

ORDINANCE NO. 23-54

By Mr. Paul

To fix and collect a charge upon the lots, lands and premises served by sewerage connections of the City of Bexley with the sewerage system of the City of Columbus, Ohio, and declaring an emergency.

Whereas, the City of Bexley has heretofore entered into a contract with the City of Columbus providing that all sewage, industrial wastes, water or other liquids which are collected into the sanitary sewers of the City of Bexley shall be discharged into, and transported, pumped and treated by, the Sewerage System and Sewage Treatment Works of the City of Columbus during the period from July 1, 1953, to and including December 31, 1954, which contract provides that the City of Columbus 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, with the amount of said charge to be based upon the rates of charge shown in Section 5 of Ordinance No. 1151-52, subject to the provisions of paragraph (f) of Section 5 of said Ordinance, 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 therein described, and to the extent that the same may be applicable during the effective period of said agreement, and

Whereas, the Council of the City of Columbus, Ohio, did on the 28th day of June, 1954, duly enact an Ordinance No. 926-54, to amend said Ordinance No. 1151-52, so as to provide, among other things, in Section 5 thereof, that the amount of such sewer charge to a municipal corporation having such contract with the City of Columbus shall be determinable as follows:

For each thousand cubic feet of water used, not exceeding 25,000 cubic feet per month, or a period of time equaling a month, at the rate of two dollars and twenty five cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 25,000 cubic feet and not exceeding 200,000 cubic feet per month, or a period of time equaling a month, at the rate of two dollars and twenty cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 200,000 cubic feet and not exceeding 1,000,000 cubic feet per month, or a period of time equaling a month, at the rate of two dollars and ten cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 1,000,000 cubic feet and not exceeding 2,000,000 cubic feet per month, or a period of time equaling a month, at the rate of one dollar and ninety cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 2,000,000 cubic feet per month, or a period of time equaling a month, at the rate of one dollar and forty cents per thousand cubic feet;

Provided, that the minimum charge shall be eighty cents per month, or part thereof.

and;

Whereas, in order to provide a fund out of which to pay the City of Columbus the amounts to become due under said contract, it is necessary that a sewer charge be charged to each lot, parcel of land, building or premises discharging sanitary sewage, industrial waste, water or other liquids into the sanitary sewers of the City of Bexley to be discharged into, and transported, pumped and treated by, the Sewerage System and Sewage Treatment Works of the City of Columbus, under said contract, or such contract as may hereafter be entered into by the City of Bexley with the City of Columbus, Now, Therefore,

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

Section 1. That it is hereby determined and declared to be necessary to the protection of the public health, safety, welfare and convenience of the City of Bexley,

*Paul
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Ohio, to fix and collect charges upon all lots, lands and premises served by having connections with the sanitary sewers of the City of Bexley, for the discharge therein of sanitary sewage, industrial waste, water or other liquids, to be discharged therefrom into, and transported, pumped and treated by, the Sewerage System and Sewage Treatment Works of the City of Columbus, under the provisions of the contract entered into by said City of Bexley with said City of Columbus on the 25th day of November, 1953, and expiring on the 31st day of December, 1954, and such other contract or contracts as may hereafter be entered into by said Cities for the discharge, transportation, pumping and treatment of sanitary sewage.

Section 2. That the funds received from the collection of such charges, as hereinafter authorized, shall be deposited daily with the City Auditor and shall be by him deposited to the General fund, and when appropriated by the Council of the City of Bexley, shall be available for the payments becoming due to the City of Columbus under the terms of said agreement or agreements with said City for the discharge, transportation, pumping and treatment of sanitary sewage.

Section 3 (a). That for the purpose provided in Sections 1 and 2 hereof, there is hereby charged to each lot, parcel of land, building or premises situate within the corporate limits of the City of Bexley, having any active sewer connection with the sanitary sewer of Bexley, which, through said connections, or otherwise, discharges therein sanitary sewage, industrial waste, water or other liquids, to be discharged therefrom into, transported, pumped and treated by said Sewerage System and Sewage Treatment Works of the City of Columbus, a sewer charge, payable as hereinbefore provided, which said charge shall be based upon the quantity of water used on or in said lot, parcel of land, premises or building as the same is measured by a water meter or meters there in use, as hereinafter described, and there shall be charged:

For each thousand cubic feet of water used, not exceeding 25,000 cubic feet per month, or a period of time equaling a month, at the rate of two dollars and twenty five cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 25,000 cubic feet and not exceeding 200,000 cubic feet per month, or a period of time equaling a month, at the rate of two dollars and twenty cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 200,000 cubic feet and not exceeding 1,000,000 cubic feet per month, or a period of time equaling a month, at the rate of two dollars and ten cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 1,000,000 cubic feet and not exceeding 2,000,000 cubic feet per month, or a period of time equaling a month, at the rate of one dollar and ninety cents per thousand cubic feet;

For each thousand cubic feet of water used, in excess of 2,000,000 cubic feet per month, or a period of time equaling a month, at the rate of one dollar and forty cents per thousand cubic feet;

Provided, that the minimum charge shall be eighty cents per month, or part thereof.

(b) In the event a lot, parcel of land, building or premise, discharging sanitary sewage, industrial wastes, water or other liquids into the city of Bexley sewerage system, either directly or indirectly, is a user of water supplied by the division of water of the city of Bexley, Ohio, and the quantity of water used is measured by a water meter acceptable to the Mayor, then, in each such case, the quantity of water used, as measured by said meter, shall be used to determine the sewer charge as provided in this ordinance.

(c) In the event a lot, parcel of land, building or premise, discharging sanitary sewage, industrial wastes, water or other liquids into the city of Bexley sewerage system, either directly or indirectly, is a user of water supplied by the division of water of the city of Bexley, Ohio, and the quantity of water used is not measured by a water meter or is measured by a water meter not acceptable to the Mayor, then, in each such case, the owner or other interested party shall, at his or its own expense, install and maintain a water meter acceptable to the Mayor and the quantity of water used, as measured by said meter, shall be used to determine the sewer charge as provided in this ordinance.

(d) In the event a lot, parcel of land, building or premise, discharging sanitary sewage, industrial wastes, water or other liquids into the city of Bexley sewerage system, either directly or indirectly, is not a user of water supplied by the division of water of the city of Bexley, and the water used thereon or therein is not measured by a water meter or is measured by a water meter not acceptable to the Mayor, then, in each such case, the owner or other interested party shall, at his or its own expense, install and maintain a water meter acceptable to the Mayor, ~~service~~ and the quantity of water used, as measured by said meter, shall be used to determine the sewer charge as provided in this ordinance.

(e) In the event a lot, parcel of land, building or premise, discharging sanitary sewage, industrial wastes, water or other liquids into the city of Bexley sewerage system, either directly or indirectly, is a user of water supplied by the division of water of the city of Bexley, Ohio, and, in addition, uses water from another source which is not measured by a water meter or is measured by a water meter not acceptable to the Mayor, then, in each such case, the owner or other interested party shall, at his or its own expense install and maintain water meters satisfactory to the Mayor on all supplies and the quantity of water used to determine the sewer charge shall be the sum of the quantities of water measured by the said several meters.

(f) In the event a lot, parcel of land, building, premise, municipal corporation or other political subdivision, discharges sanitary sewage, industrial wastes, water or other liquids into the city of Bexley sewerage system, either directly or indirectly, and it can be shown by such party, to the satisfaction of the Mayor, that a portion of the water as measured by the water meter or meters does not and cannot enter the sewerage system, then the Mayor may determine in such manner and by such method as he may find practicable the percentage of metered water entering the sewerage system and the quantity of water used to determine the sewer charge shall be that percentage, so determined, of the quantity of water measured by the water meter or meters, or the Mayor may require or permit the installation of additional meters at such party's expense and in such a manner as to determine the quantity of water actually entering the sewerage system, in which case the quantity of water used to determine the sewer charge shall be the quantity of water actually entering the sewerage system, as so determined. In the event such additional meters are installed, a charge of \$1.50 shall be made to cover the cost of reading and controlling the flow of each such meter and said charge shall be added to each bill rendered for sewer charge as otherwise herein described.

(g) The sewer charge provided in this section shall be payable at the office of the Division of Water and, at the option of the Mayor, may be made payable at the same time as the water bill for the lot, parcel of land, building, premise, municipal corporation or other political subdivision, is payable.

