

TITLE THREE - Public Utilities

CHAPTER 919 - Water and Sewer Internal Review Board⁽⁸⁾

Sections:

Footnotes:

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Cross reference— Department of Public Service and Engineering - see ADM. Ch. 135; Sewer rental rates - see S. & P.S. Ch. 921; Water rates - see S. & P. S. Ch. 929.

919.01 - ORGANIZATION.

There is hereby created a Water and Sewer Internal Review Board which shall be organized by the ~~Director of Public Service~~Director of Public Service and Engineering, who shall serve as Chairman, and shall consist of two additional members to be appointed by the Chairman.

(Ord. 0262-2004. Passed 12-6-04.)

919.02 - JURISDICTION.

The Water and Sewer Internal Review Board shall have the power to hear and decide appeals for the waiver of penalties on water, sanitary sewer and storm sewer bills, adjustments on water, sanitary sewer, and storm sewer bills and to review any complaints or problems which cannot be resolved at division or departmental levels.

(Ord. 0262-2004. Passed 12-6-04.)

919.03 - APPEAL REVIEW PROCEDURE.

- (a) In order to have an appeal or complaint reviewed by the Water and Sewer Internal Review Board, a request shall be submitted to the Board stating the name, address, account number, the nature of the appeal and the reason. Such request shall be submitted on a form furnished by the Department of Public Service and Engineering. Forms for appeals or complaints can be acquired from the Utility Billing office.
- (b) Each appeal or complaint received by the Water and Sewer Internal Review Board shall be acted upon by the Board within 90 days of receipt of the request or at the next meeting of the Board- whichever comes first. Person or persons making such appeal or complaint shall attend, either in-person or telephonically, the meeting of the Water and Sewer Internal Review Board. The applicant's failure to attend without reasonable prior notification will result in a waiver of their claim.
- (c) Meetings of the Water and Sewer Internal Review Board shall be held at the call of the Chairman and at such other times the Board may determine.
- (d) Notifications shall be made to person or persons making such appeal or complaint at least five days prior to Board review.

(Ord. 0157-2014. Passed 11-17-14; Ord. No. [0114-2016](#), Exh. A, 11-21-16)

919.04 - LIMITATIONS.

- (a) Waiver of penalty charge may be granted by the Water and Sewer Internal Review Board if, in the Board's opinion, such waiver is deemed to be appropriate and justified, but not more than one time for any one property owner/tenant per address.
- (b) The Water and Sewer Internal Review Board may grant adjustments to water and sewer bills if, in the Board's opinion, such adjustments are appropriate and justified.
- (c) Adjustments will not be made further than one calendar year from the date of the applicant's appeal form.

(Ord. 0157-2014. Passed 11-17-14.)

919.05 - SEPARABILITY OF PROVISIONS.

Each section and each part of each section of this chapter is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

It is hereby declared to be the legislative intent that these sections or parts of sections would have been adopted independently of such sections or parts of a section so held to be invalid.

(Ord. 0157-2014. Passed 11-17-14.)

919.06 - REPORT TO COUNCIL.

The Water and Sewer Internal Review Board shall submit a written report to Council on or before December 31 of each year or at the request of Council, stating the following information: name and address of person or persons filing, nature of appeal or complaint, decision rendered by the Water and Sewer Internal Review Board, and the total amount of adjustments granted in each case.

(Ord. 0157-2014. Passed 11-17-14.)

CHAPTER 921 - Sanitary Sewer Connections and Rental Rates⁹¹

Sections:

Footnotes:

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Cross reference— Power to license sewer tappers and vault cleaners - see Ohio R.C. 715.27; Compulsory sewer connections - see Ohio R.C. 729.06; Sewerage rates - see Ohio R.C. 729.49, 729.52; Management and control of sewerage system - see Ohio R.C. 729.50.

921.01 - DEFINITIONS.

For the purposes of this chapter:

- (a) *Sewer service connections* means the complete sewer line from the City of Gahanna sewer main in the street, alley, private right of way or easement to a connection with the plumbing at the building.
- (b) *Sewer main* means the sewer pipe located in a street, alley or easement in which the waste water from the sewer service connection is delivered to a treatment facility.
- (c) *Sewer system* means all City of Gahanna facilities for storing, pumping, and transporting waste water.
- (d) *Owner* means any person, group of persons, corporation, partnership, or firm which holds title to a lot or parcel of land adjacent to the sewer system.

(Ord. 0158-2014. Passed 11-17-14.)

921.02 - PROPERTY OWNER REQUIRED TO INSTALL; NOTICE; FAILURE TO COMPLY.

The owner or owners of any house, cottage or other building which is adjacent to a sanitary sewer main, which contains a toilet, kitchen sink or laundry facilities producing liquid wastes, shall, within 90 days after receipt of a notice from the ~~Director of Public Service~~Director of Public Service and Engineering to install a sanitary sewer service connection, make application to the City of Gahanna for an appropriate permit and construct such connection. In the event such property owner or owners fail to apply for such permit or fail to construct such sewer service connection within the time limit, the City of Gahanna shall proceed to construct or cause to be constructed such sanitary sewer service connection and shall assess the cost of such construction, including acreage fees, front footage fees, permit fees and all other related costs to the property owner.

(Ord. 0158-2014. Passed 11-17-14.)

921.03 - PERMIT REQUIRED; FEE; MULTIPLE USE CONNECTIONS PROHIBITED.

- (a) No connection with any part of the City of Gahanna sanitary sewer system, nor the repair or removal thereof, nor any excavation thereof shall be started without first securing a permit from the ~~Department of Public Service~~Department of Public Service and Engineering. Such permit must be on the premises where such sewer service connection is being constructed, prior to the beginning of such work and during the continuation thereof. A charge of \$80.00 shall be made for such permit to cover the cost of issuance and inspections. Such amount shall be deposited in the Treasury to the credit of the Sewer Fund. The charge for such permit is nonrefundable.
- (b) No permit shall be issued which contemplates the construction or installation of any multiple use connection. Each commercial, industrial, residential, occupied structure, etc., shall have a separate sewer service connection to the sanitary sewer system, whether or not such facilities are owned by one person. Multiple structures shall have separate connections for each unit, except where this would create a manifest hardship, in which case the ~~Director of Public Service~~Director of Public Service and Engineering may grant special written permission to the owner to use a single connection.

(Ord. 0158-2014. Passed 11-17-14.)

921.04 - SEWERAGE SYSTEM CAPACITY CHARGE.

- (a) Before any permit is issued for a sanitary sewer connection, there shall be exacted and collected by the City of Gahanna, a sanitary sewer system capacity charge for all property which is, or will be tributary, directly or indirectly, to any trunk sanitary sewer built by the City of Gahanna. The charge

shall be exacted and collected only upon the granting of permission to connect a property to the sanitary sewer system.

