and directed to impose and collect a Connection Charge in the amount of \$350.00 whenever a Residential User or Non-Residential User applies for a permit to connect a structure to the Village Sewer System. Provided, however, upon presentation of written evidence by such Residential User or Non-Residential User of a previous payment to the Village in respect of use of the Village Sewer System, the Village Administrator is authorized and directed to grant to such Residential User or Non-Residential User a credit towards the payment of the Connection Charge in the amount of such previous payment.
- (c) Use of Connection Charges. Connection Charges collected by the Village Administrator shall be deposited into the Sewer System Fund and used for the payment of Operating and Maintenance Costs, replacement Costs and Debt Service Charges.

Section 3. Sewer Service Charges.

- (a) General. The following are hereby fixed as the fair, proportional, and reasonable rates for Sewer Service Charges. All users discharging waste to the Village Sewer System shall be billed for wastewater treatment services including governmental or institutional users such as schools, municipal utilities, or other public buildings. No user shall be provided service without payment of Sewer Service Charges in proportion to the service received by such user.

(b) Sewer Service Charges

1 EDU is equivalent to 5,520 gallons per month

	Debt Service	OM&R	Total
Residential: 1 EDU			
Single Family Dwellings			
Multiple Family Dwellings			
Apartments/Condominiums			
Per residence	\$20.51	\$8.02	\$28.53
Non-Residential – (normal domestic strength sewage)			
Water meter billing – 1 EDU			
5,520 gallons/month			
Per water/sewer connection	\$20.51	\$8.02	\$28.53
Each additional 1,000 gallons	\$0.00	\$0.00	\$1.45

- (c) Sewer Service Surcharges. The Village shall have the right to surcharge any user for the discharge of wastes above normal sewage strength and for the discharge of wastes above normal sewage strength and for the discharge of any other pollutant into the Village Sewer System such as oil and grease, high nitrogen compounds, blood, animal wastes and/or other high strength organic wastes.
- (d) Annual Review of Charges. The Sewer Service Charge shall be reviewed annually by the Village in order to determine whether or not it is sufficient to defray the fixed charges, amortization costs, and annual Operating and Maintenance Costs of the Village Sewer System. If the difference between the total annual revenue derived and the total cost is sufficient to justify an increase or decrease in the Sewer Service Charge, the Village will adjust the rates as required. The purpose of the annual review is also to maintain a proportional Sewer Service Charge.
- (e) Annual Notice. Each user to be notified at least annually in conjunction with a regular bill, of the rate and that portion of the Sewer Service Charge which is attributable to Operating and Maintenance Costs and Replacement Costs of wastewater treatment services.
- (f) Late Payment Charges. The Village Administrator shall assess a 10% penalty or late charges for nonpayment of charges as he shall deem necessary to enforce and effect payment of such charges and may make such other regulations he deems necessary to operate and collect Sewer Service Charges, including shutoff orders.

Section 4. Collection. The Village Administrator (hereinafter referred to as the "Administrator" shall have the primary responsibility for the administration of the following.

- (a) Billing Procedures
 - (i) The Sewer Service Charges established by this Ordinance and regulations of the Administrator shall be billed after the service is rendered.
 - (ii) The Debt Service Charge shall be included in the sewer service charge bill. The bill frequency shall be on a monthly basis.
 - (iii) Bills shall be mailed to the owner of the property at the mailing address of the property serviced unless the owner, in writing, request the bill be sent to a different mailing address of the owner. In the case

where the land is separately owned from the building, the bill shall be sent to the mailing address of the owner of the building.

- (iv) After the effective date of this Ordinance, the bill may continue to be sent to the mailing address for a leasee until one of the following occurs:

- a. The lessee moves out of the building; or
- b. the lessee is delinquent twice within a calendar year.

Upon the occurrence of a. or b. , the bill shall be sent to the mailing address of the owner of the property without exception.

- (v) Any property connected to the Village Sewer System after the beginning of a month shall be charged a per diem prorated amount based upon the applicable monthly charge.
- (vi) For service connections where the property is habital but not occupied, the minimum charge shall be levied for each sewer connection.

(b) Changes of Address or Ownership

- (i) Upon the change of his or her mailing address, the owner of a property served by the Village Sewer System shall inform the Administrator, in writing, of the change. Failure to inform the Administrator of a change of address shall not excuse the owner from any payment penalties incurred because of the failure to report an address change.
- (ii) Prior to the sale of a property, the present owner shall contact the Administrator to arrange for proration of the final bill. The final bill shall be sent to the mailing address specified by the present owner. Failure of a previous owner to comply with this part shall not excuse the new owner from responsibility for any and all delinquencies carried pursuant to the Ohio revised Code, current charges, or penalties remaining unpaid by the previous owner.
- (iii) Prior to the sale of a property, the purchaser shall contact the Administrator to arrange for a proration of the first bill and to inform the Administrator of the mailing address of the new owner. Failure of a previous owner to comply with this part shall not excuse the new owner from responsibility for any and all delinquencies carried pursuant to the Ohio revised Code, current charges, or penalties remaining unpaid by the previous owner.

(c) Payments and Penalties

- (i) Payment of the Sewer Service Charge bill shall be due on the due date stated on the billing. If the due date falls on a Sunday or holiday, the Sewer Service Charge bill shall be due the following business day (including Saturday).
- (ii) Checks and money orders shall be made payable to the Village of Belle Center, Ohio.
- (iii) Payments sent by mail and postmarked on the due date will be accepted without the imposition of a penalty payment. If the due date falls on a Sunday or holiday, the payment sent by mail must be postmarked no later than the following business day (including Saturday).
- (iv) Payments received or postmarked after the due date or the first business day thereafter (including Saturday) shall be subject to a payment penalty of the original amount billed, as determined by the Administrator.
- (v) In the event that payment is not received within 15 days from the penalty due date, the Administrator may cause a notice to be delivered or mailed to the owner and the occupant of the premises stating the amount due and demanding payment thereof within a period not to exceed five (5) days of the date of such notice and stating that if such payment is not made, the sewer service shall be discontinued without further notice and, at the expiration of such period as provided in such notice, the Village may enter on said premises and cause the sewer service to be disconnected and discontinued. The owner and/or occupant will be responsible for fees associated with disconnecting and reconnecting sewer service.
- (vi) If a bank should return a check for insufficient funds, that account will be subject to an insufficient funds charge of \$20.00.
- (vii) If a person has two checks returned for insufficient funds, the Administrator may require all future payments to be made in cash or money order.
- (viii) Upon the claim of a person that the return of a check for insufficient funds was a bank error, the Administrator may waive any insufficient funds charge and/or accept payment by check if the bank supplies adequate documentation of its error.

- (ix) Generally, a person should contact the Administrator if he or she fails to receive a bill within 15 days of the normal billing date. Upon a claim of a person that the bill was not received, the following actions shall be taken.
 - a. If the records of the Administrator show the bill was duly mailed to the last reported mailing address, the person shall be responsible for timely payment of the bill.
 - b. If the records of the Administrator show the bill was not duly mailed to the last reported mailing address, the Administrator may either:
 - 1. Issue a bill due ten (10) days from the date of mailing; or
 - 2. Add the unpaid charges to the following month's bill without a penalty.
- (x) In utilizing the U.S. Postal Service for delivery of their payment of a Sewer Service Charge, users assume responsibility for any failure of the U.S. Postal Service to deliver the payment to the Administrator. Accordingly, the Administrator shall not waive payment penalties for any person claiming that the U.S. Postal Service failed to deliver a payment.

(d) Delinquencies

Any unpaid billings, together with accrued penalties, shall be certified to the County Auditor, pursuant to the Ohio Revised Code, who shall place such delinquencies upon the real property tax duplicate for the property receiving sewer service. Such delinquencies shall be a lien upon the property from the date the delinquency is placed upon the real property tax duplicate and shall be collected in the same manner as other real estate taxes. Failure to pay delinquencies certified may result in a foreclosure of the property by the County Prosecutor. This part shall be in addition to all other collection remedies provided by law including an action in small claims court.

(e) Disconnection or Reconnection

- (i) A user who certifies his or her building is not habitable may request the Administrator to disconnect a building from the Village Sewer System. Upon such request, the Administrator shall remove or close the sewer connections and/or remove any publicly owned equipment.

- (ii) Thereafter, the owner of the premises shall not allow the building to be utilized for human occupancy as a residence or place of employment and the Administrator shall not bill for sewer services.
- (iii) Violation of Paragraph 2, above will subject the owner to the mandatory connection provisions of the Village Sewer Use Ordinance (#2000-11).
- (iv) A person or subsequent owner of property disconnected who disconnects from the Village Sewer System may later request to be reconnected. Upon approval by the Administrator, the Administrator shall reopen sewer connections and/or replace publicly owned equipment.
- (v) The charge for disconnection or reconnection shall be paid to the Administrator before performance of the work, as determined by the Administrator.
- (vi) The Owner or representative shall be present at the time of disconnection or reconnection in order to provide necessary access to electrical and plumbing facilities.

Section 5. Miscellaneous.

(a) Liberal Interpretation

This regulation shall be interpreted liberally to effectuate its broad remedial purpose of protection of the public health, safety and welfare. Absent of showing an actual abuse of discretion, the Administrator's interpretation of this Ordinance and its regulations shall have a strong presumption of validity.

(b) Appeals

- (i) All customers shall have the right to appeal bills rendered for Sewer Service Charges. It shall be the responsibility of the Administrator to resolve such dispute. Any dispute not resolved by the Administrator shall be presented to the Village Council for its review and decision.
- (ii) No legal action in the courts of the state or federal government shall be initiated by any user until completion of this administrative remedy.

(c) Invalidity and Separability

Invalidity of any section, clause, sentence or provision in this regulation shall not affect the validity of any other section, clause, sentence or provision of this regulation or subsequent resolutions.

(d) Right to Contract

The Administrator reserves the right to contract with any entity at any time for collection of Sewer Service Charges.

Section 6. This Ordinance shall amend any and all prior ordinances passed by this council in establishing connection charges, user charges and collection procedures for the Village of Belle Center Sanitary Sewer Service Utility.

Section 7. Emergency Declaration. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. The reason for such necessity is a public health hazard exist in the Village of Belle Center because of discharges of sewage or industrial waste above normal sewage strength and the need to construct and provide for the operation of the Village Sewer System. Adequate surcharges are necessary to pay for necessary treatment to meet required standards necessary for public health and safety. Therefore this Ordinance shall go into immediate effect.

Passed: October 10, 2000

Attest:

Steven A. Mone
Clerk

Donald E. Ruble
Mayor

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(VILLAGE COUNCIL)

Revised Code, Secs. 5705.34-5705.35

R-14-2000

The Council of the Village of Belle Center, Logan County, Ohio,
met in Regular session on the 5th day of September, 20 00, at
the office of Belle Center Council with the following members present:

MR. ALLIE SCHRADER

MR. WILLIAM MCCORMICK

MR. RICHARD MULLEN

MR. ROBERT JAMES

MR. E. S. HEMINGER

MRS. DIANE CAMPBELL

Mr. WILLIAM MCCORMICK Moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Logan County, Ohio, has abolished the
Tax Budget for the next succeeding fiscal year commencing January 1st, 20 01 and

WHEREAS, The Budget Commission of Logan County, Ohio, has certified its
action thereon to this Council together with an estimate by the County Auditor of the rate of each tax
necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill
limitation; therefore, be it

RESOLVED, By the Council of the Village of Belle Center, Logan County,
Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the
same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax
necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Com- mission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
General Fund		\$ 20,000.00	2.70	
General Bond Retirement Fund				
Park Fund				
Recreation Fund				
Fund				
Fund				
TOTAL		\$ 20,000.00	2.70	

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIED

FUND	Maximum Rate Authorized To be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current expense levy authorized by voters on _____, 19 ____		
Not to exceed _____ years.		
SPECIAL LEVY FUNDS:		
Levy Authorized by voters on _____, 19 ____		
Not to exceed _____ years.		
Levy Authorized by voters on _____, 19 ____		
Not to exceed _____ years.		
Levy Authorized by voters on _____, 19 ____		
Not to exceed _____ years.		
Levy Authorized by voters on _____, 19 ____		
Not to exceed _____ years.		

And be it further

*RESOLVED, That the Clerk of this Council be and he/she is hereby directed to certify a copy of
this Resolution to the County Auditor of said County.*

*Mrs. DIONE CAMPBELL Seconded the Resolution and the roll being called upon its
adoption the vote resulted as follows:*

MR. ALLIE SCHROEDER _____, YEA
MR. RICHARD MULLET _____, YEA
MR. ROBERT JAMES _____, YEA
MR. E. S. HEMMINGER _____, YEA
MR. WILLIAM MCCORMICK _____, YEA
MRS. DIONE CAMPBELL _____, YEA
M _____, _____

Adopted the 5TH day of SEPTEMBER, 2000

Allie Schroeder
President of Council

Attest

Steven A. Mome
Clerk of Council

CERTIFICATE OF COPY

ORIGINAL ON FILE

The State of Ohio, Logan County, ss.

I, STEVEN A. MOORE, Clerk of the Council of the Village of Belle Center,
Ohio within and for said County, and in whose custody the Files and Records of said Board are
required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and
copied from the original Belle Center Council minutes.

Now on file, that the foregoing has been compared by me with said original documents, and that the
same is a true and correct copy thereof.

WITNESS my signature, this 5TH day of SEPTEMBER, 20 00.

Steven A. Moore
Clerk of Council

A copy of this Resolution must be certified to the County Auditor before the first day of October in each year, or at such later date as may be approved by the Board of Tax Appeals.

