

ORDINANCE NO. 158

AN ORDINANCE ESTABLISHING A USER CHARGE SYSTEM,
SEWER USE REQUIREMENTS, AND AN INDUSTRIAL COST
RECOVER SYSTEM FOR THE VILLAGE OF OTTOVILLE,
OHIO, DECLARING AN EMERGENCY, AND REPLEALING
ORDINANCE NO. 150.

WHEREAS the Village of Ottoville, Ohio, has used grant monies from the U. S. Environmental Protection Agency under the sewage treatment works grants program to construct improvements to their wastewater treatment plant, and;

WHEREAS the U. S. Environmental Protection Agency has amended part 35 of title 40 CFR to include regulations for a User Charge System and an industrial cost recovery system pursuant to Section 204 (b) of the Federal Water Pollution Control Act Amendments of 1972, and;

WHEREAS Sewer Use Regulations are required by title 40 CFR 35.935-16 and must be approved by the U. S. EPA Regional Administrator, and;

WHEREAS the Village of Ottoville desires, for the convenience of administrative control, to incorporate all three required items in one ordinance;

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OTTOVILLE THAT THE FOLLOWING SHALL ESTABLISH AND GOVERN THE CHARGES, USE AND INDUSTRIAL COST RECOVERY FOR THE OTTOVILLE SEWERAGE SYSTEM :

Section 1. Title

This Ordinance shall be known as the User Charge, Sewer Use and Industrial Cost Recovery Ordinance.

Section 11. Description and Purpose

The Sanitary Sewer System of the Village of Ottoville streets, alleys, rights-of-ways, and easements, and a sewage treatment plant, the location of which is shown upon plans and drawings filed in the Office of the Board of Public Affiars, and all other appurtenances which are used in whole or in part in connection with the collection, treatment, and disposal of sewage, industrial wastes, and all other extensions, additions and improvements which may be made to such system. Its purpose is to provide for the collection and treatment of domestic sewage and

Revised 10-31-78 To 11-15-78

Town Hall - Jerry's Barber Shop - OTTOVILLE Bank.

Ottoville Tel-Phone Co. - Miller's Village Market

such industrial waste as are permitted by this Ordinance, in order to protect the health, safety, and general welfare of the residents of the Village of Ottoville. The purpose of this Ordinance is to protect the sewage collection and treatment facilities by controlling the quantity, quality, and manner of discharge of sewage into the sanitary sewage system and to establish sewer rents by which the costs of construction of the system and continued collection and treatment may be equitably borne by residents of the village, owners of property, sanitary sewer districts and independent contractors to whom the system is available.

Section 111. Definitions

As used in this Ordinance :

- (A) "Biochemical oxygen demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, as prescribed in "Standard Methods for the Examination of Water and Wastewater" in five (5) days at 20 degrees C, expressed in milligrams per liter.
- (B) "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building, and conveys it to the building sewer, terminating five (5) feet (1.5 meters) outside the inner face of the building wall.
- (C) "Building sewer or house connection" shall mean the extension from the building drain to the public sewer or other place of disposal.
- (D) "Chemical Oxygen Demand" (COD) shall mean the quantity of oxygen equivalent to that portion of the organic matter in a sample of wastewater that is susceptible to oxidation by a strong chemical oxidant, as prescribed in "Standard Methods for the Examination of Water and Wastewater" expressed in milligrams per liter.
- (E) "Capital Charges" shall mean those amounts paid by the owner of each structure connected to the treatment works proportionate to the probable demand placed on the system to pay the debt service requirements and capital expenditures to enlarge or improve the wastewater facilities. Those structures outside the Village shall have included in their capital charge an amount equivalent to the sum paid by the owners' property inside the Village through assessments, taxes, and investments in facilities already paid for by Village residents.
- (F) "Combined Sewer" shall mean a sewer intended to serve as a sanitary

sewer and a storm sewer, or as an industrial sewer and a storm sewer.