- (b) The charge so exacted shall be determined in accordance with the following table and reviewed annually by the ~~Director of Public Service~~Director of Public Service and Engineering with recommendation to Council for necessary code changes. In the event that an existing tap is reduced or eliminated, a credit for the reduced size and/or eliminated tap will be applied to offset current capacity charges. Credits will be determined by using current system capacity charges. Should the sum total of the credits exceed the system capacity charge for the new tap(s), the system capacity charge shall be zero. In no instance shall a refund be paid due to the reduction in size of an existing tap or the elimination of an existing tap.

Domestic Water Supply Diameter of Tap (in inches)	System Capacity Charge (In USD) Effective Charge Beginning 2006
3/4	\$ 5,327
1	8,880
1-1/2	17,757
2	28,413
3	56,826
4	88,790
6	177,581
8	284,130

- (c) Any tap larger than 8" shall be based on the same proportionate ratio to that charged by Columbus, so that the City of Gahanna keeps the same percentage of revenue as incorporated in the previous table beyond Columbus' charges. This section shall be changed should Columbus increase their capacity charge.
- (d) The funds received from the charges herein imposed shall be deposited in the Treasury, shall be credited to the Sanitary Sewer Capital Improvement Fund, and shall be available for the construction, operation, maintenance, management, repair, extension or enlargement of the sanitary sewer system, and for the payment of principal and interest on any debt incurred for the construction, improvement, repair, or extension of any part of such sanitary sewer system.

(Ord. 0158-2014. Passed 11-17-14; Ord. No. [0124-2015](#), § 1(Exh. A), 12-7-15)

921.05 - SEWER FOOTAGE FEES.

(a) *Front footage fee.* Before issuing any permit to tap, as set forth in this chapter, a charge of \$30.00 per front foot of the property to be served shall be made and collected unless one or more of the following conditions exist:

- The property has been specially assessed for the cost of construction of a sewer to provide a lateral sewer benefit.
- The lateral connection is made to a sanitary sewer main that was installed by a private developer that was not constructed under a private sewer agreement.
- The private agreement has expired.

Lots or parcels of ground which have the same width at the front and rear and the same depth on each side shall be charged on the basis of actual frontage. However, where the depth of such lot or parcel of ground abuts on a street or other public way and the owner elects to construct a building fronting on the street or public way abutting such depth, the fee shall be exacted for such depth.

A deduction shall be made from the charges herein imposed, wherever, and to the extent that the owner of the property concerned can show that a special assessment has been paid for such or similar trunk sanitary sewer benefit, provided that such deduction shall be limited to the amount of such special assessment so paid.

All amounts so collected shall be deposited in the Treasury and credited to the Sewer System Capital Improvement Fund, Front Foot Charges Account.

(b) *Subtrunk sewer fees.* Before connecting any property to a subtrunk sewer constructed through undeveloped lands, acreage fees shall be charged to the property to be served by such connection. The acreage fees shall be determined and charged on a per acre basis, except under the following conditions:

- (1) Such property has been specially assessed for the cost of the sewer;
- (2) Such sewer has been constructed by the owner of such property and such owner's predecessors in interest under a private sewer agreement;
- (3) Such sewer has been constructed by the owner of such property or such owner's predecessors in interest under a separate special agreement.

These fees are to be reviewed annually by the ~~Director of Public Service~~Director of Public Service and Engineering.

All amounts so collected shall be deposited in the Treasury and credited to the Sewer System Capital Improvement Fund, Front Foot Charges Account.

(Ord. 0158-2014. Passed 11-17-14; [Ord. No. 0080-2017, § 1\(Exh. A\), 11-20-17](#).)

921.06 - SEWER INSTALLER LICENSE.

Any person, firm or corporation desiring to engage in the business of installing sewer service connections to any part of the sanitary sewerage system shall make application to the ~~Department of Public Service~~Department of Public Service and Engineering for an installer's license. The application for such license shall be furnished by the City of Gahanna and shall be executed by the applicant and submitted together with sufficient evidence of prior experience, a performance bond on an approved company in the amount of not less than \$5,000.00, proof of Worker's Compensation Insurance, a liability insurance policy in an amount approved by the ~~Director of Public Service~~Director of Public Service and Engineering and an application fee of \$75.00. The license shall not be transferable and shall expire on December 31 of the year in which it is issued. The installer shall carry such license and shall exhibit the same to any authorized agent of the City of Gahanna on demand. No sewer service connections shall be

installed by any person, firm or corporation without an installer's license. Poor workmanship or violation of any of the regulations herein shall be sufficient cause for revocation of the license. The application fee shall not be refundable should the license be voided for any reason.

(Ord. 0158-2014. Passed 11-17-14.)

921.07 - MATERIALS AND CONSTRUCTION.

- (a) All material used and work performed in making sanitary sewer service connections must conform to regulations and standard drawings approved by the City Engineer and issued by the ~~Department of Public Service~~Department of Public Service and Engineering. Substitutions shall not be made without specific written approval of the ~~Director of Public Service~~Director of Public Service and Engineering.
- (b) Traps shall not be placed in the main line of the sewer service connections and any change in direction shall be made only with approved fittings. Basement floor drains shall be permitted only when they connect to a trap with a permanent watertight seal between them and the sewer service connection. Vents shall be so constructed as to prevent foreign objects from being introduced into the sanitary sewerage system. Tee intersections shall not be permitted in any part of a sewer service connection.

(Ord. 0158-2014. Passed 11-17-14; Ord. No. [0124-2015](#), § 1(Exh. A), 12-7-15)

921.08 - INSPECTIONS.

Each sewer service connection must be inspected, in its entirety and before being backfilled, by a duly authorized representative of the ~~Department of Public Service~~Department of Public Service and Engineering, serving as Sewer Inspector. Twenty-four hours' notice must be given the ~~Department of Public Service~~Department of Public Service and Engineering before starting construction of the sewer service connection. The sewer service connection must be constructed in accordance with the City of Gahanna specifications.

(Ord. 0158-2014. Passed 11-17-14; Ord. No. [0124-2015](#), § 1(Exh. A), 12-7-15)

921.09 - GENERAL PROVISIONS.

- (a) Within five calendar days after inspection by the agent of the City of Gahanna, the stone, brick, earth, concrete, asphalt or other material which may have been excavated or disturbed, shall be replaced by the sewer installer as nearly as possible to the same condition in which it was found. All rubbish and excess material shall be immediately removed, and the restored area shall be maintained by the sewer installer for a period of one year.
- (b) The sewer installer shall use care not to injure or break any other pipe or drain tile encountered during the construction. In case any such pipes, conduit or tiles are damaged, they shall be restored or replaced in as good condition as originally found, at the expense of the sewer installer.
- (c) The owner and the sewer installer shall at all times have the sole responsibility to protect each opening or excavation made by such installer in the public streets, roads or alleys, with sufficient barriers and caution lights to effectually guard the public from accidents and damages.
- (d) It shall be the responsibility of the owner to properly install the sewer service connection, and inspection shall not, in any way, relieve the owner of maintaining, operating and repairing the connection, nor shall the City of Gahanna, its agents or employees be liable for any damages arising from the installation or use of the sewer service connection.