ORDINANCE NO 2000-13

AN ORDINANCE ESTABLISHING CONNECTION CHARGES, USER CHARGES AND COLLECTION PROCEDURES FOR THE VILLAGE OF BELLE CENTER SANITARY SEWER SERVICE UTILITY AND DECLARING AN EMERGENCY

WHEREAS, this council has adopted Ordinance 2000-12 on August 8, 2000 (user charges and collection procedures) declaring the connection charges, user charges and collection procedures for the Village of Belle Center; and

WHEREAS, this Council finds it necessary to adopt a schedule of connection and user charges and establish procedures for the collection of those charges, all in connection with the operation of the Village Sewer System;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, that:

Section 1: Section 3 subsection (b) and (f) of Ordinance 2000-12 as adopted on August 8, 2000 originally provided as follows:

Section 3. Sewer Service Charges

(b) Sewer Service Charges

1 EDU is equivalent to 5,250 gallons per month

	Debt Service	OM&R	Total
Residential: 1 EDU			
Single Family Dwellings			
Multiple Family Dwellings			
Apartments/Condominiums			
Per residence	\$20.51	\$8.49	\$29.00
Non-Residential – (normal domestic strength sewage)			
Water meter billing – 1 EDU			
5,250 gallons/month			
Per water/sewer connection	\$20.51	\$8.49	\$29.00

(f) Late Payment Charges. The Village Administrator may assess such reasonable penalty or late charges for nonpayment of charges as he shall deem necessary to enforce and effect payment of such charges and may make such other regulations he deems necessary to operate and collect Sewer Service Charges, including shutoff orders.

Section 3 of Ordinance 2000-12 is hereby amended to read as follows:

(b) Sewer Service Charges

1 EDU is equivalent to 5,250 gallons per month

	Debt Service	OM&R	Total
Residential: 1 EDU			
Single Family Dwellings			
Multiple Family Dwellings			
Apartments/Condominiums			
Per residence	\$20.51	\$8.02	\$28.53
Non-Residential – (normal domestic strength sewage)			
Water meter billing – 1 EDU			
5,250 gallons/month			
Per water/sewer connection	\$20.51	\$8.02	\$28.53
Each additional 1,000 gallons	\$0.00	\$1.45	\$1.45

(f) Late Payment Charges. The Village Administrator shall assess a 10% penalty or late charges for nonpayment of charges and may make such other regulations he deems necessary to operate and collect Sewer Service Charges, including shutoff orders.

Section 2: Section 3 subsection (b) and (f) of Ordinance 2000-12 adopted on August 8, 2000, as each existing prior to the adoption of this Ordinance are repealed.

Section 3: This council finds and determines that all formal actions of this council concerning to and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. The reason for such necessity is a public health hazard exist in the Village of Belle Center because of discharges of sewage or industrial waste above normal sewage strength and the need to construct and provide for the operation of the Village Sewer System. Adequate surcharges are necessary to pay for necessary treatment to meet required standards necessary for public health and safety. Therefore this Ordinance shall go into immediate effect.

Passed: September 5, 2000

Attest:

Steven A. Moore
Clerk

Donald E. Ruble
Mayor

ORDINANCE NO 2000-12

AN ORDINANCE ESTABLISHING CONNECTION CHARGES, USER CHARGES AND COLLECTION PROCEDURES FOR THE VILLAGE OF BELLE CENTER SANITARY SEWER SERVICE UTILITY AND DECLARING AN EMERGENCY

WHEREAS, the Village has established a sewer system utility (the "Village Sewer System"); and

WHEREAS, this Council finds it necessary to adopt a schedule of connection and user charges and establish procedures for the collection of those charges, all in connection with the operation of the Village Sewer System;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, that:

Section 1. Definitions. In addition to the words and terms defined elsewhere in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Biochemical Oxygen Demand" or *"BOD"* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade expressed in milligrams per liter.

"Connection Charge" means the connection charge imposed and collected in accordance with Section 2 of this Ordinance.

"Debt Service Charge" means the principal of and interest on bonds and/or notes authorized and issued by the Village to construct the Village Sewer System and/or the principal of and interest on obligations of the Logan County, Ohio Sanitary Sewer Districts issued for the purpose of providing or improving service to the Village Sewer System

"Equivalent Dwelling Unit" or *"EDU"* means 5,250 gallons per month.

"Industrial Wastes" means the wastewater from industrial processes, trade or business as distinct from Normal Domestic Sewage.

"Non-Residential User" means any user of the Village Sewer System, which is not a Residential User.

"Normal Domestic Sewage" means waste from toilets, sinks, bathtubs, showers, laundries, garbage, floor drains, bars, soda fountains, cuspidors, refrigerators, drinking fountains and other typical wastes from residential dwellings, which when analyzed shows by weight a daily average of not more than 240 milligrams per liter suspended

solids and not more than 200 milligrams per liter biochemical oxygen demand (BOD). Sewage or Industrial Wastes with daily average weights for BOD and/or suspended solids greater than stated in this paragraph shall be deemed above normal sewer strength.

“Operation and Maintenance Costs” means the cost incurred in the act of keeping all facilities for collection, pumping, locating, and disposing of sewage, in a good state of repair and functioning properly.

“O M & R” means Operating and Maintenance Costs and Replacement Costs.

“Replacement Costs” means cost incurred in obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the Village Sewer System to maintain the capacity and performance of which such system was designed and constructed.

“Residential User” means a principal family residence or habitation classified as a single family, multifamily, or apartment dwelling that discharges normal domestic sewage and wastewater having characteristics of 200 milligrams per liter Biochemical Oxygen Demand and 240 milligrams per liter Suspended Solids into the Village Sewer System

“Sewer Service Charge” means the total charge levied against users of the Village Sewer System for monthly sewer service to recover Operating and Maintenance Costs, Replacement Costs, Debt Service Charges, and the cost of rendering bills and collecting such charges.

“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.

Section 2. Sewer Connection Charges.

(a) Necessity for Connection Charges. For the purpose of providing revenue for the financing and equitable distribution of the cost of construction and enlargement of the Village Sewer System, it is hereby determined and declared necessary to provide for the establishment and imposition of a Village Sewer System connection charge, to be paid in addition to any and all other fees which may be imposed herein or elsewhere with respect to the Village Sewer System.

(b) Connection Charges. The Village Administrator shall be and is hereby authorized and directed to impose and collect a Connection Charge in the amount of \$350.00 whenever a Residential User or Non-Residential User applies for a permit to connect a structure to the Village Sewer System. Provided, however, upon presentation of written evidence by such Residential User or Non-Residential User of a previous payment to the Village in respect

of use of the Village Sewer System, the Village Administrator is authorized and directed to grant to such Residential User or Non-Residential User a credit towards the payment of the Connection Charge in the amount of such previous payment.

- (c) Use of Connection Charges. Connection Charges collected by the Village Administrator shall be deposited into the Sewer System Fund and used for the payment of Operating and Maintenance Costs, replacement Costs and Debt Service Charges.

Section 3. Sewer Service Charges.

- (a) General. The following are hereby fixed as the fair, proportional, and reasonable rates for Sewer Service Charges. All users discharging waste to the Village Sewer System shall be billed for wastewater treatment services including governmental or institutional users such as schools, municipal utilities, or other public buildings. No user shall be provided service without payment of Sewer Service Charges in proportion to the service received by such user.

(b) Sewer Service Charges

1 EDU is equivalent to 5,250 gallons per month

	Debt Service	OM&R	Total
Residential: 1 EDU			
Single Family Dwellings			
Multiple Family Dwellings			
Apartments/Condominiums			
Per residence	\$20.51	\$8.49	\$29.00
Non-Residential – (normal domestic strength sewage)			
Water meter billing – 1 EDU			
5,250 gallons/month			
Per water/sewer connection	\$20.51	\$8.49	\$29.00

- (c) Sewer Service Surcharges. The Village shall have the right to surcharge any user for the discharge of wastes above normal sewage strength and for the discharge of wastes above normal sewage strength and for the discharge of any other pollutant into the Village Sewer System such as oil and grease, high nitrogen compounds, blood, animal wastes and/or other high strength organic wastes.

- (d) Annual Review of Charges. The Sewer Service Charge shall be reviewed annually by the Village in order to determine whether or not it is sufficient to defray the fixed charges, amortization costs, and annual Operating and Maintenance Costs of the Village Sewer System. If the difference between the total annual revenue derived and the total cost is sufficient to justify an increase or decrease in the Sewer Service Charge, the Village will adjust the rates as required. The purpose of the annual review is also to maintain a proportional Sewer Service Charge.
- (e) Annual Notice. Each user to be notified at least annually in conjunction with a regular bill, of the rate and that portion of the Sewer Service Charge which is attributable to Operating and Maintenance Costs and Replacement Costs of wastewater treatment services.
- (f) Late Payment Charges. The Village Administrator may assess such reasonable penalty or late charges for nonpayment of charges as he shall deem necessary to enforce and effect payment of such charges and may make such other regulations he deems necessary to operate and collect Sewer Service Charges, including shutoff orders.

Section 4. Collection. The Village Administrator (hereinafter referred to as the “Administrator” shall have the primary responsibility for the administration of the following.

(a) Billing Procedures

- (i) The Sewer Service Charges established by this Ordinance and regulations of the Administrator shall be billed after the service is rendered.
- (ii) The Debt Service Charge shall be included in the sewer service charge bill. The bill frequency shall be on a monthly basis.
- (iii) Bills shall be mailed to the owner of the property at the mailing address of the property serviced unless the owner, in writing, request the bill be sent to a different mailing address of the owner. In the case where the land is separately owned from the building, the bill shall be sent to the mailing address of the owner of the building.
- (iv) After the effective date of this Ordinance, the bill may continue to be sent to the mailing address for a leasee until one of the following occurs:
 - a. The lessee moves out of the building; or
 - b. the lessee is delinquent twice within a calendar year.

Upon the occurrence of a. or b. , the bill shall be sent to the mailing address of the owner of the property without exception.

- (v) Any property connected to the Village Sewer System after the beginning of a month shall be charged a per diem prorated amount based upon the applicable monthly charge.
- (vi) For service connections where the property is habital but not occupied, the minimum charge shall be levied for each sewer connection.

(b) Changes of Address or Ownership

- (i) Upon the change of his or her mailing address, the owner of a property served by the Village Sewer System shall inform the Administrator, in writing, of the change. Failure to inform the Administrator of a change of address shall not excuse the owner from any payment penalties incurred because of the failure to report an address change.
- (ii) Prior to the sale of a property, the present owner shall contact the Administrator to arrange for proration of the final bill. The final bill shall be sent to the mailing address specified by the present owner. Failure of a previous owner to comply with this part shall not excuse the new owner from responsibility for any and all delinquencies carried pursuant to the Ohio revised Code, current charges, or penalties remaining unpaid by the previous owner.
- (iii) Prior to the sale of a property, the purchaser shall contact the Administrator to arrange for a proration of the first bill and to inform the Administrator of the mailing address of the new owner. Failure of a previous owner to comply with this part shall not excuse the new owner from responsibility for any and all delinquencies carried pursuant to the Ohio revised Code, current charges, or penalties remaining unpaid by the previous owner.

(c) Payments and Penalties

- (i) Payment of the Sewer Service Charge bill shall be due on the due date stated on the billing. If the due date falls on a Sunday or holiday, the Sewer Service Charge bill shall be due the following business day (including Saturday).
- (ii) Checks and money orders shall be made payable to the Village of Belle Center, Ohio.

- (iii) Payments sent by mail and postmarked on the due date will be accepted without the imposition of a penalty payment. If the due date falls on a Sunday or holiday, the payment sent by mail must be postmarked no later than the following business day (including Saturday).
- (iv) Payments received or postmarked after the due date or the first business day thereafter (including Saturday) shall be subject to a payment penalty of the original amount billed, as determined by the Administrator.
- (v) In the event that payment is not received within 15 days from the penalty due date, the Administrator may cause a notice to be delivered or mailed to the owner and the occupant of the premises stating the amount due and demanding payment thereof within a period not to exceed five (5) days of the date of such notice and stating that if such payment is not made, the sewer service shall be discontinued without further notice and, at the expiration of such period as provided in such notice, the Village may enter on said premises and cause the sewer service to be disconnected and discontinued. The owner and/or occupant will be responsible for fees associated with disconnecting and reconnecting sewer service.
- (vi) If a bank should return a check for insufficient funds, that account will be subject to an insufficient funds charge of \$20.00.
- (vii) If a person has two checks returned for insufficient funds, the Administrator may require all future payments to be made in cash or money order.
- (viii) Upon the claim of a person that the return of a check for insufficient funds was a bank error, the Administrator may waive any insufficient funds charge and/or accept payment by check if the bank supplies adequate documentation of its error.
- (ix) Generally, a person should contact the Administrator if he or she fails to receive a bill within 15 days of the normal billing date. Upon a claim of a person that the bill was not received, the following actions shall be taken.
 - a. If the records of the Administrator show the bill was duly mailed to the last reported mailing address, the person shall be responsible for timely payment of the bill.

- b. If the records of the Administrator show the bill was not duly mailed to the last reported mailing address, the Administrator may either:
 - 1. Issue a bill due ten (10) days from the date of mailing; or
 - 2. Add the unpaid charges to the following month's bill without a penalty.
- (x) In utilizing the U.S. Postal Service for delivery of their payment of a Sewer Service Charge, users assume responsibility for any failure of the U.S. Postal Service to deliver the payment to the Administrator. Accordingly, the Administrator shall not waive payment penalties for any person claiming that the U.S. Postal Service failed to deliver a payment.

(d) Delinquencies

Any unpaid billings, together with accrued penalties, shall be certified to the County Auditor, pursuant to the Ohio Revised Code, who shall place such delinquencies upon the real property tax duplicate for the property receiving sewer service. Such delinquencies shall be a lien upon the property from the date the delinquency is placed upon the real property tax duplicate and shall be collected in the same manner as other real estate taxes. Failure to pay delinquencies certified may result in a foreclosure of the property by the County Prosecutor. This part shall be in addition to all other collection remedies provided by law including an action in small claims court.

(e) Disconnection or Reconnection

- (i) A user who certifies his or her building is not habitable may request the Administrator to disconnect a building from the Village Sewer System. Upon such request, the Administrator shall remove or close the sewer connections and/or remove any publicly owned equipment.
- (ii) Thereafter, the owner of the premises shall not allow the building to be utilized for human occupancy as a residence or place of employment and the Administrator shall not bill for sewer services.
- (iii) Violation of Paragraph 2, above will subject the owner to the mandatory connection provisions of the Village Sewer Use Ordinance (#2000-11).

- (iv) A person or subsequent owner of property disconnected who disconnects from the Village Sewer System may later request to be reconnected. Upon approval by the Administrator, the Administrator shall reopen sewer connections and/or replace publicly owned equipment.
- (v) The charge for disconnection or reconnection shall be paid to the Administrator before performance of the work, as determined by the Administrator.
- (vi) The Owner or representative shall be present at the time of disconnection or reconnection in order to provide necessary access to electrical and plumbing facilities.