- (G) "Compatible Pollutants" shall mean pollutants which the treatment plant was designed to treat which are BOD, SS, Phosphorus, Ammonia (NH_4), and fecal coliform bacteria, plus additional pollutants identified in the NPDES Permit if the publicly owned treatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.
- (H) "Connection charge" shall mean that amount paid by the owner of each new or old structure to be connected to the treatment works.
- (I) "Director" shall mean the Board of Public Affairs of the Village of their authorized agent or representative.
- (J) "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- (K) "Floatable Oil" shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and does not interfere with the collection system.
- (L) "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- (M) "Incompatible Pollutant" shall mean any pollutant which is not compatible.
- (N) "Industrial Cost Recovery Charge" shall mean that amount assessed each industrial user to repay that portion of all Federal grant amounts allocable to the treatment of wastes from the industrial users of the wastewater facilities and capacity committed to their users.
- (O) "Industrial User" shall mean any nongovernmental user of the treatment works identified in the "Standard Industrial Classification Manual", 1972, Office of Management and Budget, published by the Federal government as amended and supplemented under the following divisions :

Division A - Agriculture, Forestry and Fishing

Division B - Mining

Division D - Manufacturing

Division E - Transportation, Communications, Electric,
Gas, and Sanitary Services

Division I - Services

A user in the divisions listed above may be excluded from this definition if it is determined by the Village that it will introduce primarily segregated domestic waste or wastes from sanitary conveniences.

- (P) "Industrial Wastes" shall mean the wastewater from Industrial processes, trade, or business as distinguished from domestic or sanitary wastes.
- (Q) "Major Contributing Industry" shall mean an industrial user of the publicly owned treatment works to which any of the following apply :
 - (a) has a flow of 17,000 gallons or more per average work day;
 - (b) has a flow greater than five percent of the flow carried by the municipal system receiving the waste; (c) has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under section 307 (a) of PL 92-500; or (d) is found by the permit issuance authority, in connection with the issuance of an NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.
- (R) "May" is permissive.
- (S) "Natural Outlet" shall mean any outlet, including the outlet of storm sewer, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- (T) "Nonindustrial User" shall mean all users of the wastewater facilities not classified as an Industrial User.
- (U) "NPDES Permit" shall mean National Pollutant Discharge Elimination System Permit as issued by the State of Ohio Environmental Protection Agency under authorization issued by the U. S. EPA, Region 5, March 11, 1974.
- (V) "Operation, Maintenance, and Replacement Costs" shall mean those costs, including labor, materials, supplies, equipment, accessories, and appurtenances, required to operate the facilities, keep the facilities in operating condition, and maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.

- (W) "Person" shall mean any individual, firm, company, partnership, association, society, corporation, or group.
- (X) "pH" shall mean the logarithm of the reciprocal of hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.
- (Y) "Phosphorus" shall mean the total phosphorus content of a sample including all of the orthophosphates and condensed phosphates, both soluble and insoluble, and organic and inorganic species, and referred to in "Standard Methods for the Examination of Water and Wastewater" as total phosphorus.
- (Z) "Pretreatment" shall mean the treatment of wastewaters from sources before introduction into the treatment works.
- (AA) "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.
- (BB) "Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.
- (CC) "Recovered amounts" shall mean that revenue generated as a result of the Industrial Cost Recovery System.
- (DD) "Recovery period" shall mean thirty (30) years or the useful life of the treatment works, whichever is less.
- (EE) "Retained amounts" shall mean 50% of the Recovered amounts.
- (FF) "Sanitary sewer" shall mean a sewer that carries liquid and/or water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- (GG) "Segregated domestic wastes" shall mean wastes which are characterized by a per capita discharge of 100 gallons/day at a loading of 200 mg/IBOD and 250 mg/ISS, commonly termed normal domestic sewage.

- (HH) "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- (II) "Shall" is mandatory.
- (JJ) "Significant user" shall mean any industrial user that will contribute greater than 10% of the design flow or design pollutant loading of the treatment works.
- (KK) "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any given period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and adversely affects the collection system and/or performance of the wastewater treatment works.
- (LL) "Storm drain or storm sewer" shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- (MM) "Suspended solids" (SS) 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.
- (NN) "Treatment Works" shall mean any and all devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial waste of a liquid nature, or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including interceptor sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal wastes, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems.
- (OO) "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation

of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

- (PP) "User charge" shall mean that amount paid by each owner of structures connected to the treatment works proportionate to the service provided. This charge shall cover all operation, maintenance, and replacement costs for the facilities.
- (QQ) "Wastewater of sewage" shall mean the spent water of a community, and may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
- (RR) "Wastewater treatment plant" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge.
- (SS) "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.
- (TT) "Major addition or alternation" shall mean the addition of 2,000 square feet or more to an existing structure or an alteration of an existing structure which changes its use within the listing of equivalent factors set forth in Section 1040.08, and which also causes an increased discharge in the volume of wastewater.