- (e) Plumbing for all buildings having sewer service connections to the sanitary sewer system shall be installed strictly in accordance with the City of Gahanna and State Building and Plumbing Codes.

(Ord. 0158-2014. Passed 11-17-14.)

921.10 - PROHIBITIONS.

- (a) The sanitary sewer system and connections thereto shall be used exclusively for drainage of waterborne wastes from water closets, urinals, lavatories, bath tubs and showers, laundry tubs, washing machines, refrigerator drips, automatic dishwashers, drinking fountains, sinks, floor drains of all types, soda fountains and for no other purpose whatever. However, garage floor drains, when receiving oil, grease or gasoline shall be connected to the sanitary sewer system with pre-treatment (i.e. oil/water separator, grease interceptor, etc.) and the residue therefrom must be disposed of by the owner.
- (b) Any wastes which may cause damage to, or stoppage of the sanitary sewer system or which may interfere with the purification or treatment of sewage, shall not be permitted to enter the sanitary sewer system. If any such waste is found, the sewer connection or connections discharging the same shall be disconnected at the expense of the owner.
- (c) The connection of foundation drains in any way or manner, direct or indirect, shall not be permitted under any circumstances. All such drains found to be connected shall be immediately disconnected at the owner's expense and such use shall be discontinued.
- (d) The connection of downspout or gutter drains, or of any roof water, either directly or indirectly, shall not be permitted under any circumstances. Any such connections shall be immediately disconnected at the owner's expense and such use shall be discontinued.
- (e) The entrance of any surface water shall not be permitted, regardless of the amount or the method of entrance. Any person or the officers of any firm or corporation deliberately introducing surface water into the sanitary sewer system shall suffer the penalties hereinafter set forth.
- (f) No person, group of persons, firm or corporation shall maintain a private sewer system within the City of Gahanna, except where the sanitary sewerage system is not available for use. All buildings accessible to the sanitary sewer system shall, upon order of the ~~Director of Public Service~~Director of Public Service and Engineering, be required to connect to the sanitary sewer system in accordance with this chapter and the private sewers and septic tanks, or other forms of household sewage treatment systems, shall be properly abandoned per Franklin County Health Code requirements.

(Ord. 0158-2014. Passed 11-17-14; Ord. No. [0124-2015](#), § 1(Exh. A), 12-7-15)

921.11 - SEWER RENTAL RATES.

- (a) All lots and land served by the sanitary sewer system shall be charged rental at the following rate, as recommended by the sewer rate study, with the table modified to include the surcharge in the basic rates as shown in the following tables:

SEWER RENTAL TABLE (IN USD)

Effective Date	Base Rate Charge Per 1,000 Gallons	Capital Improvement Fund Per 1,000 Gallons	Total Base Charge Per 1,000	Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU)	Total Charge Calculation Formula

	Water		Gallons		
JANUARY 1, 2018 7	\$7. 01 <u>15</u>	\$1. 02 <u>08</u>	\$8. 20 <u>3</u>	\$2. 70 <u>66</u> /MONTH/ ERU	TOTAL BASE CHARGE PER 1,000 GALLONS PLUS \$2. 70 <u>66</u> /MONTH/ERU FOR COLUMBUS SURCHARGE
JANUARY 1, 2018 <u>2019</u>	\$7. 15 <u>61</u>	\$1. 08 <u>0.65</u>	\$8. 23 <u>26</u>	\$2. 70 <u>87</u> /MONTH/ERU	TOTAL BASE CHARGE PER 1,000 GALLONS PLUS \$2. 70 <u>87</u> /MONTH/ERU FOR COLUMBUS SURCHARGE

~~GALLONS OF WATER PER QUARTER FIRST 3,000 OR LESS (IN USD)~~

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Effective Date	Base Total Fee	Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU)	Total Charge Calculation Formula
JANUARY 1, 2017 2018	\$24.09 69	\$2.6670/MONTH/ ERU	BASE TOTAL FEE PLUS \$2.6670/MONTH/ ERU FOR COLUMBUS SURCHARGE
JANUARY 1, 2018 <u>2019</u>	\$24.69 <u>78</u>	\$2.7087/MONTH/ERU	<u>BASE TOTAL FEE PLUS \$2.8770/MONTH/ ERU FOR COLUMBUS SURCHARGE</u>

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(1) Minimum base rate sewer rental charges per quarter (in USD).

<u>Meter Diameter (inches)</u>	<u>Minimum Gallons Billed</u>	<u>Base Total Fee 2018 January 1</u>	<u>Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU) 2018 January 1</u>	<u>Base Total Fee 2019 January 1</u>	<u>Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU) 2019 January 1</u>

<u>Less than</u> <u>3</u>	<u>3,000</u>	<u>\$ 24.69</u>	<u>\$ 8.10</u>	<u>\$ 24.78</u>	<u>\$ 8.62</u>
<u>3</u>	<u>18,000</u>	<u>\$ 148.14</u>	<u>\$ 8.10</u>	<u>\$ 148.68</u>	<u>\$ 8.62</u>
<u>4</u>	<u>24,000</u>	<u>\$ 197.52</u>	<u>\$ 8.10</u>	<u>\$ 198.24</u>	<u>\$ 8.62</u>
<u>6</u>	<u>36,000</u>	<u>\$ 296.28</u>	<u>\$ 8.10</u>	<u>\$ 297.36</u>	<u>\$ 8.62</u>
<u>8</u>	<u>48,000</u>	<u>\$ 395.04</u>	<u>\$ 8.10</u>	<u>\$ 396.48</u>	<u>\$ 8.62</u>
<u>10</u>	<u>60,000</u>	<u>\$ 493.80</u>	<u>\$ 8.10</u>	<u>\$ 495.60</u>	<u>\$ 8.62</u>

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- (b) The City of Gahanna adopts the Columbus Low Income Discount Program and the ~~Director of Public Service~~Director of Public Service and Engineering is authorized to create regulations for administering said program. So long as the City of Columbus offers the Low Income Discount Program, or similar programs, to master meter communities, the City of Gahanna may offer the program to its qualified users.
- (c) Additional billing charges may be incurred due to industrial use classification changes, which shall be charged to the individual customer(s) affected in accordance with the industrial user class charges established in Columbus City Code, Section 1147.08.
- (d) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the ~~Director of Public Service~~Director of Public Service and Engineering. The quarter bill, including all penalties, shall be due and payable 30 days from the date of mailing. A ten percent penalty shall be assessed to all accounts paying after the due date. A delinquent notice granting an additional 14 days before discontinuance of service shall be mailed to those accounts not paid in the 30 day period. The ~~Director of Public Service~~Director of Public Service and Engineering or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.
- (e) Final bills shall be due and payable within 14 days from the date of mailing.
- (f) Bills shall be sent on a time schedule to be determined by the ~~Director of Public Service~~Director of Public Service and Engineering, but no less frequently than a quarterly basis, with the water bills, to the address given by the owner. The owner shall be responsible for promptly notifying the City of Gahanna of any change of address and no consideration shall be given for failure to do so.
- (g) Any property owner who uses or intends to use the City of Gahanna sanitary sewer system, but does not use the water system of such City of Gahanna, shall be required to purchase a water meter from the City of Gahanna and install the same on the private water system line, in order to determine the proper sewer rental charges to be assessed. The owner shall permit inspection and testing of this meter at any reasonable time by a duly authorized representative of the City of Gahanna and shall keep the meter and transmitter in good operating condition.
- (h) The Sanitary Sewer Capital Improvement Fund shall be used for the payment of bonds and notes issued for the purpose of financing sewer system capital improvements, and no moneys therein shall be used for any other purpose until and unless the Director of Finance of the City of Gahanna

certifies that there are sufficient moneys within the Fund to make all payments necessary to pay the bonds and notes. In the event the Director of Finance so certifies, then the excess funds may be used for capital improvements and maintenance of the sewer system.

