

ORDINANCE NO. 5-45

By Mr. Stephan

Providing for entering into an agreement with the City of Columbus, Ohio, for the discharge of sewage, industrial wastes, water and other liquids from the City of Bexley, Ohio, into, and the transportation, pumping and treatment of the same, by, the Sewerage System and Sewage Treatment Works of the City of Columbus, Ohio, during the period from January 1, 1945, to December 31, 1946, 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, Ohio, for the discharge of all sewage, industrial wastes, water and other liquids, which are collected in the sanitary sewers of the City of Bexley, Ohio, and the transportation, pumping and treatment of the same by, the Sewerage System and the Sewage Treatment Works of the City of Columbus, Ohio, during the period from January 1st, 1945, to December 31, 1946, which agreement shall be substantially as follows:

AGREEMENT

To provide for the discharge of sewage, industrial wastes, water and other liquids from the CITY OF BEXLEY, OHIO, into, and the 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 sewage, industrial wastes, water and other liquids from premises 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 Number 294-40, passed July 23, 1940, as amended by Ordinances Numbers 434-41 and 435-41, passed July 14, 1941, and by Ordinance Number 372-44, passed December 4, 1944, authorize and direct the Director of Public Service of the said City of Columbus to enter into agreements with cities and villages which desire to discharge sewage, industrial wastes, water and other liquids into, and to have the same transported, pumped and treated by, the Sewerage System and Sewage Treatment Works of the said City of Columbus, such agreements to be in accordance with the provisions of said Ordinance Number 294-40, as amended by said Ordinances Numbers 434-41, 435-41 and 372-44; now, therefore,

THIS AGREEMENT MADE AND ENTERED INTO, this 23rd day of January, 1945, by and between the CITY OF COLUMBUS, Party of the First Part, and the CITY OF BEXLEY, OHIO, Party of the Second Part, providing for the discharge of sewage, industrial wastes, water and other liquids from the said City of Bexley, into, and for the transportation, pumping and treatment of said sewage, industrial wastes, water and other liquids by, the Sewerage System and Sewage Treatment Works of the said City of Columbus, 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 Numbers 434-41 and 435-41, passed July 14, 1941, and by Ordinance Number 372-44, passed December 4, 1944, the City of Bexley, Ohio and the City of Columbus, Ohio, agree as follows:

1. The City of Bexley, Ohio shall have the right, subject to the applicable provisions of the aforesaid ordinances, throughout the effective period of this Agreement to discharge sewage, industrial wastes, water and other liquids 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, provided, however

1. 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.

b. That paragraph (f) of Section 244, of the Columbus Code of 1950 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 Sections 578 and 579 of the said Columbus Code of 1950 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 employee of any firm or corporation to discharge, or cause to 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 employee of any firm or corporation, to discharge or cause or permit to be discharged into any sewer, any kerosene, gasoline, benzine, naphtha or any explosive or inflammable chemical, substance or thing."

shall apply to all premises in the City of Bexley, the sewage, industrial wastes, water and other liquids from which is discharged into the Sewerage System of the City of Columbus, and any such illegal practice coming to the attention of the City of Bexley, by notification from the City of Columbus, or otherwise, shall be removed, disconnected or discontinued or caused to be removed, dis-

connected or discontinued by the said City of Bexley.

c. That upon request of the Director of Public Service of the City of Columbus, the City of Bexley shall furnish the said Director information and data as to all sources of water supply other than the Division of Water of the City of Columbus which may now be in existence or may later be developed within the corporate limits of the City of Bexley, such data, in the case of wells, or include the location, size, capacity and depth thereof.

2. The City of Columbus, Ohio shall have the right and privilege, beginning as of January 1, 1945, of making a charge against the City of Bexley, upon invoice rendered by the Department of Public Service of said City of Columbus, the amount of which charge shall be based upon the quantity of water delivered to the City of Bexley by the City of Columbus, as measured by the master water meters now installed, or to be installed, plus the quantity of well water entering the Sewerage System from wells, as measured by water meters acceptable to the Director of Public Service of the City of Columbus; and there shall be charged for each 1,000 cubic feet of water so measured per year, or a period of time equaling one year, seventy-four cents (0.74), subject, however, to the provisions of paragraphs (f) and (g) of Section 8 of said Ordinance Number 294-40, as amended by said Ordinances Numbers 434-41, 435-41 and 372-44, copies of said ordinances being attached hereto and made a part hereof.

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

3. That this Agreement shall be effective as of January 1, 1945, and shall be in full force and effect for the period to and including December 31, 1946.

4. In the event the City of Bexley should fail to pay the charges herein provided for, as and when such charges may become due and payable, the City of Columbus shall have the right, provided there is no disagreement as to the proper amount of such charges to terminate this agreement effective thirty (30) days after notice

of the intention so to do is filed with the City of Bexley.

IN WITNESS WHEREOF, the said parties hereto have set their hands on the day and year first above written.

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 is about to expire, and this ordinance shall go into immediate force and effect.

Passed January 23, 1945.

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

F. H. Bonnet
F. H. Bonnet
President of Council

Approved January 23, 1945.

J. A. Schneider
J. A. Schneider
Mayor

I, S. W. Roderick, Clerk of Council, City of Bexley, 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 municipality, as determined by the Council as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue, and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 24th day of January, 1945.

S. W. Roderick
S. W. Roderick
Clerk of Council, City of
Bexley.