Section 5. Miscellaneous.

(a) Liberal Interpretation

This regulation shall be interpreted liberally to effectuate its broad remedial purpose of protection of the public health, safety and welfare. Absent of showing an actual abuse of discretion, the Administrator's interpretation of this Ordinance and its regulations shall have a strong presumption of validity.

(b) Appeals

- (i) All customers shall have the right to appeal bills rendered for Sewer Service Charges. It shall be the responsibility of the Administrator to resolve such dispute. Any dispute not resolved by the Administrator shall be presented to the Village Council for its review and decision.
- (ii) No legal action in the courts of the state or federal government shall be initiated by any user until completion of this administrative remedy.

(c) Invalidity and Separability

Invalidity of any section, clause, sentence or provision in this regulation shall not affect the validity of any other section, clause, sentence or provision of this regulation or subsequent resolutions.

(d) Right to Contract

The Administrator reserves the right to contract with any entity at any time for collection of Sewer Service Charges.

Section 6.

Emergency Declaration. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. The reason for such necessity is a public health hazard exist in the Village of Belle Center because of discharges of sewage or industrial waste above normal sewage strength and the need to construct and provide for the operation of the Village Sewer System. Adequate surcharges are necessary to pay for necessary treatment to meet required standards necessary for public health and safety. Therefore this Ordinance shall go into immediate effect.

Passed: August 8, 2000

Attest:

Steven A. Moore

Clerk

Donald E. Ruble

Mayor

VILLAGE OF BELLE CENTER, OHIO

ORDINANCE 2000-11

AN ORDINANCE ESTABLISHING THE PROPER USAGE OF
AND SPECIFICATIONS FOR CONNECTION TO THE SEWAGE SYSTEM
OF THE VILLAGE OF BELLE CENTER.

WHEREAS, the Village of Belle Center, Ohio has established a sewage system utility,
and

WHEREAS, it is necessary to establish standards for the use and connection to said
sewage system.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Belle Center,
Ohio, that:

The following Sections shall govern the connection to and the use of the Village Sewage
System:

SECTION I :
DEFINITIONS

Biochemical Oxygen Demand (BOD) - shall mean the quantity of oxygen utilized in the
biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20
degrees Centigrade (20 deg C.) expressed in milligrams per liter.

Building Wastewater Drain - shall mean that part of the lowest horizontal piping in the
structure which receives the discharges of normal domestic, commercial and industrial sewage
inside the walls of a building and conveys it to the building sewer beginning three (3) feet
outside the building wall.

Building Sewer - shall mean the extension from the building drain to the sanitary sewage
system.

Combined Sewer - shall mean a sewer intended to receive both wastewater and storm or
surface water.

Commercial User - shall mean retail or wholesale business establishments, other than an
industrial or residential user, that discharges wastewater (as defined in wastewater definition),
into the public wastewater treatment system, works, and facility.

Indian Lake Water Pollution Control District - shall mean the Water Pollution Control
District.

County Health Department - shall mean the Health Department of Logan County, Ohio.

County Sanitary Engineer - shall mean the Sanitary Engineer for Logan County, Ohio.

Foundation Drains - subsurface drains laid around the foundation of a building, either within or outside the building foundation for the purposes of carrying ground or subsurface water to some point of discharge.

Garbage- shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the commercial handling, storage, and sale of produce.

Industrial User - shall include users discharging waste resulting from food processing or manufacturing activities involving the mechanical or chemical transformation of materials or substance into other products. These activities occur in establishments usually described as plants, factories, or mills and characteristically use power-driven machines and material handling equipment.

Industrial Wastes - shall mean the wastewater from industrial processes, trade or business as distinct from normal domestic sewage.

Institutional / Governmental - hospitals, nursing homes, schools, city, county, state or federal buildings or facilities that discharge waste water into the public wastewater treatment system, works, and facility.

“May” is permissive; “shall” is mandatory

Natural Outlet - shall mean outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

NPDES (National Pollutant Discharge Elimination System) Permit” - shall mean the same as such is defined in the Code of Federal Regulations, 40 CFR Part 125, and in Public Law 92-500, Section 402.

Nonsanitary Flow - shall mean storm water originating from downspouts, storm and groundwater drains, and foundation drains.

Normal Domestic Sewage - shall mean waste from toilets, sinks, bathtubs, showers, laundries, garbage floor drains, bars, soda fountains, cuspidors, refrigerators, drinking fountains and other typical wastes from residential dwellings, which when analyzed shows by weight a daily average of not more than 240 milligrams per liter suspended solids and not more than 200 milligrams per liter biochemical oxygen demand (BOD).

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

Public Sewer - shall mean any sewer or drain owned by the Village, including storm, sanitary, or combined sewers.

Residential User - shall mean a principal family residence or habitation classified as a single family, multifamily, or apartment dwelling that discharges normal domestic sewage and wastewater having characteristics of 200 milligrams per liter bio-chemical oxygen demand and 240 milligrams per liter suspended solids into the public wastewater treatment system, works, and facility.

Sanitary Sewer - shall mean a sewer which carries normal domestic sewage and industrial wastes, and to which storm, surface, and groundwater are not intentionally admitted.

Sewage - shall mean the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions (including polluted cooling water). Sewage does not include storm water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water.

Sewage System or Sanitary Sewer System - shall mean the structures, equipment, and process required to collect, transport, and treat normal domestic sewage and industrial wastes and dispose of the effluent and accumulated residual solids and shall be synonymous with "wastewater treatment system."

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

Slug - shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24 hours concentration of flows during normal operation.

Storm Sewer or Drain - a pipe or conduit designed for the purpose of carrying storm, surface, cooling, and drainage water from the point or origin to some point of discharge, but which is not intended to carry domestic or industrial sewage.

Structure - shall mean a building of any type including, but not limited to, mobile homes, trailers, and out buildings of any kind.

Suspended Solids - shall mean 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.

Upset - shall mean an exceptional incident in which a user unintentionally and temporarily is in a state of non-compliance with the standards set forth in this ordinance due to factors beyond the reasonable control of the user and excluding noncompliance to the extent

caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, slug flow, lack of preventative maintenance, or careless or improper operation thereof.

User - shall mean any person who discharges, causes, or permits the discharge of wastewater into the wastewater treatment system.

Village - shall mean Village of Belle Center, Ohio, acting through its duly authorized officials and employees.

Village BPA - shall mean the Indian Lake Water Pollution Control District.

Village Sewage System - shall mean the sewage system of the Village of Belle Center, Ohio.

Village Sewage System Service Area - shall mean the incorporated area of the Village of Belle Center and any unincorporated area included within the service area as defined in the Intergovernmental Agreement between the Village of Belle Center, Ohio and the County of Logan, Ohio.

Waste Water - shall mean the liquid and water-carried waste from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, or storm water that unintentionally may be present, whether treated or untreated, which is discharge or permitted to enter the wastewater treatment system.

Wastewater Treatment System - shall mean the structures, equipment, and process required to collect, transport, and treat domestic and industrial wasters and dispose of the effluent and accumulated residual solids and shall be synonymous with "sewage system" and analogous with the phrase "Publicly Owned Treatment Works" (POTW)

SECTION II USE OF PUBLIC SEWERS

1. It shall be unlawful to discharge into any natural outlet or storm drain within the Village of Belle Center, Ohio , or in the Village Sewage System Service Area, any wastewater or other polluted waters.

2. It shall be unlawful to construct or maintain any privy or privy vault within the Village or Village Sewage System Service Area. No septic tank, cesspool, or other facility intended or used for the disposal of wastewater shall be constructed within the Village or Village Sewage System Service Area unless permission is obtained from the Village BPA or County Health Department, as appropriate.

3. No person, firm or corporation or user of any kind shall discharge or cause to be discharged any storm water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water into the Village Sewage System.

4. It shall be unlawful to discharge into any building sanitary sewer connected to the Village Sewage System the surface water which collects in basements or foundation excavations. If a building sanitary sewage is complete before the plumbing can be connected thereto, the builder or sewer tapper shall keep the end of the building sanitary sewer tightly closed with a plumber's plug or other watertight plug.

5. The owner of any structure situated within the Village of Belle Center from which sewage emanates shall cause at the owner's expense said structure to be connected to the Village Sewage System within ninety (90) days after receipt of official notice from the Village to do so.

6. No person, firm, or corporation shall be permitted to connect to or discharge wastewater to the Village of Belle Center, Ohio, sewage system unless it has been determined by the Village that there is sufficient capacity in the system to collect, convey, and treat the proposed wastewater discharge of such person, firm, or corporation.

7. All new or replacement sewers that are now connected to or that will be connected to the Village of Belle Center sewage system and thereby discharging to the Village's wastewater treatment plant shall be constructed in accordance with the specifications designated by this Ordinance and any other applicable Ordinance of the Village.

8. Sampling of industrial waste for the purpose of compliance determination, with respect to the prohibitions and limitations stated in Section IV, will be done at such intervals as designated by the Village.

9. Duly authorized employees/agents of the Village bearing proper credentials and identifications shall be permitted to enter all properties for the purposes of inspection, observations, measurement, sampling, and testing pertinent to discharge to the Village Sewage System in accordance with the provisions of this Ordinance.

10. Duly authorized Village employees/agents are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the Village Sewage System. An industry may withhold information considered confidential provided that such industry establishes that revealing such information to the public would reveal a trade secret.

11. While performing necessary work for private properties, referred to in item 9 above, the Village or duly authorized employees/agents of the Village shall observe all safety rules applicable to the premises.

12. Any person, corporation or entity which connects property to the Village Sewage System is required to abide by all of the ordinances, rules and regulations governing the connection to and the use of same.

SECTION III SEWAGE SYSTEM CONNECTIONS

A. Connection Fees.

1. Connection in Village - No Prior Assessment. No person, corporation or entity shall connect any structure in the Village to the Village Sewage System that is on a lot, partial lot or parcel of land that has not been assessed at the same rate as other property for the cost of said sewage system, without paying to the Village an amount equal to the assessment amount appropriate to said lot, partial lot or parcel of land, plus a connection fee established by separate ordinance for each connection within the Village.

2. Connection in Village - Parcel Previously Assessed. No persons, corporation, or entity shall connect any structure in the Village to the Village Sewage System that is on a lot, partial lot, or parcel of land that has been assessed for the cost of said sewage system without paying to the Village a connection fee established by separate ordinance for each connection within the Village.

3. Connection - Outside Village, No person, corporation, or entity shall connect any structure outside of the Village corporation limits to the Village Sewage System without paying to the Village a connection fee set by separate ordinance for such connection outside the Village. Such connection fee shall fairly represent an amount that would have been assessed against said property if in the Village, plus the connection fee for connections in the Village, plus a reasonable surcharge.

B. Permits.

1. Application. No connection shall be made to the Village Sewage System either inside or outside the corporation limits of the Village until a written application has been submitted and a connection permit has been obtained from the Village Board of Public Affairs by the owner of the premise to be connected. The fee charged for said permit shall be set by separate ordinance. The application shall be on a form provided by the Village.

2. Right to Deny. The Village EPA shall deny issuance of a permit in the event the connection to be made will cause damage to properties presently tapped into the sewage system or within it has been determined that there does not exist sufficient capacity in the sewage system to accept the wastewater that may be discharged by the applicant for the permit..

C. Sewer - Tapper Permit. Any person who performs work as a sewer-tapper shall obtain a sewer-tapper permit from the Indian Lake Water Pollution Control District upon the payment of a fee, set by separate ordinance, and shall also furnish a \$5,000 bond in favor of the Village on a form prescribed by the Village, and proof by certificate of liability insurance coverage acceptable to the Village Board of Public Affairs. Said permit will be valid for one (1) year from date of

issuance, with the aforementioned bound for like term. Any sewer-tapper permit is subject to revocation for failure to follow all ordinances, regulations or rules relative to the connection of any structure to the Village Sewage System.

D. Construction, Maintenance and Repair Details.

1. No storm drains or groundwater shall be allowed to discharge into the sanitary sewer lines. Downspouts and foundation drains shall be connected to storm drains or discharged on the ground surface.

2. Sewer connections shall be a minimum of 10 feet from any well or cistern water supply sources and shall be constructed as straight as possible.

3. Materials used to connect will be subject to inspection and approval and shall be new and of their best quality. Pipe and fittings 4 inches through 15 inches diameter shall be PVC gravity sewer pipe, ASTM D-3034, with elastomeric gasket joints conforming to ASTM D-3123.

4. Service connections shall be bedded in stone placed four inches below the pipe and covering the pipe to a depth of six inches. Where trenches abut private road shoulders or driveways, it is required that limestone 304-ODOT backfill be placed to the road surface. Material shall be placed in six inch tamped layers. Bedding stone shall not exceed State of Ohio Department of Transportation specification #56 in size of Ohio EPA Class I graded stone. Gravel bedding will be mandatory where public roads are involved.

5. Adapters for changing from one type of pipe to another shall be as recommended by the manufacturer and approved by the inspector. Where 90 deg. turns are requires, two 45 deg. bends shall be used instead of one 90 deg. bend. Runs between bends shall be on a straight line and grade.

6. Service lines shall be minimum of 4 inches in diameter for single family dwellings. Service lines for multifamily and commercial buildings shall be 6 inches n diameter. Minimum grade for a 4 inch service connection shall be .86 feet fall per 100 feet. minimum grade for a 6 inch service connection shall be 0-.6 feet fall per 100 feet.

7. The service connection shall be tested in one of the two following ways;

a) with water filled to at least 5 feet above the pipe. Water loss shall not exceed 0.15 gallons per foot of pipe per 24 hours for 4 inch pipe and 0.23 gallons per foot of pipe per 24 hours for 6 inch pipe; or

b) by isolating the sewer section at each manhole and filling the line tested to 4 psig above ground water pressure and holding same for two minutes; then reducing pressure and holding same for the applicable time period on the air test charge appended to this ordinance. If the pressure drops less than 1 psig within the

applicable time period on the aforesaid charge, said system will be deemed acceptable.