- (i) The sewer surcharge for City of Columbus consent order projects is mandated to address wet weather issues caused by rain and snow melt overwhelming the sanitary sewer system through inflow and infiltration.

(2) — Minimum base rate sewer rental charges per quarter (in USD):

<u>Meter Diameter (inches)</u>	<u>Minimum Gallons Billed</u>	<u>2018 January 1</u>	<u>2019 January 1</u>
<u>Less than 3</u>	<u>3,000</u>	<u>\$ 32.79</u>	<u>\$ 33.39</u>
<u>3</u>	<u>18,000</u>	<u>\$ 196.74</u>	<u>\$ 200.34</u>
<u>4</u>	<u>24,000</u>	<u>\$ 262.34</u>	<u>\$ 267.12</u>
<u>6</u>	<u>36,000</u>	<u>\$ 393.48</u>	<u>\$ 400.68</u>
<u>8</u>	<u>48,000</u>	<u>\$ 524.64</u>	<u>\$ 534.24</u>
<u>10</u>	<u>60,000</u>	<u>\$ 655.80</u>	<u>\$ 667.80</u>

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(Ord. 0158-2014, Passed 11-17-14; Ord. No. [0124-2015](#), § 1(Exh. A), 12-7-15; Ord. No. [0115-2016](#), Exh. A, 11-21-16; [Ord. No. 0080-2017, § 1\(Exh. A\), 11-20-17](#))

921.12 - UNPAID BILLS.

- (a) Each sewer charge rendered under or pursuant to this chapter 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 Gahanna. If the same is not paid within 60 days after said sewer charge becomes due and payable, in addition to any other remedies available to the City of Gahanna, said sewer charge may be certified to the Auditor of the county in which the property is located, who shall place the certified amount on the real property tax list and duplicate of the property served by the connection. The certified amount to include the interest and penalties allowed by law and shall be collected as other taxes are collected.

- (b) It shall be the responsibility of the buyer and seller, where property is sold or transferred, to assure that a final reading of water consumption, for purposes of calculating the sanitary sewer charge, is made and provisions agreed to for payment; otherwise, the responsibility for payment for any sanitary sewer charge whatsoever shall reside with the current owner of such property.

(Ord. 0158-2014. Passed 11-17-14.)

921.13 - PARTIAL PAYMENT.

Partial payments may be accepted. In accepting such partial payments, the amount owing shall be considered delinquent and the moneys paid shall be applied in the following order:

- (a) Refuse;
- (b) Penalty/miscellaneous;
- (c) Stormwater management;
- (d) Sewer improvement;
- (e) Water improvement;
- (f) Columbus consent order;
- (g) Sewer; and
- (h) Water.

(Ord. 0148-2013. Passed 12-2-13.)

921.14 - APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF COLUMBUS SEWER USAGE ORDINANCES.

So long as the City of Gahanna discharges its sewage, industrial waste, water and other liquid waste into the transportation, pumping and treatment system of the City of Columbus, all of the provisions of Chapter 1145 of the Columbus City Code, both as they exist and as they are hereafter amended, relating to the regulation of sewage use are hereby adopted by reference and made applicable to the City of Gahanna sewerage system. In the event of conflict between the provisions of this chapter and Chapter 1145 of the Columbus City Code, the provisions of Chapter 1145 of the Columbus City Code shall prevail. Officers and employees of the City of Columbus are hereby empowered to enforce such provisions of the Columbus City Code within the boundaries of the City of Gahanna.

(Ord. 0158-2014. Passed 11-17-14.)

921.15 - SEPARABILITY OF PROVISIONS.

Each section and each part of each section of this chapter is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

It is hereby declared to be the legislative intent that these sections or parts of sections would have been adopted independently of such sections or parts of a section so held to be invalid.

(Ord. 0158-2014. Passed 11-17-14.)

921.99 - VIOLATIONS.

Any person violating any provision of this chapter shall be charged with a minor misdemeanor on the first offense and for each subsequent offense shall be charged with a misdemeanor of the fourth degree.

(Ord. 0148-2013. Passed 12-2-13.)

CHAPTER 923 - Utility Contracts with Columbus¹⁰

Footnotes:

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Editor's note— Ordinance 32-67, passed August 21, 1967, authorized a 30-year contract with the City of Columbus to provide for the discharge of sewage, industrial wastes, water and other liquid waste from the Municipality of Gahanna into, and the transportation, pumping and treatment of the same by, the sewerage system and the sewage treatment works of the City of Columbus. Ordinance 23-60, passed June 6, 1960, authorized a 20-year contract between the Municipality of Gahanna and the City of Columbus for water supply through December 31, 1980.

Cross reference— Contract for water supply - see Ohio R.C. 743.24, 4933.04; Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22.

CHAPTER 925 - Surface Water Discharge¹¹

Sections:

Footnotes:

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Cross reference— Obstructing drainage - see S. & P. S. Ch. 911

925.01 - DOWNSPOUT AND GUTTER DRAIN CONNECTIONS PROHIBITED.

The connection of roof downspout and gutter drains, either directly or indirectly, into the sanitary sewerage system shall not be permitted under any circumstances. Any such connections found shall be immediately disconnected and their use immediately discontinued.

(Ord. 53-61. Passed 12-4-61.)

925.02 - FOUNDATION DRAIN CONNECTIONS PROHIBITED.

The connection of foundation drains in any way or manner, direct or indirect, into the sanitary sewerage system shall not be permitted under any circumstances. All such drains found to be so connected shall be immediately disconnected and such use discontinued.

(Ord. 53-61. Passed 12-4-61.)

925.03 - GROUND WATER DRAINAGE; SUMP PUMP.

Where a pipe or closed conduit is installed around the foundation of a building or structure for the purpose of draining ground water away from the foundation, a sump pump shall be used to dispose of such ground water by pumping it into a downspout drain to the curb, a storm sewer or other adequate outlet exterior to the house, other than any appurtenance of the sanitary sewerage system.

(Ord. 53-61. Passed 12-4-61.)

925.04 - CONDUIT CONNECTIONS FOR SURFACE, ROOF WATER PROHIBITED.