(h) The Mayor may require, that the city of Bexley shall be furnished, upon request, with information and data as to all sources of water supply other than the division of water of the city of Bexley, which may be in existence or may later be developed within the confines of the premises covered in such agreement, such data and information, in the case of wells, to include the location, size, capacity and depth thereof.

Section 4. That for any lot, parcel of land, building or premise, from which connection is made with the city of Bexley sewerage system or which begins to discharge sewage, any industrial waste, water or other liquids into the city's sewerage system, either directly or indirectly, after this ordinance becomes effective, a charge shall be made pursuant to this ordinance, the same to be a per diem pro rata amount based upon the minimum charge per month from the time such sewer connection is made, or such discharge into the city's sewerage system, either directly or indirectly is begun, until the next following regular period, except should the measured service exceed the minimum charge, the corresponding measured rate or rates shall be charged.

Section 5. That the sewer charge charged under this ordinance shall be payable as provided in Section 3 hereof, provided that the amount of the charge payable for any lot, parcel of land, building, premise, municipal corporation or other political subdivision at the first payment period after this ordinance becomes effective, shall be determined on the bases of a per diem proratament of the minimum charge herein established beginning with the date this ordinance becomes effective, except that in those cases in which the metered or measured charge exceeds the minimum charge, the metered or measured charge shall be the basis.

Section 6. That each sewer charge charged under or pursuant to this ordinance is hereby made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the sanitary sewerage system of the city of Bexley, Ohio, and, if the same is not paid within ninety days after it shall be due and payable, it shall be certified to the auditor of Franklin County, Ohio, who shall place the same on the tax duplicate of said county with the interest and penalties allowed by law and be collected as other taxes are collected.

Section 7. That the sewer charges charged pursuant to this ordinance shall be collected by the ^{Division of Water} Auditor and the Mayor shall make and enforce such by-laws and regulations as may be deemed necessary for the safe, economical and efficient management and protection of the city's sewerage system, for the construction and use of house sewers and connections to the sewerage system, and for the regulation, collection, rebating and refunding of such charges.

Section 8. That the Mayor be and he is hereby authorized and directed to permit the discharge of clean waste waters from industrial plants and from commercial or public buildings into storm sewers, where such sewers are available, subject to the following provisions:

(a) That the storm sewer, into which such clean waste waters may be discharged shall be of sufficient capacity to handle the added flow without overloading.

(b) That the tapping of storm sewers for this purpose shall be subject to all the regulations governing the construction of sewer services, provided, however, that there shall be no assessment made or frontage fee exacted for such privilege.

(c) That whenever a connection is made to a storm sewer for this purpose, the owner shall construct a manhole, conforming to usual city standards, at a convenient or designated point on his sewer service, as required by the Mayor; the purpose of this manhole being to enable the city to make proper inspections and collect samples of the flow for analysis.

(d) That a charge shall be made, where storm sewers are used for this purpose by industries or commercial or public buildings, which shall be determined in accordance with the applicable provisions elsewhere herein set forth, provided, however, that said charge shall be based on rates of charges equal to one-tenth of the rates set forth in section 3(a) of this ordinance.

Section 9. That for the purpose of this ordinance, the items "sanitary sewage", "industrial wastes" and "clean waste waters" shall be defined as follows:

(a) "Sanitary sewage" is hereby defined as the waste from water closets, urinals, lavatories, sinks, bath tubs, showers, household laundries, cellar floor drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains and stable floor drains. *to here*

(b) "Industrial wastes" are hereby defined as being the liquid waste resulting from any commercial, manufacturing or industrial operation or process.

(c) "Clean waste waters" are defined as those liquid wastes discharged from industrial plants and from commercial or public buildings which, upon analysis, are found to be of such character as to have no harmful polluting effect upon any stream or other body of water into which they may discharge either directly or indirectly.

Section 10. This ordinance is an emergency measure, necessary to the immediate preservation of the public health and safety, said emergency being that it is necessary to secure and insure a proper and continuous disposal of the sewage of the city and its residents, and the same shall be in full force and effect upon its passage.

Passed Sept 14, 1954

E. J. Kirtley
President of Council

Approved Sept 14, 1954

W. A. Schmidt
Mayor

Attest: *W. C. Purcott*
Clerk