Section IV - Use of Public Sewers Required

- (a) That it shall be unlawful for any owner, agent, lessee, tenant or occupant of any lot or land located within the Village of Ottoville, Ohio, to establish, construct, maintain or permit to remain a privy, cesspool or other receptacle for sewage or excreta, or a connection to a private sewer, ditch or other outlet, if such lot or land is accessible to a public sanitary collector sewer constructed and used solely for the purpose of collecting and conveying sanitary sewage. When such public sanitary collector sewer is available or is hereafter made available, a connection to such public sewer shall be established and used within 60 days after such public sewer is so available by such owner, agent, lessee, tenant or occupant and upon such connection each such owner, agent, lessee, tenant or occupant shall disconnect any then existing connection or septic tank effluent to the public sewer. For the purpose of this ordinance, such building shall be deemed to be accessible to such public sewer if located within 200 feet thereof.

- (b) Provided however, in the event additional lands are annexed to the Village after the adoption of this ordinance, which annexed lands have situated thereon private septic sewer systems which at the time of annexation are satisfying the Putnam County Board of Health regulations, then and in that event, said owner, agent, lessee, tenant or occupant shall not be required to connect to the public sanitary sewer system until said existing septic sewer system no longer complies with the Putnam County Board of Health regulations, at which time and within sixty (60) days thereafter said owner, agent, lessee, tenant or occupant must comply with Section One of this ordinance.

Section V - Connection Required

- (a) That when such public sanitary collector is available it shall be unlawful for any owner, agent, lessee, tenant or occupant of any lot or land located within the Village of Ottoville, Ohio, to discharge into the public sewer of the Village any roof waters, surface or subsoil drainage, or other clean waste water; or to discharge into such public sewer any septic tank effluent after the expiration of the 60 day period prescribed in Section IV. Thereafter, any existing connection in violation of the provisions of this Section shall be abandoned and removed.

Section VI - Sewer District Established

- (a) The Village is hereby declared to be a sewer district.
- (b) All sewers in the Village shall be under the direction, control and authority of the Board of Public Affairs.

Section VII - Connections, Permits

- (a) That it shall be unlawful for any owner, agent, lessee, tenant or occupant of any lot or land to connect his premises to any public sewer until a permit therefor has been obtained from the Board of Public Affairs of the Village. Such Board shall keep a record of all such permits issued by it and shall cause such connections to be inspected at the time that they are made.
- (b) Fee. The fee for any such permit issued by the Board of Public Affairs shall be \$10.00.

- (c) Form of Permit; Disposition of Funds Collected. The Board of Public Affairs shall establish the form for permits to tap sewers, and all forms shall be consecutively numbered. The Board of Public Affairs shall transfer to the Village Treasury, in the manner prescribed by law, all funds received for sewer permits, which funds shall be credited to the Sewer Fund of the Village.
- (d) No permit will be issued unless there is sufficient downstream capacity to handle the additional wastes.

Section VIII - Connection Charge and Computation

- (a) In addition to the permit fee, a connection charge shall be made for all new or old buildings to be connected into the sanitary system, major additions or alterations to buildings causing increased wastewater discharge, and any land use causing the discharge of wastewater into the wastewater system. A connection charge shall be made to an industrial user for any charge in wastewater flow equal to or beyond the quantities noted in Section 1040.01, subdivision Q.
- (b) Charges for connections to the sewage system shall be computed on the basis of the number of units to be served. A unit is that quantity of wastewater discharged from the ordinary single family dwelling, occupied by one family. In computing charges for commercial, industrial, or multiple residents, the number of units for which charges are to be made shall be determined from the following equivalent factors, but none shall be less than 1 unit.

USAGE

UNIT FACTOR

Auto Body Shop	0.40 per 2000 sq. ft.
Auto Dealers	1.40 per 2000 sq. ft.
Barber shops	.14 per chair
Bars	.044 per seat
Beauty shops	0.223 per work station
Boarding houses	.16 per person
Boarding schools	.23 per person
Bowling Alleys (no bars or lunch facilities)	.16 per alley
Car washes	10.00 per single production line
Car washes (self-service)	1.25 per unit
Churches	.008 per seat
Cleaners (pick up only)	.048 per employee