No person shall connect or cause to be connected to the sanitary sewerage system of the City or any part thereof, any conduit which conveys directly or indirectly surface or roof water from any building, structure, yard or paved surface.

(Ord. 53-61. Passed 12-4-61; Ord. No. [0032-2016](#), § 1(Exh. A), 4-18-16)

925.99 - PENALTY.

Any officer of any corporation or any person who violates the provisions of this chapter or installs storm drains, foundation drains or roof drains contrary to the provisions of this chapter shall be fined not more than \$50.00 per day, per violation.

(Ord. 53-61. Passed 12-4-61; [Ord. No. 0081-2017, § 1\(Exh. A\), 11-20-17](#))

CHAPTER 927 - Storm Sewers^[12]

Sections:

Footnotes:

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Cross reference— Untreated sewage - see Ohio R.C. 3701.59; Interference with sewage flow - see Ohio R.C. 4933.24; Sewer connections and rental rates - see S. & P. S. Ch. 921; Surface water discharge - see S.U. & P.S. Ch. 925

927.01 - APPROVAL OF PLANS; INSPECTION.

No storm sewer shall be constructed within the corporate limits of the City of Gahanna and connected to the public storm sewer system of such City of Gahanna, unless and until the City Engineer or his designee has approved the plans, specifications and profiles for the same, and not until the builder has arranged for inspection of the construction of the same by the City Engineer or his designee.

(Ord. 0161-2014. Passed 11-17-14.)

927.02 - GENERAL.

The purpose of the stormwater management provision contained in this chapter and other related provisions contained elsewhere in the Code is to provide for effective management and financing of a stormwater system within the City of Gahanna.

(a) In order to accomplish the purpose of the effective administration of a stormwater system within the City of Gahanna, the chapter shall:

- (1) Establish and maintain fair and reasonable stormwater management service charges for each lot or parcel in the City of Gahanna which bears a substantial relationship to the cost of providing stormwater management services and facilities. Such service charges shall be charged because each property contributes to stormwater runoff and benefits from effective management of stormwater by the City of Gahanna.
- (2) Ensure that similar properties pay similar stormwater management service charges which reflect the area of each property and its intensity of development, since these factors bear directly on the peak rate of stormwater runoff.

Charges for residential properties (one dwelling unit) shall reflect the relatively uniform effect that such development has on runoff. Charges for all other properties shall be in proportion to residential properties, utilizing both relative area and intensity of development in setting rates.

- (3) Provide a mechanism for consideration of specific or unusual service requirements of some properties, and special and general benefits accruing to or from properties as a result of providing their own stormwater management facilities.
- (4) Provide for a service charge adjustment process to review stormwater charges when unusual circumstances exist which alter runoff characteristics, when either service or benefit varies from a normal condition or is of greater significance than contribution to runoff or to periodically ensure that rates reflect the current costs of effective stormwater management; and
- (5) Utilize stormwater management funds throughout the City of Gahanna, except where activities or facilities are clearly unusual and in excess of the normal level of service Citywide and where developers are responsible for providing any new stormwater facilities required for their project.

(b) In order to maintain its effectiveness, this chapter shall:

- (1) Establish a mechanism for appeals and amendments to its provisions.
- (2) Provide a procedure for abatement of conditions or activities which are not in the interest of public health, safety or welfare.
- (3) Provide for its continuous validity through severability of its various portions; and
- (4) Provide penalties for violations of its provisions.

(Ord. 0161-2014. Passed 11-17-14.)

927.03 - DEFINITIONS.

For the purpose of this chapter, the words and phrases shall be defined as follows, unless the context clearly indicates or requires a different meaning:

- (a) *Abatement* means any action taken to remedy, correct, or eliminate a condition within, associated with or impacting a drainage system.
- (b) *Appeals Board*. The Water and Sewer Internal Review Board shall be the Appeals Board.
- (c) *City Engineer* means a professional engineer designated by and representing the City of Gahanna.
- (d) *Council* means the Council of the City of Gahanna, Ohio.
- (e) *Credit* means an on-going (as long as the various circumstances which produced the credit have not changed) reduction in a utility service charge given for certain qualifying activities

which reduce either the impact of increased stormwater runoff or reduces the City of Gahanna's costs of providing stormwater facilities.

- (f) *Detention facility* means a facility which, by means of a single control point, provides temporary storage of stormwater runoff in ponds, parking lots, depressed areas, rooftops, buried underground vaults or tanks, etc., for future release, and is used to delay and attenuate flow.
- (g) *Developer* means a person, firm, partnership or corporation, which otherwise improves a specific parcel or tract of land, performs construction work of any kind in the "project area" as defined in this section or holds or is required to obtain a "permit" as defined in this section.
- (h) *Director*. The "Director" shall be the ~~Director of Public Service~~Director of Public Service and Engineering.
- (i) *Embankment* means the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; a fill or the material used to make an embankment. This can be caused when earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface or cut and shall include the conditions resulting therefrom.
- (j) *Engineer, professional* means a person holding a certificate of registration under O.R.C. §§ 4733.14 or 4733.19.
- (k) *Equivalent Residential Unit (ERU)* means a value of measured impervious area and is equal to the average amount of impervious area of typical single family residential properties within the City of Gahanna.
- (l) *Excavation* means the difference between a point on the original ground and designated point of lower elevation on the final grade; cut or the material removed in excavation. This can be caused when earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.
- (m) *Facilities* means various drainage works that may include inlets, conduits, manholes, energy dissipation structures, public stormwater open channels, outlets, retention/detention basin, and other structural components.
- (n) *Grading* means any stripping, cutting, filling, stockpiling, or any combination thereof and shall include the land in its cut or filled condition.
- (o) *Impervious area* means land areas that have been paved and/or covered with buildings and materials which include, but are not limited to, concrete, asphalt, rooftop, blacktop, and other materials, or artificially compacted so as to provide, in the judgment of the Director, a non-pervious surface.
- (p) *Municipal* means property or facilities owned by the City of Gahanna, Ohio.
- (q) *Notice* means a written or printed communication conveying information or warning.
- (r) *Order* means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) or any matter issued by the Director or person designated by them pursuant to any provisions of this chapter.
- (s) *Owner* means any person or other legal entity which has rightful or legal title to real property.
- (t) *Permit* means the "stormwater management permit" required by this chapter.
- (u) *Premises* means a lot or parcel and the buildings and improvements situated thereon.
- (v) *Private* means property or facilities owned by individuals, corporations, and other organizations and not by municipal, county, township, state or federal government.