The trench shall not be backfilled until all tests are made unless special or safety conditions, as noted by the inspector, require immediate backfill. The Contractor shall furnish the test plugs and equipment necessary to perform the test. A wye shall be inserted at the beginning and end of the service connection for the test.

8. Permission for road or street cuts or boring under same, if required, is to be obtained from the Village, the Township Trustees, or the County Engineer, as appropriate, before work may proceed. No surface may be cut by backhoe. All original cuts, if permitted, shall be by saw or special jack hammer tool. Backfill in the trench will be done in the manner previously described. No road or street cuts shall be open through a street overnight. Barricades shall be furnished by the contractor or owner. Maintenance of the cut shall be the obligation of the contractor or owner.

9. The contractor or owner shall notify the Village Board of Public Affairs at least 24 hours before work commences, and not work shall be connected until it has been approved by the Inspector.

10. The inspector shall obtain the location of the tap from the as-built drawings and make necessary notation on the inspection sheet of these measurements and any correction. Also, notes shall be made of materials used, test for the service connection, and inspection or test to determine that no downspouts or other drains are interconnected.

11. A separate and individual sanitary sewer connection shall be made to each building which is required to connect to the Village Sewage System. No connection shall serve more than one building unless specific authority is given by the Village Board of Public Affairs. No building sewer or private lateral shall be run from the building or structure that it serves across or through a lot or parcel of land not owned by the owner of the lot or parcel on which said building or structure is located, unless permission to do so is granted by the Village BPA and an easement containing a sufficient description to locate said line is properly obtained and duly recorded.

12. If any contractor or owner doing connection work to his property shall neglect or refuse to do anything required by this ordinance, fail to adequately repair and restore paving or sidewalks that are damaged in the laying of any house lateral, assume liability for all damages arising from excavations and making connections with, and openings into public sewers, subsoil drains, and utility service lines, whether above or below ground and regardless of whether damages occur within public rights-of-way, dedicated easement areas, or on private properties, fail to regrade settled backfill or reseed areas for which he is reasonable, or fail to repair damaged public property within a reasonable time (normally 96 hours) after receiving written notice from the Village Board of Public Affairs, or County Engineer, or County Sanitary Engineer to do so, the County Sanitary Engineer, or County Engineer or Village Board or Public Affairs may cause such work to

be done under contract without advertising, with some capable person and the bill for the entire cost of the same shall be rendered to the contractor or owner who shall be liable for and shall pay such bill at once.

13. Damage, defects, or other problems with the sewer mains, stacks, or laterals not necessarily caused by the sewer pipe contractor by attributable to building activities (concrete delivery truck traffic, foundation excavation, landscaping excavation, etc.) will be the responsibility of the owner of the building lot involved. Failure to make adequate repairs within a reasonable period of time (normally 96 hours) after receiving written notification from the Village Board of Public Affairs, or County Engineer, or County Sanitary Engineer to do so may cause the Village Board of Public Affairs, or such work done under contract, without adverting, by some capable person and the bill for the entire cost of the same shall be rendered to the owner of the building lot who shall be liable for and shall pay such bill at once.

14. Any material (dirt, debris, etc.) which remain from any hookup, maintenance or repair work shall not be put into the sanitary sewer system or component thereof for any purpose.

15. When a septic system or tank is being disconnected as requires herein below, the contents of any septic system or tank shall not be pumped or discharge into the sanitary sewer system or any of said system's component for any purpose.

E. Ownership

1. A. sewage system user's lie form the edge of the right-of-way in which the sewer main is located to the individual home(s) or building(s) being served, shall be the sole responsibility of the property owner(s) of the home or building being served.

2. The owner of the building or structure, the construction of which is completed after the Village Sewage System lines are installed, which is permitted or required to connect said structure to the Village Sewage System is responsible of all costs of accessing the appropriated sanitary sewer main, including but not limited to the costs of cutting or boring under any street or road as required by the Village or County Engineer.

F. Septic System Tanks Receptacles. All private septic systems shall be disconnected and shall have their tanks pumped. The bottom of any such tank or similar receptacle shall be punched in sufficient manner to prohibit the collection of any liquids. All tanks, after having been pumped and punched to permit adequate drainage shall be filled with aggregate.

(Air test chart per paragraph 7(b) follows - page 10-A)

**MINIMUM SPECIFIED TIME REQUIRED FOR A 1.0 PSIG PRESSURE DROP
FOR SIZE AND LENGTH OF PIPE INDICATED FOR Q = 0.0015**

1 Pipe Diameter (in.)	2 Minimum Time (min: sec)	3 Length for Minimum Time (ft)	4 Time for Longer Length (sec)	Specification Time for Length (L) Shown (min:sec)							
				100 ft	150 ft	200 ft	250 ft	300 ft	350 ft	400 ft	450 ft
4	3:46	597	.380 L	3:46	3:46	3:46	3:46	3:46	3:46	3:46	3:46
6	5:40	398	.854 L	5:40	5:40	5:40	5:40	5:40	5:40	5:42	6:24
8	7:34	298	1.520 L	7:34	7:34	7:34	7:34	7:36	8:52	10:08	11:24
10	9:26	239	2.374 L	9:26	9:26	9:26	9:53	11:52	13:51	15:49	17:48
12	11:20	199	3.418 L	11:20	11:20	11:24	14:15	17:05	19:56	22:47	25:38
15	14:10	159	5.342 L	14:10	14:10	17:48	22:15	26:42	31:09	35:36	40:04
18	17:00	133	7.692 L	17:00	19:13	25:38	32:03	38:27	44:52	51:16	57:41
21	19:50	114	10.470 L	19:50	26:10	34:54	43:37	52:21	61:00	69:48	78:31
24	22:40	99	13.674 L	22:47	34:11	45:34	56:58	68:22	79:46	91:10	102:33
27	25:30	88	17.306 L	28:51	43:16	57:41	72:07	86:32	100:57	115:22	129:48
30	28:20	80	21.366 L	35:37	53:25	71:13	89:02	106:50	124:38	142:26	160:15
33	31:10	72	25.852 L	43:05	64:38	86:10	107:43	129:16	150:43	172:21	193:53
36	34:00	66	30.768 L	51:17	76:55	102:34	128:12	153:50	179:29	205:07	230:46

SECTION IV NON ACCEPTABLE WASTEWATER AND INDUSTRIAL PRETREATMENT

1. The Village shall enact and enforce ordinances, rules and regulations establishing the types and characteristic of sewage, industrial waster, and other matter which shall be discharged into the sanitary sewerage system, the types and characteristics of sewage and industrial wastes admissible to the system only after pretreatment, requisites for pretreatment, and otherwise governing the discharge of sewage, industrial wastes, and other matters into the system in the intent of safety and efficient operation of the wastewater treatment system. Applicable industrial pretreatment conditions and industrial pretreatment regulations, as promulgated under Section 307(b) of the Clean Water Act, are hereby incorporated in this ordinance and made a part thereof.

2. A prospective industrial user of the Village's Wastewater treatment system must, upon application for sewer service, present to the Village a tabulation of the chemical analysis of the wastes to be discharged to the sewage system and the volume of such waster, or if this in not available, the expected waste analysis based on similar processes now in operation.

3. In cases where the character of sewage or industrial waste from any manufacturing or industrial plant, building, or premises is such that it will damage the sewerage system or cannot be treated satisfactorily at the wastewater treatment plant, the Village shall compel such users to properly dispose of such waste and prevent it from entering the sewerage system.

4. In cases where the character of the sewage or industrial waste from any manufacturing or industrial plant, building, or premises is such that it imposes an unreasonable burden upon the sewage collection, pumping, or treatment works, the Village may, at its discretion, compel such manufacturing or industrial plat, building, or premises to pre treat such sewage in such manner as specified by the Village before discharging it into the sewage system; require flow control or equalization of such wastes so as to avoid any 'slug' loads or excessive loads that may be harmful t the treatment works; and/or require payment of a surcharge on any excessive flows or loading discharged to the treatment works to cover the additional costs of having capacity for and treatment such wastes. The Village by its duly authorized agents reserve the right to inspect interceptors at any time during normal business hours. If the Board of Public Affairs requires pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Village BPA and be subject to the review and approval of the Village BPA and state regulatory agencies and subject to the requirements of all applicable codes, ordinances, and laws. Plans, Specifications and any other pertinent information prepared by a licensed professional engineer relating to proposed preliminary treatment or processing facilities shall be submitted to the Village BPA proper to the start of construction in the effluent from such facilities is to be discharged into the Village Sewer System. No construction of such facilities shall be commenced until such approval is obtained in writing.

5. The discharge of non acceptable industrial wastewater into the sewerage system, whether directly or indirectly, is prohibited. Wastewater shall be deemed non acceptable when

the concentration of harmful or toxic substances in the wastewater exceeds certain prescribed tolerable limits. Toxic or harmful substances include, but are not limited to the following;

<u>Toxic or Harmful Substances</u>	<u>Tolerable Limits</u>
Arsenic	0.2 mg/l
Barium	1.0 mg/l
Boron	5.0 mg/l
Cadmium	0.1 mg/l
Chromium +3	0.5 mg/l
Chromium +6	0.5 mg/l
Cobalt	1.0 mg/l
Copper	0.5 mg/l
Cyanide (HCN)	5.0 mg/l
Fluoride	5.0 mg/l
Iron	0.5 mg/l
Lead	0.02 mg/l
Mercury	5.0 mg/l
Molybdenum	2.0 mg/l
Nickel	2.0 mg/l
Phenols	5.0 mg/l
Selenium	0.10 mg/l
Silver	0.03 mg/l
Sulfides	50.0 mg/l
Total Dissolved Solids	1,500.0 mg/l
Tungsten	5.0 mg/l
Zinc	2.0 mg/l
Radioactive Substances	Gross Beta activity (in the known absence of strontium and Alpha emitters) - 1,000 micro curies per liter

The preceding list of toxic or harmful substances is subject to revisions as required to meet currently water quality standards or effluent standards imposed by state or federal agencies. In special cases (low volume users), the concentration of toxic or harmful substances in the wastewater may be exceeded if it is determined by the Village that the total pounds of toxic or harmful substances discharged to the sewage system are not harmful to or will not interfere with the sewage treatment process or will not violate water quality or effluent standards, provided however, the Village reserves the right to review and rescind such permission at any time.

6. No person shall discharge or cause to be discharged, either directly or indirectly to the sewerage system, any of the following described substances, materials, waters, or wastes.

Any liquid or vapor having a temperature higher than 150 deg. F or which causes the temperatures of the incoming wastewater at the wastewater treatment plant to exceed 90 deg. F.

Any water or wastes containing an objectionable color not removed in the treatment process, caused by, but not limited to, dye wastes and vegetable tanning solutions.

Any gasoline, benzene, naptha, fuel, oil mineral oil or other volatile flammable or explosive liquid, solid or gas.

Any noxious or malodorous gas or substance which, wither singly or by interaction with other wastes, is capable or creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance and repair.

Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property of causing damage or hazard to structures, equipment, or personnel of the sewerage system.

Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, hair and fleshing, entrails, lime slurry, lime, chemical, or paint residues, cannery wastes, bulk solids, or any other solid objects or viscous substances capable of causing obstruction to the low operation of the sewerage system.

Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewerage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewerage system.

Any water or wastes containing emulsified oil or grease exceeding, on analysis, an average of 50 milligrams of oil and grease per liter determined as total soluble matter.

Any garbage that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions of the sewer and with no particle greater than ¼ inch in any dimension.

Any water or wastes containing suspended solids of such character or quality that unusual attention or expense is required to handle such materials at the sewage treatment plant, or having a chlorine demand greater than 25 parts per million.

Any waste containing substances that would result in a violation of the NPDES permit.

The above list is subject to revisions as required to meet currently water quality standards imposed by the state or federal legislatures or agencies, and deemed to be so revised and incorporated herein upon their enactment or promulgation.

7. No statement contained in this Section shall be interpreted as preventing any special agreement or arrangement interpreted as preventing any special agreement or arrangement between the Village and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment. In all such cases, the provisions set fourth in the Village Ordinance establishing Sewer Service Charges will be governing factors in any contracts entered into.

8. Grease, oil, and sand interceptors shall be proved by the user when, in the opinion of the Village, they are necessary for property handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptor shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. The shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. Where installed, all grease, oil and sand interceptors shall be maintained by the user at the user's expense, in continuous efficient operation a t all times.

The Village by its duly authorized agents reserve the right to inspect interceptors at any time during normal business hours.

SECTION V WASTEWATER MONITORING AND INSPECTION

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 and concentrations of such pollutants that are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable state or federal pretreatment standards or requirements.

2. Such records shall be made available upon request by the Village. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency (U.S. EPA) upon demand.

3. If so ordered by the Village, the owner or operator of any premise or facility discharging industrial wastes into the system shall install at his own cost and expense suitable 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.

4. 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 Village may allow such a facility to be constructed in the public right-of-way, with the approval of the public agency having jurisdiction of such right-of-way, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

5. When more than one user can discharge into a common sewer, the Village may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristic produced by different operations of a single user, the Village may require that separate monitoring facilities be installed for each discharge.

6. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Village requirements and all applicable construction standard and specifications.

7. Compliance determinations with respect to the prohibitions and limitation stated in Section IV may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period, or a longer or shorter time span, as determined necessary by the Village in order to meet the needs of specific circumstances.

8. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standards Methods" "Methods for Chemical Analysis of Water and Waste" published by the U.S. EPA, or the "Annual Book of Standard, part 23, Water,

Atmospheric Analysis: published by the American Society for Testing and Material. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the Ohio Environmental Protection Agency (Ohio EPA). In addition, all measurement, test and analysis of the characteristic of waste water shall also be made in conformance with the October 16, 1975, Federal Register (40 CFR Part 136) entitled "Guidelines for Establishing Test Procedures for the Analysis of Pollutant."

9. Sampling of industrial wastewater for the purposes of compliance determination, with respect to the prohibitions and limitations stated in Section IV, will be done at such intervals as designated by the Village.

10. Duly authorized employee/agents of the Village bearing proper credentials and identifications shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the Village Sewage System in accordance with the provisions of this Ordinance.

11. Duly authorized Village employees / agents are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential roved that the industry establishes that revealing such information to the public would reveal a trade secret.

12. While performing necessary work on private properties, referred to item 10 above, the Village or duly authorized employees/agents of the Village shall observe all safety rules applicable to the premises.