Cleaners (pressing facilities)	1.25 per press
Clinics	0.50 per doctor
Convalescent homes	.22 per bed
Convents	.20 per person
Country clubs	.08 per member
Drug stores (with fountain service)	.08 per seat
Factories (exclusive of industrial wastes)	0.50 per 2000 sq. ft.
Fraternal organizations (members only)	1.00 per hall
Fraternal Organizations (members and rentals)	2.00 per hall
Grocery Stores and Super Markets	1.10 per 2000 sq. ft.
Hospitals	1.09 per bed
Hotels and Motels	.25 per bed
Laundry (self service)	.54 per washer
Multiple family residence	.56 per unit
Office Buildings	0.40 per 2000 sq. ft.
Public institutions other than hospitals	.32
Restaurants	.13 per seat
Rooming houses (no meals)	.13 per person
Schools	.010 per student
Service stations	.24 per pump
Snack bars, drive-ins, etc.	.08 per seat and/or stall
Store (other than Specifically listed)	.16 per employee
Swimming pool	2.85 per 1,000 sq. ft. of pool
Theaters (drive-ins)	.008 per car space
Theaters (inside with air conditioning)	.000093 times weekly hours of operation times seats
Trailer parks (central laundry facilities)	.40 per trailer
Warehouses	0.10 per 2,000 sq. ft.

Classifications not specifically listed shall be assigned values as determined by the Board of Public Affairs so long as the same are consistent with this section.

Section IX - Connection Charge

- (a) \$300.00 per unit for all new connections, improvements, extensions, and/or major alterations to existing improvements.

Section X - Building Sewer Standards

- (a) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as one building sewer, but the Village does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- (b) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Board of Public Affairs to meet all requirements of this ordinance. Abandoned sewers or openings shall be plugged to prevent dirt or fill material from entering the sewer system.
- (c) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (d) No connections or lateral extending to private property from a public sewer or drain shall be constructed except in accordance with specifications issued by the Board.
- (e) All connections, tappings, or openings shall be made under the supervision of the Board. The holder of a building sewer permit shall notify the Board when the building sewer is ready for inspection and connection to the public sewer.
- (f) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village. All refilling of the excavation made for such connection shall be under the supervision of the Village officials responsible for streets.

- (g) Whenever a building is demolished thus terminating sewage flow from such location, all building connections to the sewer system shall be plugged at the tapping or opening into the sewer. Such plugging shall be made under the supervision of the Board. The owner (s) of the building shall notify the Board as to when the plugging shall occur.

Section XI - Proposed Annexations

- (a) Whenever annexation of any territory to the Village is sought or petitioned for, such annexation shall not be considered until a report of the Board of Public Affairs is filed with the Council in regard to the status, adequacy, and efficiency of existing sewers or the sewage system in such territory.

Section XII - Industrial Pretreatment Required

All major contributing industrial users of the treatment facilities shall pretreat any pollutant which may interfere with, pass through, or otherwise be incompatible with the treatment works. Standards for pretreatment of such pollutants are published in 40 CFR 128.133, and are available from the Board. All owner (s) of any source to which pretreatment standards are applicable, shall be in compliance with such standards within the shortest reasonable time, but later than two (2) years from the date of promulgation of such standards for the applicable industrial category. All owner (s) of any source to which pretreatment standards are applicable shall submit to the Board semi-annual notices regarding specific actions taken to comply with such standards. Such notices shall be submitted on the first day of the months of April and October.

If any major contributing industrial user proposes to pretreat its wastes, the design and installation of the plants and equipment shall be subject to the review and approval of the Board of Public Affairs.

Section XIII - Use of Public Sewers

- (a) The following described substances, materials, waters, or waste shall be limited in discharges to the municipal system to concentrations or quantities which will not harm either the sewers, wastewater treatment process, or equipment; will not have an adverse effect on the receiving stream; will not cause violations of the NPDES regulations; or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Board may set limitations more severe than the limitations established in this chapter if in their opinion such more severe limitations are neces-

sary to meet the above objectives. In forming this opinion as to the acceptability, the Board will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on material or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Board are as follows :

- (1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius) at the point of entrance to main sewer.
- (2) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- (3) Wastewater from industrial plants containing floatable oils, fat, or grease.
- (4) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (5) Any waters or wastes containing iron, chromium, copper, zinc, cadmium, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Board for such materials.
- (6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Board.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Board in compliance with applicable state or federal regulations.

- (8) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
- (9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (10) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes. The Board shall require all discharges to conform to all NPDES permit requirements and any other specified State or Federal regulations.