- (w) *Project area* means the land lying within the geographical limits of the tract(s) or parcel(s) under consideration and on which the work is to be performed.
- (x) *Public stormwater open channel* means all open channels which convey, in part or in whole, stormwater, and are owned, operated or maintained by the City; or a stormwater open channel which has a permanent drainage/stormwater easement owned by the City of Gahanna and drains an area which includes City-owned property or right-of-way. A public stormwater open channel does not include roadside ditches which convey only immediate right-of-way drainage.
- (y) *Public* means property or facilities owned by municipal, county, township, state, or federal governments.
- (z) *Retention facility* means a facility which provides storage of stormwater runoff and is designed to eliminate subsequent surface discharges.
- (aa) *Storm, stormwater* means rainfall runoff, snow melt runoff and surface runoff and drainage. "Storm" and "stormwater" as used in this chapter are interchangeable terms.
- (bb) *Storm sewer, storm drain* means a sewer or drain which carries stormwaters, surface runoff, street wash waters, and drainage, but which excludes sanitary sewage and industrial wastes, other than unpolluted cooling water. Storm sewers begin at the grating or opening where water enters the structure, through the sewer and conduits to the outlet structure where water enters a channel or natural watercourse.
- (cc) *Stormwater Management Code* means Chapter 1193 of the Codified Ordinances of the City of Gahanna.
- (dd) *Stormwater Management Design Manual* means the latest edition of the Handbook of Design Methods, Standards, and Requirements for the Design, Construction, Maintenance and Use of Stormwater Facilities published by the Mid-Ohio Regional Planning Commission.
- (ee) *Stormwater management system* means all man-made facilities, structures, and natural watercourses used for collecting, transporting, detaining, storing or disposing of stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to any and all of the following: inlets, conduits, and appurtenant features, canals, creeks, public stormwater open channels, catch basins, ditches, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basin, dams, floodwalls, levees, and pumping stations.
- (ff) *Total area* means the square footage of a lot or parcel measured or estimated by using the outside boundary dimensions, in feet, converted to acres (one acre equals 43,560 square feet), to obtain the total enclosed area, without regard for topographic features of the enclosed surface, as used in Section 927.17 for the purpose of determining the rate class for lot(s) or parcel(s) of real property. The boundary dimensions in feet of the enclosed surface area may be established by either of the following methods selected by the utility for each lot or parcel:
 - (1) On-site or photogrammetric measurements of the apparent outside boundary dimensions of the lot or parcel of real property made by the City of Gahanna or on its behalf; or
 - (2) Computation of the area using dimensions of lot or parcel of real property and/or existing area measurements which are set forth and contained in the records of the office of the County Recorder or Auditor.
- (gg) *Utility* means the Stormwater Management Utility provided for by this chapter.
- (hh) *Watercourse* means a permanent or intermittent stream, river, brook, creek, public stormwater open channel, swale or ditch for water whether natural or manmade.

(Ord. 0161-2014. Passed 11-17-14.)

927.04 - ORGANIZATION OF THE UTILITY.

- (a) The Utility shall be administered by the Director who shall have the responsibility for planning, developing, and implementing stormwater management or sediment control plans; financing, constructing, maintaining, rehabilitating, inspecting, and managing existing and new stormwater facilities; collecting fees and charges for the utility; implementing and enforcing the provisions of this Code; and other related duties.
- (b) The Utility may avail itself of the services of other City of Gahanna departments necessary for the discharge of its responsibilities.

(Ord. 0161-2014. Passed 11-17-14.)

927.05 - STORMWATER FACILITIES.

- (a) The Utility shall monitor the design, operation, maintenance, inspection, construction and use of all storm sewers, storm drains, and stormwater facilities in the City of Gahanna. The Utility shall be responsible for the design and construction of public stormwater facilities in the City of Gahanna and shall inspect, operate and maintain them as prescribed in Section 927.10.
- (b) The Utility may accept overriding responsibility for permanent maintenance of stormwater facilities designed to control erosion when the benefiting area involves two or more property owners. The Utility may require facilities to be designed to reduce maintenance costs and will require adequate easements.

(Ord. 0161-2014. Passed 11-17-14.)

927.06 - MULTIPLE FUND PROJECTS.

Where a public improvement is funded by the City of Gahanna and other agencies or organizations, and storm drainage is not a primary part of that project, the Utility's responsibility for the storm drainage costs shall be in proportion to the City of Gahanna's share of the total cost of the project unless otherwise determined by Council.

(Ord. 0161-2014. Passed 11-17-14.)

927.07 - PRIVATE FACILITIES.

Any owner of private property upon which stormwater drainage facilities exist for the purpose of collecting, conveying, retaining or detaining stormwater within that property and which are not public facilities pursuant to Section 927.08, shall be responsible for the maintenance of these facilities as required to ensure proper operation, maintaining property in litter-free manner; and maintaining grass and weeds.

When the Utility accepts responsibility for design, construction, inspection, operation or maintenance of private facilities in accordance with Section 927.08, all expenses incurred therewith shall be the responsibility of the Utility.

The City of Gahanna reserves the right to cooperatively work with property owners in an area to fix a common problem related to stormwater. This means that financial arrangements may be agreed to between the City of Gahanna and property owners which result in an equitable arrangement that benefits all parties.

(Ord. 0161-2014. Passed 11-17-14.)

927.08 - PUBLIC FACILITIES.

The Utility shall be responsible for stormwater drainage facilities, and watercourses on all streets, boulevards, sidewalks, curbing, streets, and other municipal property and public easements, and highway structures and appurtenances belonging to the City of Gahanna.

Where public facilities and watercourses are located in easements on private property, the owner of the property is responsible for aesthetic maintenance such as lawn mowing, litter pick-up, and the like. The owner shall neither place nor allow structures or plantings that interfere with the operation and maintenance of such drainage facilities and watercourses.

(Ord. 0161-2014. Passed 11-17-14.)

927.09 - ANCILLARY IMPROVEMENTS.

The Utility may authorize the construction of curbs, pavements, public stormwater open channels, watercourses, conduits, culverts, or other structures on municipal property or public easements necessary to properly operate and maintain new and existing stormwater facilities.

(Ord. 0161-2014. Passed 11-17-14.)

927.10 - ROUTINE AND REMEDIAL MAINTENANCE.

The Utility shall provide for inspection and routine maintenance of facilities that have been accepted for maintenance by the Utility. Maintenance may include catch basin cleaning, grating and casting repair, bridge surface drainage systems cleaning, public stormwater open channel clearing, erosion repair, and other incidentals. The Utility shall provide for remedial maintenance of facilities based upon the severity of stormwater problems and potential hazard to the public. Remedial maintenance of bridge surface drainage systems shall remain the responsibility of agencies other than the Utility.

(Ord. 0161-2014. Passed 11-17-14.)

927.11 - LAND AND FACILITIES AFFECTED BY LANDS OUTSIDE THE CITY OF GAHANNA.

Where stormwater drains from lands outside the City of Gahanna, facilities within the City of Gahanna shall be designed in accordance with this chapter as if the entire drainage area was within the City of Gahanna, as determined by the Director or the Director's designee.

(Ord. 0161-2014. Passed 11-17-14.)

927.12 - RULES AND REGULATIONS.