SECTION VI PREVENTION AND NOTIFICATION OF ACCIDENTAL DISCHARGE

1. Each industrial user shall provided protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent accidental discharge or prohibited materials shall be proved and maintained at the owner's or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Village for review within six (6) months of the adoption of this ordinances, and shall be approved by the Village 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 this facility as necessary to met the requirements of these Ordinances or rules and regulations of the Village Board of Public Affairs. If for any reason, an industrial user does not comply with or will be unable to comply with any prohibition, limitation, or directive in this Ordinances, the user shall immediately notify the Village so that action may be taken to protect the treatment system.

2. All users shall notify the Village BPA immediately of all discharges of prohibited materials or other wastes that could cause problems in the collection system or the Village Sewage System's treatment plant, including an slug loadings. Where such information is given orally, a written follow-up report therefore shall be filed by the discharge with the Village BPA within five (5) days. The report shall specify:

- 1) The date and time of the accidental discharge.
- 2) The cause of the discharge.
- 3) The quantity and characteristic of the discharge.
- 4) The corrective actions taken, if any, to neutralize the discharge.
- 5) The corrective actions taken to stop the discharge.
- 6) The corrective actions taken to prevent future discharges.

Such notification will not relieve users of liability for any applicable fines or for any expenses, loss, or damage to the sewage system, treatment plant, or treatment process, or for any fines imposed on the Village or account thereof.

3. In order that employees of users be informed of these reporting requirements, users shall make available to their employees copies of this section together with such other wastewater information and notices which may be furnished by the Village from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge.

4. No user shall be permitted to introduce pollutants into the Village Sewage System until the Village BPA has approved the accidental discharge protection procedures.

5. A documented and verified bonafide operating upset, as defined by this ordinances, shall be an affirmative defense to any enforcement action brought by the Village against a discharge for any non compliance with this ordinance which arises out of violations alleged to have occurred during three period of the upset. A written report alleging such an upset shall be field within five (5) days of the discharge and contain a description of the upset and shall contain all of the elements of the report required in paragraph 2 of this section.

SECTION VII VIOLATIONS, PENALTIES, AND RIGHT OF APPEAL

1. Whenever the Village finds that any person has violated or is violating any prohibition, limitation, or provision of this Ordinance, they may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days for a satisfactory correction thereof. Such notice shall also state that any person in violation of this Ordinance shall be liable for any resulting damages or applicable fees.

2. If the violation is not corrected by timely compliance, the Village may order any person who causes or allows an unauthorized discharge to show cause before the Board of Public Affairs (BPA) why service should not be terminated and the Village may take temporary measures to physically eliminate the unwanted discharge when such discharges presents an imminent or substantial danger tot he health or welfare of persons or to the environment. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the BPA regarding the violation, and directing the offending party to show cause before BPA why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least 10 days before the hearing. Service may be made on any agent or officer of a corporation.

3. The BPA may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Village to:

(A) Issue in the name of BPA notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.

(B) Take the evidence.

(C) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the BPA for action thereon.

4. At any public hearing, testimony taken before the BPA or any person designated by it, must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

5. After the BPA has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives are as necessary and appropriate.

6. Any discharge in violation of the substantive provisions of this Ordinance or an Order of the BPA shall be considered a public nuisance. If any entity or person discharges

sewage, industrial wastes, or other wastes into the Village treatment system contrary to the substantive provisions of this Ordinance, or any Order of the BPA, and BPA shall commence an action for appropriate legal and/or equitable relief.

7. Any person who is found to have violated an Order of the BPA, or found to have willfully or negligently failed to comply with any provision of this Ordinance, and the orders, rules, and regulations issued hereunder, shall be fined not less than \$500.00 nor more than \$1000.00 for each offense. Each day on which a violation shall occur or continue shall be deemed as separation and distinct offense. In addition to the penalties provided herein, the Village may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, and regulations issued hereunder.

8. Any person found guilty by the BPA of violating any provision of this ordinance shall have the right to appeal that decision before the full Village Council. They shall also have all rights of any appeal available to them through the court system.

9. All records which pertain to enforcement or litigation activities shall be retained and preserved by the discharger until all enforcement activities have concluded and periods of appeals have expired.

SECTION VIII
RULE MAKING AUTHORITY

The Village BPA is hereby authorized and directed to make such rules and regulations as may be found necessary for the safe, economical, and efficient management and protection of the Village Sewage System and for the enforcement of the provisions of this ordinance.

SECTION IX
CHARGES FOR SEWER USE

Rates for use of the Village Sewer System shall be established by separate ordinance adopted by the Village.

Passed: August 8, 2000
Date

Donald E. Ruble
Mayor

Attest:

Steven A. Moore
Clerk-Treasurer

SECTION 319.61 CERTIFICATE

I certify that on August 10, 2000 there was delivered to me as Auditor of Logan County a certified copy of Ordinance No. 2000-10 passed August 8, 2000 by the Council of the Village of Belle Center, Ohio.

Dated: August 10, 2000

Michael E. Gode
County Auditor
Logan County

ORDINANCE NO. 2000-10

AN ORDINANCE DETERMINING TO PROCEED WITH THE CONSTRUCTION OF A SANITARY SEWER COLLECTION SYSTEM, TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, AND ACQUIRING REAL ESTATE AND INTEREST IN REAL ESTATE IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. R-5-2000 on March 22, 2000, as amended by Resolution No. R-8-2000 on August 8, 2000 (collectively, the "Resolution of Necessity") declaring the necessity of making the improvement described in Section 1; and

WHEREAS, this Council has adopted Resolution No. R-9-2000 on August 8, 2000 approving the report of the Assessment Equalization Board, appointed by Resolution No. R-7-2000, adopted June 13, 2000; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Belle Center, Logan County, Ohio, that:

Section 1. It is determined to proceed with the improvement of all improved lots and those unimproved lots identified in the Petition, in the Village by constructing a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquiring real estate and interest in real estate in connection therewith.

Section 2. The improvement shall be made in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk-Treasurer.

Section 3. All claims for damages resulting from the improvement that have been legally filed shall be inquired into after completion of the improvement, and the Village Solicitor is authorized and directed to institute legal proceedings in court of competent jurisdiction to inquire into those claims.

Section 4. The portion of the cost of the improvement to be assessed in accordance with the Resolution of Necessity, less that amount to be assumed and paid by the Village as part of the Village's portion of the cost of the improvement in accordance with the report of the Assessment Equalization Board, shall be assessed in the manner and pursuant to the payment schedule, on the lots and lands described, in the Resolution of Necessity.

Section 5. The estimated special assessments previously prepared and filed in the office of the Clerk-Treasurer and as equalized by the Assessment Equalization Board are adopted.

Section 6. The Clerk-Treasurer shall deliver a certified copy of this Ordinance to the County Auditor within 15 days after its passage.

Section 7. Subject to the provisions of Section 727.24 of the Revised Code, the Village Administrator is authorized and directed, as soon as the funds are available, to make and sign a contract for the improvement in accordance with applicable law, and the improvement shall be financed as provided in the Resolution of Necessity.

Section 8. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 9. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that this Ordinance is required to be immediately effective to provide for the construction of that improvement, which is needed to eliminate existing hazards to the health and property of the residents of this Village; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Passed: August 8, 2000

Donald E. Ruble
Mayor

Attest: Steven A. Moore
Clerk-Treasurer

RESOLUTION NO R-9-2000

**A RESOLUTION APPROVING THE REPORT OF THE ASSESSMENT
EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE
ESTIMATED SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF A
SANITARY SEWER COLLECTION SYSTEM, TOGETHER WITH ALL
NECESSARY INCIDENTALS AND APPURTENANCES THERETO, AND
AQUIRING REAL ESTATE AND INTEREST IN REAL ESTATE IN
CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.**

WHEREAS, the Assessment Equalization Board appointed by Resolution No. R-7-2000 adopted June 13, 2000, to hear and determine all objections to the estimated special assessments for the construction of a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquiring real estate and interest in real estate in connection therewith, in accordance with Resolution No R-5-2000 adopted March 22, 2000, has filed its report with this Council as to its determination of the objections; and

WHEREAS, Council has reviewed that report and deems it proper in all respects;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Belle Center, Logan County, Ohio, that:

Section 1. The report of the Assessment Equalization Board referred to in the preambles to this Resolution is approved. The estimated special assessments as reported by the Board shall be filed in the office of the Clerk-Treasurer.

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 3. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that this Resolution is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing hazards to the health and property of the residents of this Village; wherefore, this Resolution shall be in full force and effect immediately upon its adoption.

Adopted: August 8, 2000

Donald E. Ruble
Mayor

Attest: Steven A. Moore
Clerk-Treasurer

resulting from those reductions. This amount shall be proportionately increased or decreased based on the final cost of the improvement.

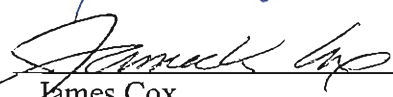
The Board also finds that the estimated special assessments for this improvement on file with the Clerk-Treasurer, as adjusted and equalized by this Board, are in accordance with the provisions of Resolution R-5-2000 and are limited as to each lot or parcel of land to the special benefits conferred thereon, and those estimated special assessments as adjusted and equalized are therefore approved.

This Board finds and determines that all formal actions of this Board concerning and relating to the rendering of this report were adopted in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Dated: June 28, 2000

ASSESSMENT EQUALIZATION BOARD


Michael Yoder

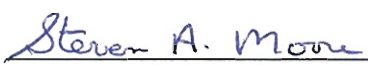

James Cox


Chester Kurtz

* * * * *

I certify that: (i) the foregoing is a true and correct copy of the Report of the Assessment Equalization Board, (ii) the Report was filed with me as Clerk-Treasurer on June 28, 2000, (iii) the total amount of the estimated special assessments after making the reductions provided for in the report was \$1,950,000.00, and (iv) the Board has not recommended increasing the estimated special assessment against any lot or land or assessing a lot or land not included in the originally filed estimated special assessments, the owner of which has not filed an objection with respect to that lot or land.

Dated: June 29, 2000


Clerk-Treasurer
Village of Belle Center, Ohio

REPORT OF ASSESSMENT EQUALIZATION BOARD

June 28, 2000

To the Council of the Village of Belle Center, Ohio:

We, the Assessment Equalization Board appointed and acting pursuant to Resolution R-7-2000 adopted June 13, 2000, report that at the time and place fixed by that resolution for its first meeting we took the oath of office and thereafter heard and determined all the objections of the property owners who filed objections to the estimated special assessments for the construction of a sanitary sewer collection system, together with all incidentals and appurtenances thereto, and acquisitions of real estate and interests in real estate in connection therewith, in accordance with Resolution No. R-5-2000 adopted March 22, 2000, declaring the necessity of that improvement.

This board has considered each of the objections to the estimated special assessments, or to the amount and apportionment of those special assessments, and, except to the extent of the reductions recommended in this report, finds that those objections are not well taken and therefore overrules and denies them.

This Board finds that the estimated special assessments against the properties referred to below are in excess of the special benefits that will result to those properties and recommends that the estimated special assessments against those properties be reduced by the amounts stated below:

<u>Property Owner</u>	<u>Description of Property</u>	<u>Reduction in Special Assessments</u>
Johnny Chris Fulmer	39-022-06-04-010-000	5000.00
John J Zissler	39-022-06-18-066-000	5000.00
Lance Ray Houchin	39-022-06-05-006-000	5000.00
Christina S Bair	39-022-06-08-011-000	5000.00
Jonathan M McCarren	39-022-05-03-011-000	5000.00
Robert Crowe	39-022-05-01-012-000	5000.00
Carl Dunlap	39-022-05-05-011-000	5000.00
Virginia Royer	39-022-06-12-021-000	5000.00
Melvin Walton	39-022-06-10-013-000	5000.00
Richard Zahller	39-022-06-10-009-000	5000.00
Union Banking Co	39-022-05-07-001-000	5000.00
Dayton Power & Light	39-056-40-00-000-000	5000.00

Dale Deardurff – Claimed when purchased his property 39-022-05-01-005-000 it was in the township. The Board voted that if this was the case he should have not been assessed. But if the Logan County Auditor finds that the land is in the Village he will have to pay the assessment.

This Board recommends that the Village assumes and pays as part of its portion of the cost of the improvement the amount of \$65,000.00, which is the total amount

Section 6. This Resolution is declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that this Resolution is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing hazards to the health and property of the residents of this Village; wherefore, this Resolution shall be in full force and effective immediately upon its adoption.

Adopted: August 8, 2000

Donald E. Ruble
Mayor

Attest: Steven A. Moore
Clerk-Treasurer

RESOLUTION NO R-8-2000

A RESOLUTION ACCEPTING AND APPROVING A PETITION FROM OWNERS OF CERTAIN UNIMPROVED LOTS IN THE VILLAGE IN CONNECTION WITH THE CONSTRUCTION OF A SANITARY SEWER COLLECTION SYSTEM, TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, AND ACQUIRING REAL ESTATE AND INTEREST IN REAL ESTATE IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. R-5-2000 on March 22, 2000 (the "Resolution of Necessity") declaring the necessity of improving all improved lots in the Village by constructing a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquiring real estate and interest in real estate in connection therewith; and

WHEREAS, certain owners of unimproved lots in the Village have filed with this Council a petition dated August 8, 2000 (the "Petition") requesting that the lots identified in the Petition be improved by the improvement and assessed therefor in the same manner as improved lots as set forth in the Resolution of Necessity; and

WHEREAS, this Council has determined to accept and approve the filing of the Petition and the amend the Resolution of Necessity to include in the improvement and the estimated special assessments those lots identified in the Petition;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Belle Center, Logan County, Ohio that:

Section 1. The Petition is hereby approved and accepted and Wilbur Smith Associates Inc. is directed to revise the plans, specifications, profiles and estimate of cost of the improvement to include those lots identified in the Petition. Wilbur Smith Associates Inc. and the Clerk Treasurer are directed to revise the estimated special assessments as set forth in Attachment A to the Resolution of Necessity to include those lots identified in the Petition.

Section 2. Section 1 of Resolution No. R-5-2000 as adopted on March 22, 2000 originally provided as follows:

Section 1. It is declared necessary to improve all improved lots in the Village by constructing a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquiring real estate and interest in real estate in connection therewith.

