

EXHIBIT A

TITLE THREE - Utilities

- Chap. 921. Sewer Regulations.
- Chap. 925. Water Regulations.
- Chap. 929. Rates and Charges.

**CHAPTER 921
Sewer Regulations**

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CROSS REFERENCES

Power to construct sewerage system - see Ohio R.C. 715.40, 717.01
Compulsory sewer connections - see Ohio R.C. 729.06
Management and control of sewerage system - see Ohio R.C. 729.50
Regulations to control house sewers and connections - see Ohio R.C. 729.51
Weekly deposit of sewer rentals collected - see Ohio R.C. 729.52
Untreated sewage - see Ohio R.C. 3701.59
Interference with sewage flow - see Ohio R.C. 4933.24
Sewerage districts - see Ohio R.C. 727.44 et seq.
Assessments - see Ohio R.C. Ch. 729
Household sewage disposal systems - see OAC Ch. 3701-29

921.01 DEFINITIONS.

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

- (a) "Municipal waste works" means all facilities for collecting, pumping, treating and disposing of municipal wastes.
- (b) Being a City, the control of the sewer system shall be under the control of the Director of Utility Services which shall include the Director's duly authorized agents and employees.

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- (c) "Municipal wastes" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments together with such ground, surface, and storm waters as may be present.
- (d) "Sanitary sewage" means domestic wastes contributed by reason of human occupancy.
- (e) "Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.
- (f) "Sewer" means a pipe or conduit for carrying municipal wastes.
- (g) "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority, whether the same shall have been installed by the Municipality or by private firms, persons or corporations under contracts and agreements of the Municipality.
- (h) "Combined sewer" means a sewer receiving both surface runoff and municipal wastes.
- (i) "Sanitary sewer" means a sewer which carries municipal wastes and to which storm, surface, and ground waters are not intentionally admitted.
- (j) "Storm sewer" or "storm drain" means a sewer which carries storm and surface waters and drainage, but excludes municipal wastes.
- (k) "Municipal wastes treatment plant" means any arrangement of devices and structures used for treating municipal wastes.
- (l) "Garbage" means solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- (m) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- (n) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning at three feet outside the building wall.
- (o) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.
- (p) "B.O.D." (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade, expressed in parts per million by weight.
- (q) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (r) "Suspended solids" means solids that either float on the surface of, or are in suspension in water, municipal wastes, or other liquids; and which are removable by laboratory filtering.
- (s) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- (t) "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.
- (u) "Person" means any individual, firm, company, association, society, corporation or group.
- (v) "Shall" is mandatory; "may" is permissive.
(Ord. 66-508. Passed 11-7-66.)

921.02 USE OF PUBLIC SEWERS REQUIRED.

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, or other objectionable wastes.

(b) It shall be unlawful to discharge to any natural outlet within the City or in any area under the jurisdiction of the City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, ~~septic tank~~, cesspool, or other facility intended or used for the disposal of sewage. (Ord. 66-508. Passed 11-7-66.)

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated in the City and abutting on any street, alley or right of way, or easement in which there is now located or may in the future be located a public sanitary ~~or combined~~ sewer of the City is hereby required at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 360 days from the date of the official notice to do so, provided that said public sewer is within two hundred, (200), feet of an occupied structure on the property. (Ord. 2010-3965. Passed 4-5-10.)

~~(e) All sewer rates are charged against the property and not against the occupant(s) thereof. If the property owner elects to have his/her tenant(s) or lessee(s) pay the sewer charge with the rent, the property owner remains responsible and the Department will refuse to furnish sewer service to the property by discontinuing the water service to the premises until the delinquent charges are paid. In case of delinquent sewer charges against a property where more than one tenant or caretaker is supplied from the same service pipe, the property owner must provide a tamper-proof method of turning off the water provided to each metered service that is acceptable to the Director of Utility Services. This method as well as access to install it must be provided to agents of the Department of Utility Services within 24 hours of receiving the turn off notification. If said procedure is not followed in full, water service will be shut off at the street until said delinquent charges are paid, regardless of the fact that one or more of the consumers may not be delinquent.~~

~~New ownership shall not eliminate any provisions of this rule.~~

921.03 PRIVATE SEWAGE DISPOSAL.

(a) Where a public sanitary or combined sewer is not available under the provisions of Section 921.02(d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.