In order to accomplish the purpose of this chapter to protect the drainage facilities, improvements, and properties owned and maintained by the City of Gahanna, to secure the best results from the construction, operation and maintenance thereof, and to prevent damage and misuse of any of the drainage facilities, improvements or properties within the City of Gahanna, the Utility shall utilize existing rules, regulations or codes and may make and enforce additional rules and regulations that are approved by Council. The purpose of the rules and regulations shall be:

- (a) To prescribe the manner in which storm sewers, watercourses, public stormwater open channels, and other stormwater facilities are to be designed, installed, adjusted, used, altered or otherwise changed;
- (b) To recommend inspection and certain other fees permitted by this chapter;
- (c) To prescribe the manner in which such facilities are operated;

- (d) To facilitate the enforcement of this chapter;
- (e) To prescribe the collection procedures and timing of service charge bills;
- (f) To protect the City of Gahanna stormwater management system, improvements, and properties controlled by the Utility, and to prescribe the manner of their use by any public or private person;
- (g) To protect the public health, safety and welfare.

(Ord. 0161-2014. Passed 11-17-14.)

927.13 - RIGHT OF ENTRY FOR SURVEY, EXAMINATION AND MAINTENANCE.

After presenting proper credentials and securing permission, the Director or the Director's designees, including contractors and their employees or consultants and their employees, may enter upon lands within the City of Gahanna to make surveys and examinations to accomplish the necessary findings to establish a Master Plan, for detailed analysis to prepare final plans and specifications for proposed improvements or for inspection or maintenance of stormwater facilities.

(Ord. 0161-2014. Passed 11-17-14.)

927.14 - FUNDING.

Funding for the Utility shall include, but not be limited to:

- (a) Stormwater Management Service Charges;
- (b) *Direct Charges*. This charge will be collected from owners, developers and other responsible parties for the cost of designing and constructing stormwater facilities, and for administrative costs and related expenses where the utility designs and/or constructs or contracts for the construction of such facilities, including costs associated with abatement procedures undertaken by the Utility;
- (c) *Direct Assessment*. This charge will be collected from owners in localized areas that desire stormwater drainage facilities not considered a part of the regional development or where an improvement is desired ahead of the priority status;
- (d) Other income obtained from federal, state, local and private grants, or revolving funds.

(Ord. 0161-2014. Passed 11-17-14.)

927.15 - STORMWATER UTILITY FUND.

All revenues generated by or on behalf of the Utility including stormwater management service charges and direct charges shall be deposited in the Stormwater Management Fund and used exclusively for Utility purposes.

Ord. 0161-2014. Passed 11-17-14.)

927.16 - STORMWATER MANAGEMENT SERVICE CHARGE.

A stormwater management service charge is imposed on each lot and/or parcel of land within the City of Gahanna, and the owner thereof, excepting only streets, boulevards, sidewalks, curbing, street crossings, grade separations, and other public ways and easements, and highway structures belonging to

the City of Gahanna, state and federal government. If individual adjacent lot(s) or parcel(s) are all owned by the same owner, they shall be considered to be a single parcel for determination of service charges.

- (a) Public road and freeway rights-of-way shall be exempt from the stormwater management service charge because they function as part of the stormwater collection and conveyance system. Private rights-of-way will be charged as described herein.
- (b) Properties that have existing stormwater detention facilities may have their stormwater management service charges reduced as determined by the Utility, in accordance with generally accepted engineering standards and practices to more accurately reflect the contribution to runoff from the property and the level of service provided to such property. The detention facilities must be in accord with the hydrologic, hydraulic, and structural design requirements of the rules and regulations. Facilities of a temporary nature will not be allowed a decrease in their charges.
- (c) The Utility may reduce or waive requirements for an individual detention/retention basin if a common or regional basin of adequate design is available or if the Utility is reasonably certain one will be constructed and if the major drainage system from the project area to such common or regional basin is such that the public health, safety and welfare will not be in jeopardy.

(Ord. 0161-2014. Passed 11-17-14.)

927.17 - CLASSIFICATION OF PROPERTY AND ERU ASSIGNMENT AND RATE.

All properties having impervious area within the City of Gahanna shall be assigned an equivalent residential unit (ERU) or a multiple thereof, which will be at a minimum one ERU. There shall be two classifications of property for determination of the stormwater management service charge-variable charge:

- (a) *Class R.* Single family residential properties assigned one ERU. The annual stormwater management service charge for Class R lot(s) shall be in accordance with the following schedule:
 - 2012: Class R: \$12.00 per quarter less any applicable credits.
 - Beginning 2013: Class R: \$13.00 per quarter less any applicable credits.
- (b) *Class C.* All properties having an impervious area which are not single family residential properties assigned by the Director an ERU multiple based upon the properties estimated impervious area (in square feet) divided by 3064 square feet (one ERU) calculated to the second decimal place. The annual stormwater management charge for Class C lots and parcels shall be calculated as follows:
 - 2012: Class C: \$12.00 per ERU per quarter less any applicable credits.
 - Beginning 2013: Class C: \$13.00 per ERU per quarter less any applicable credits.
- (c) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the ~~Director of Public Service~~Director of Public Service and Engineering. The quarter bill, including all penalties, shall be due and payable 30 days from the date of mailing. A ten percent penalty shall be assessed to all accounts paying after the due date. The ~~Director of Public Service~~Director of Public Service and Engineering or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.

(Ord. 0161-2014. Passed 11-17-14.)

927.18 - COLLECTION OF STORMWATER MANAGEMENT SERVICE CHARGE.

The stormwater management service charge shall be paid, by the owner of each lot or parcel which is subject to this charge, on a periodic basis. Partial payments may be accepted. In accepting such partial payments, the amount owing shall be considered delinquent and the moneys paid shall be applied in the following order:

- (a) Refuse;
- (b) Penalty/miscellaneous;
- (c) Stormwater management;
- (d) Sewer improvement;
- (e) Water improvement;
- (f) Columbus Consent Order;
- (g) Sewer; and
- (h) Water.

(Ord. 0161-2014. Passed 11-17-14.)

927.19 - ADJUSTMENT CHARGE; APPEAL.

Anytime the runoff situation on a parcel of property changes, the Stormwater Utility reserves the right to correspondingly adjust the stormwater management service charge.

Owners who consider the charges applicable to their lot or parcel to be unjust or inequitable may apply, within 30 days after receipt of the charge, to the Water and Sewer Internal Review Board for adjustment thereof, stating in writing the grounds of the complaint.

The Water and Sewer Internal Review Board shall cause appropriate investigation thereof and determine whether an adjustment of the charges for any such lot or parcel is necessary to provide for the just and equitable application of the stormwater management service charge, and adjust such charge if appropriate.

(Ord. 0161-2014. Passed 11-17-14.)

927.20 - DELINQUENT CHARGES.

- (a) All delinquent fees shall be assessed as provided by the Utility, or as provided by the Utility's contract billing agent, if any.
- (b) Each stormwater service charge rendered under or pursuant to this chapter is hereby made a lien upon the corresponding lots, parcels of land, buildings or premises that are tributary directly or indirectly to the stormwater system of the City of Gahanna. If the same is not paid within 60 days after said stormwater charges become due and payable, in addition to any other remedies available to the City of Gahanna, said stormwater charges may be certified to the auditor of the county in which the property is located, who shall place the certified amount on the real property tax list and duplicate of the property served. Certified amount to include the interest and penalties allowed by law and shall be collected as other taxes are collected.
- (c) It shall be the responsibility of the buyer and seller, where property is sold or transferred, to assure that all stormwater utility charges have been paid in full or provisions agreed to for payment; otherwise, the responsibility for payment for any stormwater charges whatsoever shall reside with the current owner of such property.