Section 1 of Resolution No R-5-2000 is hereby amended to read as follows:

Section 1. It is declared necessary to improve all improved lots, and certain unimproved lots identified in a property owners' petition filed with the Village on August 8, 2000, in the Village by constructing a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquiring real estate and interest in real estate in connection therewith.

Section 3. Section 4 of Resolution No. R-5-2000 as adopted on March 22, 2000 originally provided as follows:

Section 4. A portion of the cost of the improvement shall be assessed in proportion to the benefits that may result from the improvement in the following manner: (a) improved lots in the Village will be assessed in the amount of \$5,000.00, which aggregate amount of assessments shall not exceed ninety-eight per cent (98%) of the cost of the improvement less the cost of any inter-sections. The Village shall assume and pay the remaining costs of the improvement.

Section 4 of Resolution R-5-2000 is hereby amended to read as follows:

Section 4. A portion of the cost of the improvement shall be assessed in proportion to the benefits that may result from the improvement in the following manner: (a) all improved lots in the Village and (b) all unimproved lots identified in the Petition, will each be assessed in the amount of \$5,000.00, which aggregate amount of assessments shall not exceed ninety-eight per cent (98%) of the cost of the improvement less the cost of any inter-sections. The Village shall assume and pay the remaining costs of the improvement.

Section 4. Sections 1 and 4 of Resolution R-5-2000 adopted March 22, 2000, as each existing prior to the adoption of this Resolution, are repealed.

Section 5. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

PETITION

Village of Belle Center, Ohio
July 10, 2000

To the Council of the Village of Belle Center, Ohio:

We, the owners of the unimproved lots identified below, acknowledge that the Village has previously established a municipal sanitary utility for the Village of Belle Center, Ohio. We further acknowledge that the Village Council adopted Resolution No. R-5-2000 on March 22, 2000 declaring it necessary to improve all improved lots in the Village by constructing a sanitary sewer collection system and assessing the costs of such improvements to the improved lots located within the Village.

We hereby petition the Village Council for the inclusion in the foregoing improvement and request that our respective parcels identified below be assessed for that improvement at the times and in the manner that improved lots within the Village are to be assessed in accordance with Resolution No. R-5-2000.

We acknowledge that the Village Council heretofore adopted Resolution No. R-5-2000 declaring the necessity of the improvement, that notice was given to owners of property to be assessed for the improvement and that owners of the property to be assessed had an opportunity to appear before and state objections to an assessment equalization board appointed specifically for that purpose.

In consideration of the improvement, we individually and collectively, agree to pay promptly all special assessments levied against our properties as they become due, and that the determination by the Council of the special assessment against our lots and lands will be final, conclusive and binding upon us.

We, individually and collectively, consent and request that these special assessments be levied and collected without limitation as to the value of the property assessed, and waive all the following relating to the improvement and the special assessments:

- (1) any and all rights, benefits and privileges specified by Sections 727.03 and 727.06 of the Revised Code or by any other provisions restricting these special assessments to 33-1/3% of the actual improved value of the lots and lands as enhanced by the improvement to be made;
- (2) any and all rights, benefits and privileges specified by Section 727.04 of the Revised Code or by any other provision limiting special assessments for reimprovement when a special assessment has been levied and paid previously;

- (3) any and all damages or claims for damages of whatsoever kind, character or description resulting from the improvement or the making of the improvement, including but not limited to all rights, benefits and privileges specified by Sections 727.18 through 727.43 of the Revised Code;
- (4) any and all resolutions, ordinances and notices required for the making of the improvement, including the notice of the adoption of the resolution of necessity and the filing of estimated special assessments, the equalization of the estimated special assessments, any increase in the cost of labor and materials over the estimated cost, and the passage of the assessment ordinance, including but not limited to notices authorized and required by Sections 727.13, 727.16, 727.17, 727.24 and 727.26 of the Revised Code; and
- (5) any and all irregularities and defects in the proceedings.

<u>Date</u>	<u>Name</u>	Property Owned (<u>Parcel No.</u>)
Aug 7, 2000	Donald R. Williams	39-022-05-09-011-001



Donald R. Williams

RESOLUTION R-7-2000

A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR OBJECTIONS RELATIVE TO THE CONSTRUCTION OF A SANITARY SEWER COLLECTION SYSTEM, TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERE TO, AND ACQUISITION OF REAL ESTATE AND INTEREST IN REAL ESTATE IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the Village of Belle Center, Logan County, Ohio, that:

Section 1. Michael Yoder, James Cox, and Chester Kurtz, three disinterested freeholders of Logan County, Ohio, excluding the portion of that County located within the municipal boundaries of the Village, are appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated special assessments for the cost of construction of a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquisition of real estate and interest in real estate in connection therewith, and to equalize those special assessments as to them seems proper in accordance with law and with Resolution R-5-2000 adopted on March 22, 2000.

Section 2. The Board shall first meet for that purpose in Council Chambers located at 104 W Buckeye Street, Belle Center, Ohio on June 28, 2000, at 7:00 p.m., and upon the completion of its hearings and equalization shall report the equalized special assessments to Council. The Clerk-Treasurer shall, at least five days prior to the first meeting, send a notice of the hearing by certified mail to all persons who filed timely written objections.

Section 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that this Resolution is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing hazards to the health and property of the residents of this Village; wherefore, this Resolution shall be in full force and effect immediately upon its adoption.

Adopted: June 13, 2000

Donald Rubb
Mayor

Attest: Steven A. Moore
Clerk-Treasurer

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution R-7-2000. Passed by Council of said Village on the 13th day of June 2000.

Steven A. Moore
Steven A. Moore, Clerk

RESOLUTION R-6-2000

A RESOLUTION AUTHORIZING THE CLERK/TREASURER TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE DIVISION OF FORESTRY'S URBAN FORESTRY ASSISTANCE PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the quality of urban life is enhanced by the proper management of the urban forest resource; and

WHEREAS, The Village of Belle Center recognizes the importance of providing tree and shrub related benefits to its citizens; and

WHEREAS, funding for the purchase, installation and care of trees and other urban vegetation is available through the Ohio Department of Natural Resources, Division of Forestry.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Belle Center, County of Logan, State of Ohio:

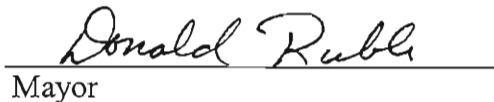
Section 1. That the Clerk/ Treasurer is hereby authorized to apply for and, if awarded, enter into an agreement with the Department to administer a grant to implement said program, and that the Clerk/Treasurer is (are) authorized to sign said agreement.

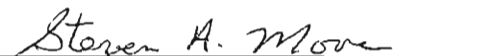
Section 2. That the Council of the Village of Belle Center hereby requests the Department of Natural Resources, Division of Forestry, to consider and fund its application project.

Section 3. That it is found and determined that all formal actions of this council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this, Council and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

ADOPTED ON APRIL 11, 2000.


President of Council


Mayor

WITNESSES: 
Clerk

RESOLUTION R-5-2000

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT A SANITARY SEWER COLLECTION SYSTEM, TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, AND AQUIRE REAL ESTATE AND INTERESTS IN REAL ESTATE IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY

WHEREAS, this Council has previously created and established a municipal sanitary sewer utility for the Village of Belle Center; and

WHEREAS, this council has previously authorized and requested Wilbur Smith and Associates Inc., as engineering consultant to the Village, to prepare plans and specifications for the improvement described in Section 1;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Belle Center, Logan County, Ohio, three-fourths of all members elected or appointed thereto concurring that:

Section 1. It is declared necessary to improve all improved lots in the Village by constructing a sanitary sewer collection system, together with all necessary incidentals and appurtenances thereto, and acquiring real estate and interest in real estate in connection therewith.

Section 2. The plans, specifications, profiles and estimate of cost of the improvement, prepared by Wilbur Smith Associates Inc. and now on file in the office of the Clerk-Treasurer of the Village, are approved. The improvement shall be made in accordance with, and the grade of the improvement and of any street shall be the grade as shown on, the plans, specifications and profiles for the improvement.

Section 3. This Council finds and determines that (i) the improvement is conducive to the public health, convenience and welfare of this Village and the inhabitants thereof and (ii) the lots and lands to be assessed as described in Attachment A to this Resolution are specially benefited by the improvement.

Section 4. A portion of the cost of the improvement shall be assessed in proportion to the benefits that may result from the improvement in the following manner: (a) improved lots in the Village will be assessed in the amount of \$5,000.00, which aggregate amount of assessments shall not exceed ninety-eight per cent (98%) of the cost of the improvement less the cost of any inter-sections. The Village shall assume and pay the remaining costs of the improvement.

Section 5. The cost of the improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of any damages resulting from the improvement and the interest thereon, the cost incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring any real estate or interest therein required for the improvement, expenses for legal services including obtaining legal opinions, cost of labor and material, and interest on securities issued in anticipation of the levy and collection of the special assessments, together with all other necessary expenditures.

Section 6. Wilbur Smith Associates Inc. is authorized and directed to prepare and file in the office of the Clerk-Treasurer of the Village the estimated special assessments of the cost of the improvement described in this Resolution. Those estimated special assessments shall be based upon the estimate of cost of the improvement now on file in the office of the Clerk-Treasurer of the Village and shall be prepared pursuant to the provisions of this Resolution. When the estimated special assessments have been so filed, the Clerk-Treasurer of the Village shall cause notice of the adoption of this Resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and land to be assessed.

Section 7. The special assessments to be levied shall be paid according to the following payment schedule: in twenty annual installments, with interest on the unpaid principal amount of each special assessment at the same rate or rates of interest as shall be borne by securities to be issued in anticipation of the collection of the total of the unpaid assessments or, if such securities are not issued, at the rate or rates of interest determined by this Council when it passes the assessing ordinance levying those special assessments; provided that the owner of any property assessed may pay the special assessment in cash within thirty days after passage of the assessing ordinance.

Section 8. The Village presently intends to issue securities in anticipation of the levy of the special assessments, and the Village presently intends to issue securities in anticipation of the collection of the special assessments in annual installments and in an amount equal to the total of the unpaid special assessments. The remainder of the entire cost of the improvement, after application of the special assessments, shall be paid by issuance of revenue securities in the manner provided by law or from other funds available for that purpose.

Section 9. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 10. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that this Resolution is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing hazards to the health and property of the residents of this Village; wherefore, this Resolution shall be in full force and effect immediately upon its adoption.

Adopted: March 22, 2000

Donald E. Ruble
Mayor

Attest: Steven A. Moon
Clerk-Treasurer

ORDINANCE 2000-3

AN ORDINANCE ESTABLISHING A SANITARY SEWER UTILITY FOR THE VILLAGE OF BELLE CENTER, OHIO.

WHEREAS, the Council of the Village of Belle Center, Ohio has become aware of various sewage problems within the Village and recognizes the need for a sanitary sewer system to serve the needs of the properties contained within the corporation limits of said Village; and

WHEREAS, such a sanitary sewer system is necessary for the public health, safety and convenience of the Village and the residents thereof; and

WHEREAS, the Ohio Constitution specifically provides in Article XVIII the right of a municipal corporation to construct its own public utility; and

WHEREAS, this Council has employed the services of the engineering firm of Wilbur Smith Associates Inc. to devise a general plan for the sanitary sewer system for the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of the Village of Belle Center, Ohio that:

Section 1. This Council having determined that it is appropriate and in the public interest, hereby creates and establishes a sanitary sewer utility for the Village of Belle Center, Ohio.

Section 2. The Village Administrator is hereby authorized to develop, for approval by this Council, policies and standards to promote, regulate and administer the Village's sanitary sewer utility.

Section 3. The cost of said system will be paid for by assessments against properties served and rates, charges and fees charged for the use of said utility, all as shall be hereafter determined by this Council.

Section 4. This Council finds and determines that all formal actions of this Council concerning and relating to passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees

that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. This ordinance shall take effect and be in full force and effect from and after the earliest date permitted by law.

Passed: January 18, _____, 2000 Donald E. Ruble
Mayor

Attest: Steven A. Moore
Clerk-Treasurer

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2000-03 Passed by Council of said Village on the 18th day of January, 2000.

Steven A. Moore
Steven A. Moore, Clerk

connection with the improvement which is necessary to be constructed for the health and safety of the Village and its inhabitants; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

Passed: January 18, 2000

Donald E. Ruble
Mayor

Attest: Steven A. Moore
Clerk – Treasurer

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2000-02 Passed by Council of said Village on the 18th day of January, 2000.

Steven A. Moore
Steven A Moore, Clerk

ORDINANCE 2000-02

ORDINANCE PROVIDING FOR RETAINING SQUIRE, SAUNDERS & DEMPSEY L.L.P. TO PROVIDE CERTAIN LEGAL SERVICES IN CONNECTION WITH THE CREATION OF A SEWER UTILITY, CONSTRUCTION OF A SEWAGE COLLECTIONS AND TREATMENT SYSTEM FOR THE VILLAGE AND THE LEVY OF SPECIAL ASSESMENTS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

NOW, THEREFOR, BE IT ORDAINED by the Council of the Village of Belle Center, Ohio that:

- Section 1.** The Village retains the law firm of Squire, Saunders & Dempsey L.L.P. to provide legal services relating to the creation of a sewer utility, construction by the Village of a sewage collection and treatment system, the levy of special assessments to finance the costs of such system, and any other proceedings related thereto. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings, including the creation of a Village sewer utility and special assessment proceedings. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State or any political subdivision, or the execution of public trusts.
- Section 2.** For those legal services rendered, that firm shall be paid a fee now estimated at approximately \$5,000.00. That firm shall also be reimbursed for actual out-of-pocket expenses (including, but not limited to travel, long-distance telephone and duplicating expenses) incurred in providing those legal services. The amount necessary to make those payments is to be appropriated from the general fund, and the Clerk-Treasurer is authorized and directed to issue an appropriate order for the timely payment as written statements are submitted by that firm and, to provide the certification required by Section 5705.41 of the Revised Code.
- Section 3.** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.
- Section 4.** This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that this ordinance is required to be immediately effective so that legal council can timely prepare the proceedings for the creation of a sewer utility and construction of the sewage collection and treatment system, which is necessary in order to meet construction and financing schedules applicable to the Village in

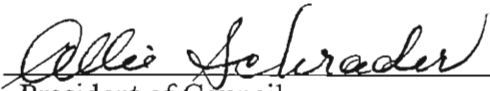
RESOLUTION R-1-2000

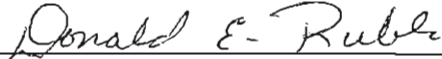
A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

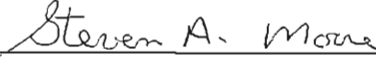
BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.