(b) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this section, and which in the judgment of the Board may interfere with, pass through, or otherwise be incompatible with the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Board of Public Affairs may :

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge; and/or,
- (4) Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

If the Board permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Board.

When considering the above alternatives, the Board shall give consideration to the economic impact of each alternative on the discharger:

- (c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Board, they are necessary for the proper handling of liquid waste containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Board, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner (s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Board. Any removal and hauling of the collected material not performed by the owner (s)' personnel must be performed by currently licensed waste disposal firms.
- (d) Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner (s) at this expense.
- (e) When required by the Board, the owner (s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Board. The structure shall be installed by the owner (s) at his expense and shall be maintained by him so as to be safe and accessible at all times.
- (f) The Board may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include :
- (1) Wastewaters discharge peak rate and volume over a specified time period.
 - (2) Chemical analyses of wastewaters.
 - (3) Information on raw materials, processes, and products affecting wastewater volume and quality.

- (4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
 - (5) A plot plan of sewers of the user's property showing sewer and pretreatment facility location.
 - (6) Details of wastewater pretreatment facilities.
 - (7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.
 - (8) Such other information as may be required by the Village's NPDES permit.
- (g) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. All tests shall conform to EPA Regulation 40 CFR 136 published October 16, 1973 in the Federal Register entitled "Guidelines Establishing Test Procedures for Analysis of Pollutants." Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Board and other regulatory agencies.
- (h) No provision of this chapter shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment thereof in accordance with provisions of this ordinance.
- (i) The Village may enter to special agreement or arrangement with another Village for treatment, subject to the provisions of this ordinance.

Section XIV - Inspection

- (a) The Board of Public Affairs and/or other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

- (b) The Board and/or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
- (c) While performing the necessary work on private properties, referred to in this section, the Board and/or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Village employees, and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage assessed against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

Section XV - Charges

- (a) On and after the first day of the month following completion of sewage treatment plant, now being constructed, there is levied and assessed upon each lot, parcel of land, building, or premises having any sewer connection with the sanitary sewer system of the Village or otherwise discharging sewage, industrial wastes, water or other liquids either directly or indirectly into the Village wastewater treatment system, a charge or rental.
- (b) The users of the system shall be divided into classes. Classes shall be groups of users for which the wastewater characteristics are approximately equal and services provided are essentially the same. Initially, there shall be established two classes of users, as follows :
 - (1) Industrial Users;
 - (2) Nonindustrial Users.

The Board of Public Affairs may recommend additional classes as determined to be necessary.

- (c) Charges for wastewater treatment service shall be paid by each user connected to the system and shall be computed in accordance with probable demand a user places on the system and the quantity of water discharged to the system as measured by the Village water meter installed thereon or by a sewage meter installed on the discharge pipe therefrom, or as estimated by the Village, in accordance with the charge schedule hereinafter set forth.
- (d) When a considerable amount of water delivered to any premises is not returned to the Village sewage disposal system, the Board may establish a special basis upon which the sewage disposal charges to such premises will be computed, or upon a determination by either the Board or the customer that the use of direct metering of sanitary sewage flow is necessary or is a more equitable method of determining sewage disposal charges, the Board shall order the installation of wastewater meters.

Section XVI - Minimum Charges

Charges for wastewater treatment shall consist of \$1.09 per 1,000 gallons for the operation and maintenance of the wastewater treatment system and \$1.56 per 1,000 gallons for debt service repayment or a total charge of \$2.65 per 1,000 gallons. The minimum charge for wastewater service shall be computed as follows :

- (a) The minimum charge for wastewater service measured by water meter, shall be \$10.60 for first 4,000 gallons per month.
- (b) Charges for use measured by wastewater meters, such as Parshall flumes, magnetic meters, venturi meters, etc., shall be \$10.60 for first 4,000 gallons per month.

Section XVII - Volume Charge

In addition to the minimum charge, there shall be paid the following charges per 1,000 gallons for all water used or wastewater metered in excess of 4,000 gallons per month.

- (a) \$2.65 per 1,000 gallons for wastewater service measured by the water meter.
- (b) \$2.65 per 1,000 gallons for wastewater service measured by the wastewater meter.

