

ORDINANCE NO. 54-41

By Mr. Kurtz

Providing for entering into an Agreement with the City of Columbus, Ohio for the discharge of sanitary sewage from the City of Bexley into, and the transportation, pumping and treatment of the same by, the Sewerage System and Sewage Treatment Works of the City of Columbus, Ohio from January 1st, 1941 to January 1st, 1943, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That the mayor and Auditor be and they are hereby authorized to enter into an agreement in the name of and on behalf of the city of Bexley, Ohio with the City of Columbus for the discharge of sanitary sewage from the City of Bexley into, and the transportation, pumping and treatment of the same by, the Sewerage System and Sewage Treatment works of the city of Columbus, Ohio for the period from January 1st, 1941 to January 1st, 1943, which agreement shall be substantially as follows:

"AGREEMENT

To provide for the discharge of sanitary sewage from the city of Bexley, Ohio into and transportation, pumping and treatment of the same, by the sewerage system and sewage treatment works of the City of Columbus, Ohio, as hereinafter provided.

Whereas, the City of Bexley, Ohio desires that all sanitary sewage from properties in said City of Bexley, Ohio, which is collected in the sanitary sewers of the city of Bexley, Ohio, be discharged into and transported, pumped and treated by the sewerage system and Sewage Treatment Works of the said City of Columbus, Ohio, and,

Whereas, the Council of the City of Columbus, Ohio, did by ordinance 294-40, passed July 23, 1940, as amended by ordinances 434-41 and 435-41, passed July 14, 1941, authorize and direct the Director of Public Service of the City of Columbus, Ohio, to enter into agreements with cities and villages which desire to discharge sewage, industrial wastes, water or other liquids into and to have the same transported, pumped and treated by the sewerage System and Sewage Treatment Works of the city of Columbus, Ohio, such agreements to be in accordance with the provisions of the said Ordinance 294-40, as amended by said Ordinances 434-41 and 435-41, now, therefore,

THIS AGREEMENT MADE AND ENTERED INTO, this 9th day of September, 1941, by and between the CITY OF COLUMBUS, OHIO, and the CITY OF BEXLEY, OHIO, providing for the discharge of sanitary sewage from the city of Bexley, Ohio into and for the transportation pumping and treatment of said sewage by the Sewerage System and Treatment Works of the City of Columbus, OHIO; Witnesseth:

In consideration of the mutual covenants and promises herein contained, and, in accordance with the provisions of Ordinance Number 294-40, passed by the Council of the City of Columbus, Ohio, on July 23, 1940, as amended by Ordinances 434-41 and 435-41, passed July 14, 1941, the City of Bexley, Ohio and the City of Columbus, Ohio agree as follows:

1) The City of Bexley, Ohio shall have the right, throughout the effective period of this Agreement, to discharge sanitary sewage from the City of Bexley, Ohio, either directly or indirectly, or both, into the Sewerage System of the City of Columbus, Ohio, and to have the same transported, pumped and treated by the sewerage system and Sewage Treatment works of the City of Columbus, Ohio, provided, however,

a). That the City of Bexley, Ohio shall have adopted or passed such measures as may be necessary to authorize the execution of this Agreement and to cause compliance with Section 6 of said Ordinance Number 294-40, as amended by said Ordinances 434-41 and 435-41.

b). That paragraph (f) of Section 244, of the Columbus Code of 1930, which paragraph provides --

"No storm water, roof water leader or sub soil drain shall at any time be led into or connected with the separate, or sanitary, system of sewers, or led into or connected with any soil pipe or house drain, or house sewer tributary to the separate or sanitary system of sewers."

and Section 578 and 579 of the said Columbus Code of 1930, which Sections provide --

"Sec. 578. Acids and chemicals not to be discharged into sewers. It shall be unlawful for any person, firm or corporation, or the officer or employe of any firm or corporation to discharge, or cause or permit to be discharged into any sewer, or into any water course, ditch or drain leading into any sewer, any acid, chemical or other substance or any trade waste containing any acid, chemical or other substance, which tends to or does destroy or in any way injure the said sewer or which in any way interferes with the proper treatment or disposition of any sewage carried or drained through any sewer in said city."

"Sec. 579. Kerosene, gasoline, benzine. It shall be unlawful for any person, firm or corporation, or the officer or employe of any firm or corporation, to discharge or cause or permit to be discharged into any sewer, any kerosene, gasoline, benzine, naptha, or any explosive or inflammable chemical, substance or thing."

shall apply to all properties in the City of Bexley, Ohio, the sanitary sewage from which is discharged into the sewerage system of the City of Columbus, Ohio, and any such illegal practice coming to the attention of the City of Bexley, Ohio, by notification from the City of Columbus, Ohio, or otherwise, shall be removed, disconnected or discontinued or caused to be removed, disconnected or discontinued by the City of Bexley, Ohio.

2) The City of Columbus, Ohio, shall have the right and privilege, beginning as of January 1, 1941, of making a charge against the City of Bexley, Ohio upon invoice rendered by the Department of Public Service of said City of Columbus, Ohio, the amount of which charge shall be based upon the quantity of water delivered to the City of Bexley, Ohio, by

the City of Columbus, Ohio, as measured by the master water meters now installed, or to be installed, plus the quantity of well water entering the Sewer System from wells as measured by water meters acceptable to the director of Public Service of the City of Columbus, Ohio; and there shall be charged for each 1,000 cubic feet of water so measured per year, or a period of time equalling one year, fifty-five cents (\$.55) subject, however, to the provisions of paragraphs (f) and (g) of Section 8 of said Ordinance 294-40 as amended by said Ordinances 434-41 and 435-41.

The charges herein provided for shall be payable within thirty (30) days after receipt of invoices rendered as aforesaid.

3). That this agreement shall be effective as of January 1, 1941 and shall be in full force and effect for a period of two years from and after that date."

Section 2. This ordinance is an emergency measure, and is necessary for the immediate preservation of the public health and safety, said emergency being that the existing contract for said sewage services has expired, and this ordinance shall go into immediate force and effect.

Passed September 9, 1941.

S. J. Althaus
S. J. Althaus
President of Council
Pro tempore

S. W. Roderick
Attest S. W. Roderick
Clerk

Approved September 9, 1941.

W. A. Schneider
W. A. Schneider
Mayor

I, S. W. Roderick, Auditor of the City of Bexley, Ohio, do hereby certify that there is no newspaper published in said corporation and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said municipality as determined by the Council as follows: Main Street and Drexel Avenue, Main Street and College Avenue, Main Street and Parkview Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue for a period of fifteen days commencing on the 10th day of September, 1941.

S. W. Roderick
S. W. Roderick
Auditor of the City of Bexley

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