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OK
47-46*
ORDINANCE NO. 20-44

By Mr. Rehn

Granting license to The East End Development Company as owner, and Herbert Linick, as lessee, to connect with and tap into sanitary sewer in North Stanwood Road, and declaring an emergency.

Whereas, The East End Development Company is the owner, and Herbert Linick, is lessee, of a tract of land located in the City of Columbus, fronting approximately _____ feet on North Stanwood Road, upon which premises is located a factory site, commonly known as the Pottery Plant, and on which premises said Herbert Linick, as lessee thereof, is employing a large number of workmen, and said premises are without sanitary sewer connections and there is no sanitary sewer provided by the City of Columbus into which said premises may tap, and whereas, said owner and said lessee have made application to the City of Xenia for a license and permit to connect with and tap into said sewer for the purpose of supplying sanitary sewerage service for the toilets and wash-rooms located in the buildings upon said premises, and Council is of the opinion that said sewer in Stanwood Road is of sufficient capacity to furnish such sewerage service and that a license as hereinafter provided should be granted to said applicants to connect with and use said sewer, NOW, THEREFORE,

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

Section 1. That a license is hereby granted to the The East End Development Company, as owner, and Herbert Linick, as lessee, to connect with and tap into the 8 inch sanitary sewer in North Stanwood Road, located approximately 17 feet east of the west property line thereof, and extending southerly from a manhole located approximately 8 feet south of the north line of Delmar Drive, for the purpose of supplying sanitary sewerage service for the property belonging to said The East End Development Company and leased by said Herbert Linick, and known as the Pottery Plant,

It is specifically herein ordained that said license shall be for the servicing of the toilets and the washrooms located in the buildings now upon said premises, and shall not be construed to include buildings that may hereafter be erected upon said premises, and that no factory or industrial waste or sewage, or surface waters, shall be conducted or permitted to enter into said sewer; that a fee for the permit to connect with and tap into said sewer, in accordance with this ordinance, in the sum of \$200.00, shall be paid by the said owner and/or lessee upon the obtaining of such permit.

Whereas, the City of Benley is paying an annual charge to the City of Columbus for the disposal of its sanitary sewage, the amount of which payment is based upon the water consumption within the City of Benley, the said owner, or said lessee, shall reimburse the City of Benley for disposing of said sewage at the rate provided for such disposal under said agreement with the City of Columbus, upon being billed therefor by the City of Benley. It is further ordained that this license may be terminated upon 30 days notice to the owner or lessee of said premises, by written notice addressed to either thereof at said premises.

It is further ordained that upon written acceptance of this ordinance by said owner and said lessee, which acceptance shall be considered to be their joint and several agreement to the terms herein provided, a permit shall be issued to connect with and tap into said sewer as herein provided, which permit shall indicate upon the face thereof that same is issued pursuant to the provision of this said ordinance.

Section 2. This ordinance is an emergency measure, necessary for the public peace, health and safety, said emergency being that said premises are now without sanitary sewerage, and said ordinance shall go into immediate force and effect.

Passed July 25, 1944.

S. J. Altman
President of Council
Pro tempore

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

Approved July 25, 1944.

H. A. Schneider
Mayor

We, the undersigned, owner and lessee, respectively, of the premises described in the foregoing ordinance, do hereby accept the terms and conditions set forth in said ordinance and agree to be jointly and severally bound thereby.

The East End Development Company (Owner)

By _____
President

Lessee

I, S. W. Roderick, Clerk of Council of the City of Xenley, Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council as follows: Main Street and College Avenue, Main Street and Parkview Avenue, Main Street and Draxel Avenue, Broad Street and Draxel Avenue and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 26th day of July, 1944.

S. W. Roderick
S. W. Roderick
Clerk of Council

Jul 10-1947. ordinance Repealed

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