SECTION XVIII - High Strength Surcharges

In addition to the minimum charge and the volume charge, any user discharging wastewater containing BOD in excess of 200 mg/l or suspend solids of 200 mg/l shall pay the following additional charges :

BOD -	\$0.46 per pound of excess over 200 mg/l
SS -	\$0.46 per pound of excess over 200 mg/l

SECTION XIX - Metering and Monitoring Fees

In addition to other charges, each user shall be charged \$40.00 for each sampling and metering required for high strength surcharges, industrial cost recovery or ascertaining pretreatment compliance. A fee shall be charged for each sampling period in which samples are collected and analyzed. Sampling periods shall not exceed a 24-hour day.

SECTION XX - Other Discharge Fee

Other wastewater, containing compatible waste only, delivered to the treatment system shall pay a fee of \$2.65 per 1,000 gallons, and shall be subject to the high strength surcharges.

Section XXI - Industrial Cost Recovery System

- (a) Commencing on the first day the Ottoville publicly-financed treatment works construction project, which includes a Federal Grant thereon, is placed in operation, there shall be levied and assessed upon each industrial user of the treatment works an Industrial Cost Recovery charge or rental which shall be in addition to all other charges, rentals, and fees provided in this chapter. The Industrial Cost Recovery Charge shall be equal to that portion of all Federal Grant amounts allocable to the treatment of wastes from the Industrial users of the treatment works and capacity committed to their use. The recovery period for this amount shall be 30 years or the useful life of the project, whichever is less.
- (b) An industrial user's share shall be based upon all factors which significantly influence the cost of the construction project, including strength, volume, and delivery rate characteristics, in accordance with the charge schedule hereinafter set forth.
- (c) The Industrial Cost Recovery Charge for the improvements and modifications to the wastewater treatment plant constructed under Federal Project C390656 shall be as follows :

The basic industrial cost recovery charge shall be \$0.52 per 1,000 gallons of standard strength wastewater (200 mg/l BOD, 200 mg/l SS) as measured by water or wastewater meter.

In addition to the basic charge, any user discharging wastewater containing BOD in excess of 200 mg/l or SS (suspended solids) of 200 mg/l shall pay the following charges :

BOD - \$0.054 per pound of excess over 200 mg/l
SS - \$0.013 per pound of excess over 200 mg/l

A deduction of \$0.20 per employee per month shall be made from the above charge for sanitary uses within the industry. Employment figures shall be furnished by the industry.

- (d) The Board of Public Affairs shall establish and maintain a monitoring program to obtain the information required to assess the Industrial Cost Recovery Charges. The Board of Public Affairs may require any industry to collect and analyze samples and furnish results to the Village.

Section XXII - Industrial Cost Recovery System Payments

- (a) The Village shall retain 50 percent of the recovered amounts. The remainder, together with any interest earned thereon, shall be returned to the U. S. Treasury on an annual basis, beginning one year after the facilities under Federal Project C 390656 are placed in service.
- (b) A minimum of 80 percent of the Village's retained amounts, together with interest earned thereon, shall be used solely for eligible costs of expansion and reconstruction of the treatment works. The Board of Public Affairs shall obtain written approval of the Regional Administrator of the EPA prior to the commitment of these funds. The money so collected shall be kept in a separate account and shall be invested in (1) obligations of the U. S. Government; or (2) obligations guaranteed as to principal and interest by the U. S. Government; or (3) deposits in accounts fully collateralized by obligations of the U. S. Government or by obligations fully guaranteed as to principal and interest by the U. S. Government or any agency thereof.
- (c) The remaining amount of the retained amounts shall be deposited in the Sewer Fund of the Village.

- (d) All significant users of the wastewater treatment works shall furnish to the Board of Public Affairs a signed letter of intent to pay that portion of all Federal grant amounts allocable to the treatment of its wastes. Each user shall include a statement of the industrial user's intended period of use of the treatment works.
- (e) The Board of Public Affairs shall review all new projects involving Federal Allocations to determine the industrial user's class influence on the capital costs of the project. The Board of Public Affairs shall then assess an Industrial Cost Recovery charge, in addition to that defined in Section XXII to obtain the required revenue from each industrial user.
- (f) The Board of Public Affairs shall be responsible for collecting and maintaining the needed records for implementation of this section.

Section XXIII - Sewer Design and Installation

- (a) All sewers shall be constructed so as to conform to the plans, specifications, and profiles on file in the office of the Board of Public Affairs. Written approval of the Board shall be obtained prior to the start of any construction.
- (b) The agency, person, firm or municipality submitting such plan shall pay to the Village an amount sufficient to pay the cost of making the review and necessary inspection. Such cost shall be determined by multiplying the number of hours spent on the review and inspections by appropriate hourly rate which shall include all fringe benefits and overhead.

