

ORDINANCE NO. 27-53

By Mr. Park

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 July 1, 1953, to and including December 31, 1954, 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 July 1, 1953, to and including December 31, 1954.

A G R E E M E N T

To provide for the discharge of sewage, industrial wastes, water or 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 or 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 said City of Columbus, did, by Ordinance No. 1151-52, passed December 15, 1952, authorize and direct the Director of Public Service of the said City of Columbus to enter into agreements with the state of Ohio, the county of Franklin, cities, villages, townships, corporations, firms, public institutions and individual owners whose premises are located without the corporate limits of the city of Columbus, Ohio, and who 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 said city of Columbus and did, in said ordinance, establish the terms and conditions of such agreements; now, therefore,

THIS AGREEMENT MADE AND ENTERED INTO, this _____ day of _____, by and between the CITY OF COLUMBUS, OHIO, 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 or other liquids from the said City of Bexley, into, and for the transportation, pumping and treatment of said sewage, industrial wastes, water or 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 No. 1151-52, passed by the Council of the City of Columbus, Ohio, on December 15, 1952, the City of Bexley, Ohio and the City of Columbus, Ohio agree as follows:

1. That the City of Bexley, Ohio shall have the right, subject to the applicable provisions of the aforesaid ordinance, throughout the

effective period of this Agreement to discharge sewage, industrial wastes, water or 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 -

- (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 no sub-soil drain from premises in the City of Bexley, shall at any time, either directly or indirectly, be led into or connected with the separate or sanitary system of sewers.
- (c) That paragraph (f) of Section 503 of the Columbus Code of 1952, which paragraph provides -

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

and Sections 38.19 and 38.20 of the said Columbus Code of 1952, which Sections provide -

"Section 38.19. Discharge of acids, chemicals, etc. in sewers. It shall be unlawful for any person 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 injures the sewer or which in any way interferes with the proper treatment or disposition of any sewage carried or drained through any sewer in the City."

"Section 38.20. Discharge of kerosene, gasoline, etc., into sewers. It shall be unlawful for any person to discharge, 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 or 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, disconnected or discontinued by the said City of Bexley.

- (d) 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, to include the location, size, capacity and depth thereof.

2. That the City of Columbus, Ohio, shall have the right and privilege, beginning as of July 1, 1953, of making a charge against the City of Bexley upon invoice rendered semi-annually by the Department of Public Service of said City of Columbus, with the amount of such charge to be based upon the rates of charge shown in Section 5 of said Ordinance No. 1151-52, subject however to the provisions of paragraph (f) of Section 5 of said Ordinance, which Ordinance is, by reference, hereby made a part hereof and provided that the above mentioned rates of charge shall be subject to such changes as may be duly fixed by ordinance of the council of the City of Columbus for the class of premises herein described and to the extent that the same may be applicable during the effective period of this agreement.

That, for the purpose of determining the amounts of water to be used in applying the schedule of rates in computing the above mentioned charge, each of the master water meters now installed, or to be installed, shall be considered as a separate account. For any given billing period, the corrected net amount of water at each such master meter account shall be established by proportioning the total quantity of water, actually furnished to the City of Bexley, among the several master meter accounts on the basis of the ratio or numerical relation between the quantity registered on each meter and the total quantity registered on all such meters. In addition, the quantity of well water entering the Sewerage System from well water supplies shall be measured by water meters acceptable to the Director of Public Service of the City of Columbus and each such meter shall be considered as a separate account in applying the schedule of rates to determine the proper charge. The total charge to be invoiced shall be the summation of the charges computed, as above mentioned, for the individual meter accounts.

That 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 July 1, 1953, and shall be in full force and effect for the period to and including December 31, 1954.
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. That the sum of \$ 7,000.00 is hereby appropriated from the general fund to provide for the payments estimated to become due under said Agreement during the year 1953; and the Auditor is hereby authorized and directed to issue proper vouchers in payment of the respective installments, as they become due under the terms of this Agreement.

Section 3. This ordinance is an emergency measure, 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 the same shall go into immediate force and effect.

Passed Nov. 24, 1953

John G. Harlow
President of Council

Approved Nov 24 -, 1953

A. H. Schneider
Mayor

Attest: P. C. Prescott
Clerk