Section II: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED January 11, 2000 
President of Council

APPROVED January 11, 2000 
Mayor

ATTEST January 11, 2000 
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution R-1-2000 Passed by Council of said Village on the 11th day of January, 2000.


Steven A. Moore, Clerk

ORDINANCE 99-09

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A SOLICITOR FOR SAID VILLAGE AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:

Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Chris Schrader, Attorney at Law, for the purposes of representing this Village from January 1, 2000 through December 31, 2000 and for the sum of \$3,600.00 per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED December 14, 1999

Robert Ganna
President of Council

APPROVED December 14, 1999

Donald E. Rubb
Mayor

ATTEST December 14, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 98-07 Passed by Council of said Village on the 14th day of December, 1999.

Steven A. Moore
Steven A. Moore Clerk

ORDINANCE 98-08

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A TAX ADMINISTRATOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Steve Moore, for the purposes of representing this Village from January 1, 2000 through December 31, 2000 and for the sum of 9% of amount of tax collected per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED October 11, 1999

Robert Jones
President of Council

APPROVED October 11, 1999

Donald E. Ruble
Mayor

ATTEST October 11, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 98-08 Passed by Council of said Village on the 11th day of October, 1999.

Steven A. Moore
Steven A. Moore Clerk

ORDINANCE 99-06

AN ORDINANCE INCREASING THE SALARY OF THE MAYOR OF THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

- Section I: That the salary of the Mayor of the Village of Belle Center, Ohio be increased to \$155.00 per month, effective January 1, 2000.
- Section II: Any Ordinance or Resolution in conflict with Section 1 is hereby repealed, provided however, that the compensation for the Mayor is fixed by Ordinances and Resolutions effective upon the passage of this Ordinance shall be effective until January 1, 2000.
- Section III: This ordinance is hereby made necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effect upon its passage and approval of the Mayor.

Passed: May 11, 1999

Robert Jones
President of Council

Approved: May 11, 1999

Donald E. Rabl
Mayor

Attest: May 11, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance Number 99-06 Passed by Council of said Village on the 11th day of May, 1999.

Steven A. Moore
Steven A. Moore, Clerk

ORDINANCE 99-05

AN ORDINANCE INCREASING THE SALARY OF THE CLERK-TREASURER OF THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

- Section I: That the salary of the Clerk-Treasurer of the Village of Belle Center, Ohio be increased to \$600.00 per month, effective April 1, 2000.
- Section II: That the Clerk-Treasurer of the Village of Belle Center, Ohio is hereby authorized and directed to pay the salary as specified in Section 1 of \$600.00 from the General Fund of the Village of Belle Center.
- Section III: This ordinance is hereby made necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effect upon its passage and approval of the Mayor.

Passed: May 11, 1999

Robert Jones
President of Council

Approved: May 11, 1999

Donald E. Ruble
Mayor

Attest: May 11, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance Number 99-05 Passed by Council of said Village on the 11th day of May, 1999.

Steven A. Moore
Steven A. Moore, Clerk

ORDINANCE 99-04

AN ORDINANCE AMENDING SECTION I, SUBSECTION 4 AND 5 OF ORDINANCE 98-10 AN ADJUSTING THE FEES FOR WATER DISTRIBUTION IN THE VILLAGE OF BELLE CENTER, OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: That Section I, Subsection 4 and 5 of Ordinance 98-10 shall be amended to read the following:

- 1.) Section I Subsection 4 shall read as follows: Bulk water purchasers shall be charged a fee of \$5.00 per thousand or any part thereof.
- 2.) Section I Subsection 5 shall read as follows: Anyone wishing to purchase bulk water from a hydrant must notify the water superintendent in advance, get the water during normal working hours and a village employee must be present to open the hydrant. The purchaser will be charged an additional \$10.00 for each time the employee opens the hydrant.

Section II: This Ordinance is hereby declared an emergency and is necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

Passed: April 13, 1999

Robert James
President of Council

Approved: April 13, 1999

Donald Ruble
Mayor

Attest: April 13, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance Number 99-04 Passed by Council of said Village on the 13th day of April, 1999.

Steven A. Moore
Steven A. Moore, Clerk

RESOLUTION R-3-99

A RESOLUTION AUTHORIZING THE VILLAGE OF BELLE CENTER, STATE OF OHIO TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER.

WHEREAS, Ohio's Cooperative Purchasing Act (AM. Sub. H.B. No 100) as signed into law on December 4, 1985; and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts issued by the state of Ohio, Department of Administrative Services, Office of State Purchasing for the purchase of supplies, services, equipment and certain materials; now therefore,

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: That the Belle Center Clerk hereby request authority in the name of the Village of Belle Center to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into for the purchase of supplies, services, equipment and certain material pursuant to Revised Code Section 125.04.

Section II: That the Belle Center Clerk is hereby authorized to agree in the name of the Village of Belle Center to be bound by all contract terms and conditions as the Department of Administrative Services, Office of State Purchasing prescribes. Such terms and conditions may include a reasonable fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the Village of Belle Center participation in the contract. Further, that the Clerk of Belle Center does hereby agree to be bound by all such terms and conditions.

Section III: That the Belle Center Clerk is hereby authorized to agree in the name of the Village of Belle Center to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the

contract, and the Belle Center Clerk does hereby agree to directly pay the vendor.

Section IV: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED April 13, 1999

Robert James
President of Council

APPROVED April 13, 1999

Donald E. Ruble
Mayor

ATTEST April 13, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution R-3-99 Passed by Council of said Village on the 13th day of April, 1999.

Steven A. Moore
Steven A. Moore, Clerk

RESOLUTION R-2-99

A RESOLUTION TO ESTABLISH A CAPITAL IMPROVEMENT FUND FOR THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current projects starting in the said Village of Belle Center it is necessary to establish a Capital Improvement Fund.

Section II: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED Feb. 9, 1999

Robert James
President of Council

APPROVED Feb. 9, 1999

Donald E. Rabl
Mayor

ATTEST Feb. 9, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution R-2-99 Passed by Council of said Village on the 9 day of February, 1999.

Steven A. Moore
Steven A. Moore, Clerk

RESOLUTION R-1-99

A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.

Section II: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED Jan. 12, 1999

Robert James
President of Council

APPROVED Jan 12, 1999

Donald Ruble
Mayor

ATTEST Jan 12, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution R-1-99 Passed by Council of said Village on the 12th day of January, 1999.

Steven A. Moore
Steven A. Moore, Clerk

ORDINANCE 98-10

AN ORDINANCE ADJUSTING THE FEES FOR WATER DISTRIBUTION IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: That the price to be charged for water furnished by the Village of Belle Center Water Department to all consumers shall be as follows:

- 1.) The first 2,000 gallons, or any part thereof, consumed per month, \$8.00
- 2.) The monthly charge for water in excess of 2,000 gallons, but not exceeding 25,000 gallons, \$1.80 per thousand gallons.
- 3.) The monthly charge for water in exceeding the 25,000 gallons shall be \$1.30 per thousand gallons.
- 4.) Bulk water purchasers shall be charges a fee of \$3.00 per thousand or any part thereof.

Section II: A turn-on fee of \$5.00 shall be charged for turning on any water service.

Section III: All non-property owners must pay a \$75.00 deposit before service is provided unless they have the property owner co-sign and accept full responsibility for any and all unpaid charges. Deposits shall be refunded upon purchase or all financial obligations to said village is paid.

Section IV: Payments not made by the 15th day of the following month shall be penalized a late fee of 10%. After sixty (60) days delinquent accounts may, at the option of the Village Administrator, be disconnected.

Section V: All customers who have had service disconnected for non-payment shall be charged a \$25.00 fee during normal working hours or a \$50.00 fee after normal working hours to have service restored.

Section VI: A \$10.00 fee is to be charged for all returned checks in additions to all bank charges to the village.

Section VII: That this Ordinance shall amend any prior ordinances setting water distribution and collection rates to the extent that they are in conflict herewithin.

Section VIII: This ordinance is hereby made necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effect upon its passage and approval of the Mayor.

Passed: Nov. 10, 1998

Robert James
President of Council

Approved: Jan. 12, 1999

Donald E. Ruble
Mayor

Attest: Jan. 12, 1999

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance Number 98-10 Passed by Council of said Village on the 10th day of November, 1998.

Steven A. Moore
Steven A. Moore, Clerk

RESOLUTION 98-09

AN RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: That the Belle Center Village Council adopted the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

WHEREAS, The Belle Center Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 1999; and

WHEREAS, The Budget Commission of Logan County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part within the ten mill tax limitation; therefor be it

RESOLVED, By the Council of the Village of Belle Center, Logan County, Ohio, that the amounts and rates, as determined by the Budget Commission in it's certification, be and the same are hereby accepted.

Section II: This resolution is hereby declared to be an emergency measure, made necessary to preserve the fiscal responsibilities of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED Oct. 13, 1998

Robert James
President of Council

APPROVED Oct. 13, 1998

Donald E. Ruble
Mayor

ATTEST Oct. 13, 1998

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution 98-09 Passed by Council of said Village on the 13th day of October, 1998.

Steven A. Moore
Steven A. Moore Clerk

ORDINANCE 98-08

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A TAX ADMINISTRATOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Steve Moore, for the purposes of representing this Village from January 1, 1999 through December 31, 1999 and for the sum of 9% of amount of tax collected per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED Oct. 13, 1998

Robert J. Jarmar

President of Council

APPROVED Dec. 8, 1998

Donald C. Ruble

Mayor

ATTEST Dec. 8, 1998

Steven A. Moore

Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 98-08 Passed by Council of said Village on the 13 day of October, 1998.

Steven A. Moore

Steven A. Moore Clerk

ORDINANCE 98-07

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A SOLICITOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:

Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Douglas MacGillivray, Attorney at Law, for the purposes of representing this Village from January 1, 1999 through December 31, 1999 and for the sum of \$3,600.00 per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED Oct. 13, 1998

Robert Gorman
President of Council

APPROVED Dec. 8, 1998

Donald E. Ruble
Mayor

ATTEST Dec. 8, 1998

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 98-07 Passed by Council of said Village on the 13 day of October, 1998.

Steven A. Moore
Steven A. Moore Clerk

RESOLUTION 98-06

A RESOLUTION TO COOPERATE WITH THE LOGAN COUNTY COMMISSIONERS FOR A GRANT FROM THE OHIO PUBLIC WORKS COMMISSION (ISSUE 2)

WHEREAS the Logan County Commissioners have resolved to administer a grant from the Ohio Public Works Commission (Issue 2) for use on the Village of Belle Center roadway system, and

WHEREAS it is a requirement of said grant process that each village pass a cooperative legislation with respect to said project,

THEREFORE BE IT RESOLVED that this village agrees to allow the Engineer's Office to arrange and/or perform work on the Village of Belle Center roadway system as directed by the Village Mayor or Village Administrator or their duly authorized agent.

Section I: This RESOLUTION is declared to be an emergency measure necessary for the health and welfare of the citizens of Belle Center and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED October 13, 1998

Robert James
President of Council

APPROVED October 13, 1998

Donald E. Ruble
Mayor

ATTEST October 13, 1998

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution 98-06 Passed by Council of said Village on the 13th day of October, 1998.

Steven A. Moore
Steven A. Moore Clerk

ORDINANCE 98-05

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE ADMINISTRATOR AND CLERK OF THE VILLAGE OF BELLE CENTER, OHIO TO SIGN DOCUMENTS AND ENTER INTO ANY LOAN AGREEMENTS WITH THE OHIO EPA, OHIO WATER DEVELOPMENT AUTHORITY (OWDA) AND WATER POLLUTION CONTROL LOAN FUND (WPCLF), AUTHORIZING THE PAYMENT OF ANY LOAN FEES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

- Section I: That the Mayor and/or Village Administrator and Clerk of the Village of Belle Center, Ohio, is hereby authorized to sign any and all documents necessary to enter into an agreement with The Ohio EPA, OWDA or Water Pollution Control Loan Fund for the purposes of a loan to design and install a sanitary sewer collection system in the Village of Belle Center and for future amounts that may be necessary when and if the sewer project enters into the bidding and construction phase.
- Section II: The Clerk/Treasurer of Council is authorized to sign any and all documents necessary to said loan applications or agreements requiring the signature of the Village's fiscal officer.
- Section III: The Clerk/Treasurer is authorized to pay any loan application fees appropriate to said loan agreements.

Section IV: This ORDINANCE is declared an emergency measure made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED Oct. 13, 1998

Robert James
President of Council

APPROVED Oct. 13, 1998

Donald E. Ruble
Mayor

ATTEST Oct. 13, 1998

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 98-05 Passed by Council of said Village on the 13th day of October, 1998.

Steven A. Moore
Steven A. Moore Clerk

ORDINANCE 98-04

AN ORDINANCE DECLARING IT NECESSARY TO CONSTRUCT A WASTEWATER COLLECTION SYSTEM IN THE VILLAGE OF BELLE CENTER, AND AUTHORIZING THE APPLICATION FOR FINAL DETAIL ENGINEERING FUNDS FROM THE OHIO ENVIRONMENTAL PROTECTION AGENCY AND THE OHIO WATER DEVELOPMENT AUTHORITY'S WATER POLLUTION CONTROL LOAN FUND (WPCLF).

BE IT RESOLVED by the Council of the Village of Belle Center, Ohio:

Section I: That it is necessary to construct a sewage system for the health, safety and welfare of the residents of the Village of Belle Center, Ohio (Detailed description attached)

Section II: That it is necessary to apply for approval of a loan from the Water Pollution Control Loan Fund.

Section III: That the Clerk of the Village of Belle Center, Ohio be and is hereby authorized to request from the Water Pollution Control Loan Fund the sum of \$150,000.00 (One hundred fifty thousand dollars and no cents).