~~(b) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Director of Utility Services. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as is deemed necessary by the Director of Utility Services. A permit and inspection fee of ten dollars (\$10.00) shall be paid to the Finance Director of the City at the time the application is filed.~~

~~(eb) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the ~~Director of Utility Services~~ Licking County Health Department. ~~He~~ They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the ~~Director~~ Licking County Health Department when the work is ready for final inspection, and before any underground portions are~~

covered. ~~The inspection shall be made within forty eight hours of the receipt of notice by the Director.~~

(dc) The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Local Health District. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank or cesspool shall be permitted to discharge into any public sewer or natural outlet.

(ed) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 921.02(d), a direct connection shall be made to the public sewer in compliance with this chapter and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(fe) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

(ef) No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
(Ord. 66-508. Passed 11-7-66.)

921.04 BUILDING SEWERS AND CONNECTIONS.

(a) No unauthorized person shall uncover, make any connection with, put into use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director of Utility Services or his agent.

(b) There shall be two classes of building sewer permits:

- (1) For residential and commercial service, and
- (2) For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the City. Their permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director of Utility Services. A permit and inspection fee of ten dollars (\$10.00) for a residential or commercial building sewer permit and twenty dollars (\$20.00) for an industrial building permit shall be paid to the Finance Director of the City at the time the application is filed.

(c) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation, maintenance or operation of the building sewer.

(d) 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 building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, as approved by the Director of Utility Services.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination, and tested by the Director of Utility Services to meet all requirements of this chapter.

(f) The building sewer shall be cast iron soil pipe, ASTM specification (A74) or equal, vitrified clay sewer pipe ASTM specification (C13) or equal or other suitable materials, including asbestos-cement pipe, as approved by the Director of Utility Services. All vitrified clay pipe or asbestos-cement pipe shall be of the "O-Ring Type Construction" and no other type of joint shall be permissible except in cast iron pipes approved by the Director of Utility Services. Joints shall be watertight and waterproof. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Director of Utility Services or his agent.

(g) The size and slope of the building sewer shall be subject to the approval of the Director of Utility Services or his agent, but in no event shall the diameter be less than six inches. The slope of such six-inch pipe shall be not less than one-eighth inch per foot.

(h) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment, insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

(i) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

(j) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Director of Utility Services. Pipe laying and backfill shall be performed in accordance with ASTM specification (C12-19) except that no backfill shall be placed until the work has been inspected.

(k) All joints and connections shall be made gastight and watertight. All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hot-poured jointing material or other acceptable jointing material approved by the Director of Utility Services or his agent.

Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees Fahrenheit nor be soluble in any of the wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp or similar approved material.

(l) The connection of the building sewer into the public sewer shall be made at the "Y" Branch, if such branch is available at a suitable location. If the public sewer is twelve inches in diameter or less, and no properly located "Y" Branch is available, the owner shall at his expense install a "Y" Branch in the public sewer at the location specified by the Director of Utility Services. Where the public sewer is greater than twelve inches in diameter, and no properly located "Y" Branch is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about forty-five degrees. A forty-five degree ell may be used to make such connection, with the spigot ~~and end~~ cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation ~~that than~~ the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Director of Utility Services.

(m) The applicant for the building sewer permit shall notify the Director of Utility Services or his agent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director of Utility Services or his representative.

(n) 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 of satisfactory to the City. (Ord. 66-508. Passed 11-7-66.)

921.05 PROHIBITED DISCHARGES; INDUSTRIAL WASTES.

(a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

(b) Storm water and all other unpolluted drainage shall be discharged to such sewers or to a natural outlet approved by the Director of Utility Services or his agent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Director of Utility Services to a storm sewer or a natural outlet.

(c) No person shall discharge or cause to be discharged any of the following waste materials to any public sewer:

- (1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (2) Any garbage that has not been properly shredded.
- (3) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the municipal waste works.
- (4) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(d) The admission of any industrial wastes containing critical characteristics such as: excessive temperatures, oils, fats, or grease, pH lower than 5.5 or higher than 9.5; or having other corrosive properties; toxic or poisonous ingredients; excessive suspended solids; cyanide, free acid or caustic alkaline solution; or any other constituent critical to municipal waste collection and treatment shall be subject to the review and approval of the Director of Utility Services or his agent. When in the opinion of the Director of Utility Services, preliminary treatment or control of wastes is necessary, suitable facilities shall be constructed according to plans approved by the Director of Utility Services at the expense of the owner.
(Ord. 66-508. Passed 11-7-66.)