Section XXIV - Revisions

On or before September 1 of each year, the Board of Public Affairs shall review the rules, regulations, charges, and fees set forth in this ordinance. If changes, revisions, or modifications are necessary, the Board shall submit to the Mayor the proposed revisions. If approved by the Mayor, the changes, revisions, and modifications shall be submitted to the first Council meeting in October. The charge system shall be in accordance with the regulations of EPA, which now require :

- (a) The charges shall result in the distribution of operation, maintenance, and replacement costs of the treatment works within the

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

- (b) The charges shall be reviewed annually and revised periodically as required.
- (c) The charges shall derive revenue sufficient to meet all cost of operation, maintenance, and replacement of the system.
- (d) The charges for replacement costs shall be re-calculated in the event a piece of equipment needs replacing before its life expectancy.

Section XXV - Payments

- (a) All charges for connection, permits, etc., shall be payable upon application.
- (b) Charges other than industrial cost recovery shall be billed monthly or quarterly, and payment shall be made in accordance with regulations established by the Mayor. At the option of the Mayor, such charges shall be payable at the same time as water bills.
- (c) The service of such order shall be made upon the person to whom it is directed, either by delivering a copy of the same to such person, or by delivering the same to and leaving it with any responsible person in charge of the premises, or by affixing a copy thereof in a conspicuous place on the door to the entrance of such premises.
- (d) Storm water other than that exempted under this section and all other unpolluted drainage shall be discharged into such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Board. Unpolluted and industrial cooling water or processed waters may be discharged, upon approval of the Board of Public Affairs to a storm sewer, combined sewer, or natural outlet.
- (e) Monthly sewer rates shall be effective on November 1, 1978. All sewer bills shall be due on the 15th day following the mailing of said bill to the user or users. If the users fail to pay the sewer bill within 60 days of the mailing of said bill, upon 10 days written notice to the user by the Board of Public Affairs, the user's water service shall be terminated.

Section XXVI - Prohibited Acts

- (a) No person shall discharge or cause to be discharged any of the following described water or wastes into any public sewers :
- (1) any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquids, solids, or gas;
 - (2) any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the Wastewater Treatment Plant.
 - (3) any waters or wastes having a pH lower than 6.0, or higher than 10.0 or as otherwise required; or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the treatment works;
 - (4) solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, snad, mud, straw, shavings, metals, glass, rages, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, fleshings, or entrails.
- (b) No person shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the treatment works.

Section XXVII - Board of Appeals

There is hereby established a Board of Appeals consisting of the Mayor, the Solicitor, the Chairman of the Council Committee on Utilities. If no Council committee on Utilities exists, the President of Council shall appoint the third member of the Board.

Section XXVIII - Procedure on Appeal

Any person adversely affected by a decision or order of the Board of Public Affairs under this ordinance shall have the right to appeal from such decision

or order to the Board of Appeals by filing a notice of appeal in writing with the Mayor within ten (10) days of the date the decision or order appealed from was made. Within five (5) days after receipt of such appeal, the Board shall set the time and place for a hearing. In its decision, the Board may reverse, modify, or affirm the decision or order appealed from.

Section XXIX - Penalty

Whoever violates or fails to comply with Section XXVII is guilty of a minor misdemeanor, and shall be fined not more than \$100.00. A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues. Any penalty assessed to the municipality for a violation or non-compliance shall be paid by the pollutor.

Section XXX - Repealing Ordinance No. 150.

Ordinance No. 150 providing for the establishment of charges for the use and services of the municipal sanitary sewerage system to be constructed in the Village of Ottoville, and declaring an emergency is hereby repealed.

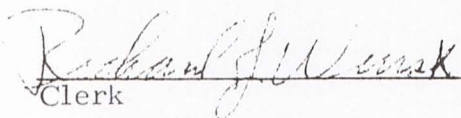
Section XXXI. Declaring an Emergency

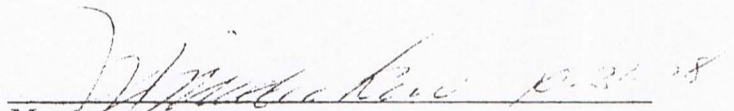
This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the Village of Ottoville, Ohio and shall therefore take effect immediately upon its passage.

PASSED : October 16, 1978.

ATTEST :

APPROVED :


Clerk


Mayor