Section IV: That the method of repayment of moneys loaned from the Water Pollution Control Loan Fund be as follows:

- 1). Full amount upon financing for the design of the project.
- 2). If the project is not financed within two years from the date of award (repayment shall be made in such equal annual installments (not exceeding ten) and on such date as set forth in the Agreement between OEPA, OWDA and the village for the loans.
- 3). That the village's designated repayment source shall be water user fee and Village Income Tax.

- 4). If the project is financed after payments have started, the balance of the loan shall be repaid immediately.

Section V: This ORDINANCE is declared to be an emergency measure necessary for the health and welfare of the citizens of the Village of Belle Center and shall be in full force and effective immediately upon its passage and approval of the Mayor.

PASSED Oct. 13, 1998

Robert James
President of Council

APPROVED Oct. 13, 1998

Donald E. Ruble
Mayor

ATTEST Oct. 13, 1998

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 98-04 Passed by Council of said Village on the 13th day of October, 1998.

Steven A. Moore
Steven A. Moore Clerk

RESOLUTION 98-03

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A LOAN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:

Section I: That the Village Administrator of the Village of Belle Center,
Ohio, is hereby authorized to enter into an agreement with The
Ohio Public Works Commission, for the purposes of loan to
install grinder pumps.

Section II: This RESOLUTION is made necessary for the health and
welfare of the citizens of the Village of Belle Center, Ohio and
shall be in full force and effect immediately upon its passage
and approval of the Mayor.

PASSED August 11, 1998

Robert D. Janus
President of Council

APPROVED August 11, 1998

Donald E. Ruble
Mayor

ATTEST August 11, 1998

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the
foregoing is a true and correct copy of Resolution 98-03 Passed by Council of said
Village on the 11th day of August, 1998.

Steven A. Moore
Steven A. Moore Clerk

RESOLUTION 98-01

A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:


Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.

Section II: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.


PASSED January 13, 1998


President of Council


APPROVED January 13, 1998


Mayor

ATTEST January 13, 1998


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution 98-01 Passed by Council of said Village on the 13th day of January, 1998


Steven A. Moore, Clerk

ORDINANCE 97-11

A ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A TAX ADMINISTRATOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

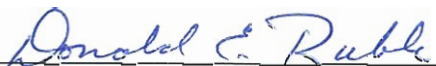
Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Steve Moore, for the purposes of representing this Village from January 1, 1998 through December 31, 1998 and for the sum of 9% of amount of tax collected per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

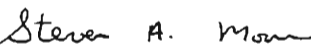
PASSED December 9, 1997


President of Council

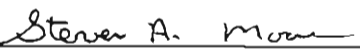
APPROVED December 9, 1997


Mayor

ATTEST December 9, 1997


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 97-11 Passed by Council of said Village on the 9th day of December, 1997.


Steven A. Moore Clerk

ORDINANCE 97-10

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BELLE CENTER, OHIO TO ENTER INTO A CONTRACT FOR A SOLICITOR FOR SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio,
three-fourths (3/4) of the members thereto concurring:

Section I: That the Village Administrator of the Village of Belle Center, Ohio, is hereby authorized to enter into a contract with Douglas MacGillivray, Attorney at Law, for the purposes of representing this Village from January 1, 1998 through December 31, 1998 and for the sum of \$3,600.00 per year, payable quarterly.

Section II: This ORDINANCE is made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

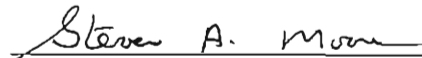
PASSED December 9, 1997


President of Council

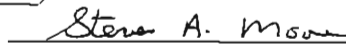
APPROVED December 9, 1997


Mayor

ATTEST December 9, 1997


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 97-10 Passed by Council of said Village on the 9th day of December, 1997.


Steven A. Moore Clerk

ORDINANCE 97-09

AN ORDINANCE ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND DECLARING AN EMERGENCY IN THE VILLAGE OF BELLE CENTER, OHIO.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

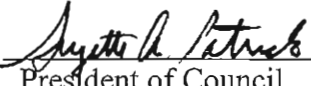

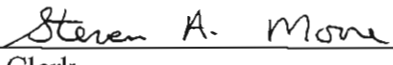
Section I: That the Belle Center Village Council adopted the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

WHEREAS, The Belle Center Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 1998; and

WHEREAS, The Budget Commission of Logan County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part within the ten mill tax limitation; therefor be it

RESOLVED, By the Council of the Village of Belle Center, Logan County, Ohio, that the amounts and rates, as determined by the Budget Commission in it's certification, be and the same are hereby accepted.

Section II: This resolution is hereby declared to be an emergency measure, made necessary to preserve the fiscal responsibilities of the Village of Belle Center, Ohio and shall be in full force and effect immediately upon its passage and approval of the Mayor.

PASSED <u>Sept 9, 1997</u>	<u></u> President of Council
APPROVED <u>Sept 9, 1997</u>	<u></u> Mayor
ATTEST <u>Sept 9, 1997</u>	<u></u> Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 97-09 Passed by Council of said Village on the 9th day of September, 1997.


Steven A. Moore Clerk

RESOLUTION 97-08

A RESOLUTION ADOPTING THE TAX BUDGET OF THE VILLAGE OF BELLE CENTER, OHIO BEGINNING JANUARY 1, 1998 AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED, by the Council of the Village of Belle Center, Ohio, three fourths (3/4) of the members thereto concurring:

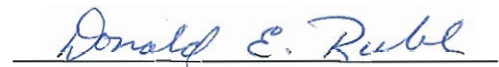
SECTION I: That the Belle Center Village Council adopted the amount of the Budget for the year beginning January 1, 1998.

SECTION II: This Ordinance is hereby declared to be an emergency measure, made necessary to preserve the financial fiscal responsibility of the Village of Belle Center and shall be in full force and effect immediately upon its passage and signature by the Mayor.

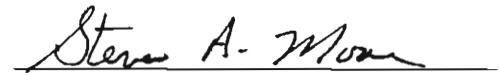
PASSED: July 8, 1997


President of Council

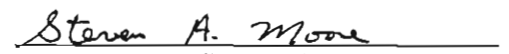
APPROVED: July 8, 1997


Mayor

ATTEST: July 8, 1997


Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution 97-08. Passed by Council of said Village on the 8th day of July, 1997.


Steven A. Moore Clerk

Approved by: DIR Date: _____

ORDINANCE 97-07

AN ORDINANCE SETTING THE COMPENSATION FOR THE OFFICE OF COUNCILPERSON FOR THE VILLAGE OF BELLE CENTER, LOGAN COUNTY, OHIO.

BE IT ORDAINED, by the Council of the Village of Belle Center, Ohio, three fourths (3/4) of the members thereto concurring:

SECTION I: The compensation for the Office of Village Council is hereby fixed at Six Hundred Dollars (\$600.00) per year, to be paid quarterly. This salary shall become effective on January 1, 1998.

SECTION II: Any Ordinance or Resolution in conflict with Section I of this Ordinance is hereby repealed, provided however that compensation for councilperson as fixed by Ordinances or Resolutions effective upon passage of this Ordinance shall be effective until January 1, 1998 or councilpersons next term begins.

SECTION III: This Ordinance will be effective at the earliest time allowed by law.

PASSED: July 8, 1997

Lyette A. Falmus
President of Council

APPROVED: July 8, 1997

Donald E. Rube
Mayor

ATTEST: July 8, 1997

Steven A. Moore
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 97-07. Passed by Council of said Village on the 8th day of July, 1997.

Steven A. Moore
Steven A. Moore Clerk

Approved by: D.R. Date: _____

ORDINANCE 97-05

**AN ORDINANCE ENACTED BY THE VILLAGE OF BELLE
CENTER FOR THE IMPROVEMENTS OF PORTIONS OF PUBLIC
HIGHWAY FOR THE REPLACEMENT OF BRIDGES OVER THE
SLOUGH DITCH AND DECLARING AN EMERGENCY IN SAID
VILLAGE**

(SEE TYPEWRITTEN ORDINANCE SUPPLIED BY THE DEPARTMENT OF
TRANSPORTATION FOR DETAILS)

ORDINANCE 97-04

AN ORDINANCE ADJUSTING THE FEES FOR REFUSE COLLECTION IN THE VILLAGE OF BELLE CENTER AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED, by the Council of the Village of Belle Center, Ohio, all of the members thereto concurring:

SECTION I: That the Base Fee for refuse collection in the Village of Belle Center, Ohio is hereby amended to Ten Dollars (\$10.00) effective April 1, 1997 for all single residential users in the Village.

SECTION II: That the maximum number of bags for the base fee shall be six (6) thirty (30) gallon bags per pick-up. Each additional thirty (30) gallon bag shall be charged sixty cents (\$.60).

SECTION III: That the Commercial Rates are hereby amended as follows:

- Class 1: Retail food establishments (small) \$10.00 to \$40.00 per month.
- Class 2: Retail food establishments (large) \$40.00 to \$100.00 per month.
- Class 3: Restaurants and Cafes \$12.00 to \$60.00 per month.
- Class 4: Filling Stations and Auto Repair Shops \$18.00 to \$50.00 per month.
- Class 5: Professional Offices \$10.00 to \$45.00 per month.
- Class 6: Schools \$125.00 to \$200.00 per month.
- Class 7: Mercantile and Manufacturing establishments (small) \$10.00 to \$25.00 per month.
- Class 8: Mercantile and Manufacturing establishments (large) \$25.00 to \$300.00 per month.
- Class 9: Out of town residence \$14.00 to \$25.00 per month.

SECTION IV: That this Ordinance shall amend any prior Ordinances setting the refuse collection rates to the extent that they are in conflict herewith.

SECTION V: Payments not made by the fifteenth (15th) day of the following month shall be penalized a 10% delinquent fee. After sixty (60) days delinquent, pick-up service may, at the option of the Village Administrator, be curtailed.

SECTION VI: A \$10.00 fee is to be charged for all returned checks in addition to all bank charges to the Village.

SECTION VII: This Ordinance is hereby declared to be an emergency measure, made necessary to preserve the financial fiscal responsibility of the Village of Belle Center and shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____


President of Council

APPROVED: _____


Mayor

ATTEST: _____

Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 97-04. Passed by Council of said Village on the _____ day of _____, 1997.

Steven A. Moore Clerk

ORDINANCE 97-03

ANNUAL APPROPRIATION ORDINANCE FOR THE VILLAGE
(SEE ANNUAL APPROPRIATION BOOK FOR DETAILS)

ORDINANCE NO. 97-02

AN ORDINANCE REGARDING LEAVING COLLECTOR'S, JUNK AND UNLICENSED VEHICLES ON PRIVATE OR PUBLIC PROPERTY FOR THE VILLAGE OF BELLE CENTER, OHIO.

WHEREAS, the following definitions shall apply in the interpretation and enforcement of this Ordinance:

- (1) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
- (2) "Vehicle" means a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and includes, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy and wagon.
- (3) "Street or Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (4) "Property" means any real property within the Village which is not a street or highway.
- (5) "Collector's Vehicle" means any motor vehicle or agricultural tractor or traction engine of special interest having a fair market value of one hundred dollars or more, whether operable or not, that is owned, operated, collected, preserved, restored, maintained, or used essentially as a collector's item, leisure pursuit, or investment, but not as the owner's principal means of transportation.

WHEREAS, no person shall leave any collector's car, any partially dismantled, or apparently non-operating, or wrecked, or junked vehicle, or a vehicle which does not have secured to it the full number of current license plates required by the laws of the State of Ohio, on any street or highway within the Village.

WHEREAS, no person in charge or control of any property within the Village, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any collector's vehicle, partially dismantled, or apparently non-operating, or wrecked, or junked, or discarded vehicle, or vehicle which does not have secured to it the full number of current license plates required by the laws of the State of Ohio, to remain on such property longer than seven days; and no person whether as owner, tenant, occupant, or lessee of such property or as owner, renter or other rightful user or person with a right to possession, of any such vehicle shall allow any such vehicle to remain on any property within the Village for a longer time period than seven days; except that this ordinance shall not apply to such a vehicle that is store completely within a enclosed building or garage or is otherwise specifically permitted pursuant to the Zoning Ordinances of the Village.

WHEREAS, the mayor is hereby authorized to remove or have removed any vehicle left at any place within the Village which appears to be in violation of this Ordinance or is lost, stolen, or unclaimed. Such vehicle shall be impounded until

lawfully claimed or disposed of in accordance with the applicable sections of the Ohio Revised Code.

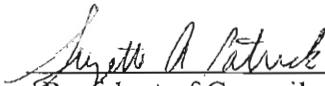
WHEREAS, the Sheriff, the Village Council, or the zoning inspector, may send notice, by certified mail with return receipt requested, to the person having the right to the possession of the property on which such vehicle is left, that within ten days of receipt of the notice, such vehicle shall be covered by being housed in a garage or other suitable structure, or shall be removed from the property.

WHEREAS, no person shall willfully leave such motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. The fact that such vehicle is so left is prima facie evidence of willful failure to comply with the notice, and each subsequent period of thirty days that the vehicle continues to be so left constitutes a separate offense.

WHEREAS, the Mayor is hereby authorized to create vehicle pounds to which such vehicles may be removed in the manner provided in the Ohio Revised Code Section. Such pounds shall be located at such places as he may designate on municipally owned or leased lands or upon private property by agreement with the owner or lessee thereof.

BE IT ORDAINED, that whoever violates this Ordinance is guilty of a minor misdemeanor, and shall also be assessed any costs incurred by the Municipality from such disposal. Each day such violation is committed or permitted to continue is a separate offense.

PASSED: _____



President of Council

APPROVED: _____



Mayor

ATTEST: _____

Clerk of Council

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 97-02 Passed by Council of said Village on the _____ day of _____, 1997.

Steven A. Moore, Clerk

RESOLUTION R-1-97

A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.

Section II: This Resolution is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

PASSED _____
President of Council

APPROVED _____
Mayor

ATTEST _____
Clerk

I, Steven A. Moore, Clerk of the Village of Belle Center, Ohio do hereby certify that the foregoing is a true and correct copy of Resolution R-1-97 Passed by Council of said Village on the _____ day of _____, 1997

Steven A. Moore, Clerk