(e) Grease, oil and sand interceptors shall be provided at the expense of the owner when, in the opinion of the Director of Utility Services, they are necessary for the proper 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 of a type and capacity approved by the Director of Utility Services and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil separators shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

(f) "REGULATIONS ON FATS, OILS, AND GREASE (FOG) AND BEST MANAGEMENT PLAN (BMP) FOR FOOD SERVICE ESTABLISHMENTS" as currently written or as maybe hereafter be amended is adopted as a policy to serve in conjunction with the provisions of this section. The "REGULATIONS ON FATS, OILS, AND GREASE (FOG)AND BEST MANAGEMENT PLAN (BMP) FOR FOOD SERVICE ESTABLISHMENTS" are to be available on file located in the Office of the Director of Utility Services and in the Administrative Offices of the City and provided to any member of the public upon appropriate request.
(Ord. 2011-4052. Passed 2-6-12.)

(g) The admission into the public sewers of any waters or wastes having a five-day biochemical oxygen demand in excess of normal sewage shall be subject to the review and approval of the Director of Utility Services. When necessary in the ~~opinion~~opinion of the Director of Utility Services, such preliminary treatment as may be needed to control the quantities and rates of discharges or reduce objectionable characteristics or constituents shall be constructed according to plans approved by the Director of Utility Services at the expense of the owner.

(h) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(i) When required by the Director of Utility Services, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Director of Utility Services. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(j) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in subsections (c) and (g) hereof shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", ~~and~~ and shall be determined at the control manhole provided for in subsection (i) hereof, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(k) No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment subject to payment therefor by the industrial concern.
(Ord. 66-508. Passed 11-7-66.)

921.06 TAMPERING PROHIBITED.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the municipal ~~waste works~~sanitary sewage system. Any person so doing shall be subject to immediate arrest, punished as provided by Section 921.99.
(Ord. 66-508. Passed 11-7-66.)

921.07 POWERS AND AUTHORITY OF INSPECTORS.

(a) The Director of Utility Services or his agent shall make and enforce rules and regulations subject to approval of Council, establishing the types and characteristics of sanitary sewage and industrial wastes and other matter, not specifically covered in this chapter, which shall not be discharged into the Pataskala sewerage system and the types and characteristics of sanitary sewage and industrial wastes admissible to the Pataskala sewerage system only after pretreatment. Such rules and regulations shall be subject to appeal to Council which shall appoint three reputable and qualified persons to investigate the appeal and agree to affirm or reject the ruling of the Director of Utility Services or his agent.

(b) The Director of Utility Services or his agent, and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. (Ord. 66-508. Passed 11-7-66.)

921.99 PENALTY.

(a) Any person found to be violating any provision of this chapter except Section 921.06 shall be served by the City with written notice stating the nature of the violation and providing a reasonable time not to exceed thirty days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any person who shall continue any violation beyond the time limit provided for in subsection (a) hereof, shall be fined in the amount not exceeding two hundred dollars (\$200.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this chapter shall become liable to the City for any expense, loss, or damage occasioned by the City by reason of such violation. (Ord. 66-508. Passed 11-7-66.)

(d) Whoever violates Section 921.06 shall be fined not less than one hundred dollars (\$100.00) ~~nor more than one thousand dollars (\$1,000)~~ for each offense, and/or imprisoned for not more than six months. In no case shall the fine be less than those costs incurred by the City for reasonable damages or special expenses including but not limited to, equipment rental, chemicals, and/or labor necessary for the proper operation and maintenance of all waste water facilities involved in this violation and the cost of prosecution of the offense. Each day on which a violation shall occur shall be deemed a separate offense. In addition to the penalties provided above, the City shall be entitled to recover reasonable attorney's fees, court costs, court reporter's fees and any other expense of litigation and prosecution and the Mayor/Judge may require, the payment of such damages as a condition to the suspension of any fine and/or imprisonment provided above. (Ord. 84-969. Passed 4-16-89.)