(Ord. 0161-2014. Passed 11-17-14.)

927.21 - APPEALS BOARD.

- (a) The Water and Sewer Internal Review Board may serve as the Appeals Board to hear and determine any appeal filed under Section 927.23.
- (b) The Appeals Board shall, in harmony with the general purpose of this chapter and to secure the public health, safety and welfare, have the power to affirm, modify or revoke any notice or order and may grant an extension of time for the performance of any act required by this chapter where there is practical difficulty or undue hardship connected with the performance of such notice or order, and its decision shall be final.

(Ord. 0161-2014. Passed 11-17-14.)

927.22 - APPEALS.

Any owner may appeal decisions or interpretations of the Director or the Director's designee, issued in connection with the enforcement of any provisions of this chapter provided that such owner shall file in the office of the Director a written request to the Appeals Board as provided below.

- (a) The Director shall upon receipt of a request set a time and place for a public hearing and shall give the owner written notice thereof. At the hearing, the owner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified.

After a hearing, the Appeals Board shall sustain, modify or deny any item appealed by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the owner and the Director shall be notified in writing of such findings.

The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the Director. The record shall also include a copy of every notice or order issued in connection with the matter.

- (b) The failure of the owner or his representative to appear and state his case at any hearing shall constitute a denial of the appeal.
- (c) Filing fees as required shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal.

(Ord. 0161-2014. Passed 11-17-14.)

927.23 - CONTENTS OF APPEAL REQUEST.

The owner shall set forth in the request for appeal, the interpretation, ruling or order appealed from, and the related provisions of this chapter or related laws or ordinances, and shall state wherein the interpretation, ruling, or order is erroneous.

Requests to the Appeals Board, in appeals filed in accordance with Section 927.22(a), may only be based on whatever the interpretation, ruling or order is erroneous or constitutes an erroneous application of the particular provisions of this chapter or other related laws or ordinances pertaining to stormwater management and finance, or is otherwise contrary to law.

(Ord. 0161-2014. Passed 11-17-14.)

927.24 - ILLICIT NON-STORMWATER DISCHARGE AND ILLEGAL CONNECTION TO THE STORM SEWER SYSTEM.

- (a) *Purpose and Scope.* The purpose of this regulation is to provide for the health, safety, and general welfare of the citizens of the City of Gahanna through the regulation of illicit discharges to the Municipal Separate Storm Sewer System (MS4). This regulation establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process as required by the Ohio Environmental Protection Agency (Ohio EPA). The objectives of this regulation are:
- (1) To prohibit illicit discharges and illegal connections to the MS4.
 - (2) To establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this regulation.
- (b) *Applicability.* This regulation shall apply to all residential, commercial, industrial, or institutional facilities responsible for discharges to the MS4 and on any lands in the City of Gahanna, except for those discharges generated by the activities detailed in Section 927.24 (g)(1)A. to (1)C. of this regulation.
- (c) *Definitions.* The words and terms used in this regulation, unless otherwise expressly stated, shall have the following meaning:
- (1) *Best management practices (BMPS)* means schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to stormwater. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
 - (2) *Community* means the City of Gahanna, its designated representatives, boards, or commissions.
 - (3) *Environmental protection agency or United States environmental protection agency (USEPA)* means the United States Environmental Protection Agency, including but not limited to the Ohio Environmental Protection Agency (OEPA), or any duly authorized official of said agency.
 - (4) *Floatable material* in general this term means any foreign matter that may float or remain suspended in the water column, and includes but is not limited to, plastic, aluminum cans, wood products, bottles, and paper products.
 - (5) *Hazardous material* means any material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
 - (6) *Illicit discharge* as defined in the Code of Federal Regulations (C.F.R.) at 40 C.F.R. 122.26 (B)(2) means any discharge to an MS4 that is not composed entirely of stormwater, except for those discharges to an MS4 pursuant to a NPDES permit or noted in Section 927.24 of this regulation.
 - (7) *Illegal connection* means any drain or conveyance, whether on the surface or subsurface, that allows an illicit discharge to enter the MS4.
 - (8) *Municipal separate storm sewer system (MS4)* as defined at 40 C.F.R. 122.26 (B)(8), municipal separate storm sewer system means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
 - A. Owned or operated by a state, city, town, borough, county, parish, district, municipality, township, county, district, association, or other public body (created by or pursuant to state

law) having jurisdiction over sewage, industrial wastes, including special districts under state law such as a sewer district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the Clean Water Act that discharges to waters of the United States;

B. Designed or used for collecting or conveying stormwater;

C. Which is not a combined sewer; and

D. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 C.F.R. 122.2.

(9) *National pollutant discharge elimination system (NPDES) stormwater discharge permit* means a permit issued by the EPA (or by a state under authority delegated pursuant to 33 United States Constitution (USC) § 1342(B)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(10) *Off-lot discharging home sewage treatment system* means a system designed to treat home sewage on-site and discharges treated wastewater effluent off the property into a stormwater or surface water conveyance or system.

(11) *Owner/operator* means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.

(12) *Pollutant* means anything that causes or contributes to pollution. Pollutants may include, but are not limited to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.

(13) *Stormwater* [means] any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(14) *Wastewater* [means] the spent water of a community. From the standpoint of a source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

(d) *Disclaimer of Liability.* Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.

(e) *Conflicts, Severability, Nuisances & Responsibility.*

(1) Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the City of Gahanna, shall prevail.

(2) If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.

(3) This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.

(4) Failure of the City of Gahanna to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting there from, and shall not result in the City of Gahanna, its officers, employees, or agents being responsible for any condition or damage resulting there from.

(f) *Responsibility for Administration.* The City of Gahanna shall administer, implement, and enforce the provisions of this regulation. The City of Gahanna may contract with other agencies to conduct inspections and monitoring and to assist with enforcement actions.

(g) *Discharge and Connection Prohibitions.*

- (1) *Prohibition of Illicit Discharges.* No person shall discharge, or cause to be discharged, an illicit discharge into the MS4. The commencement, conduct, or continuance of any illicit discharge to the MS4 is prohibited except as described below:
 - A. Line flushing; landscape irrigation; diverted stream flows; rising water ground waters; uncontaminated ground water infiltration; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; small charity car washes; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; and discharges or flows from firefighting activities. These discharges are exempt until such time as they are determined by the City of Gahanna to be significant contributors of pollutants to the MS4. Additional, other water sources not containing pollutants may be considered at the discretion of the City Engineer.
 - B. Discharges specified in writing by the City of Gahanna as being necessary to protect public health and safety.
 - C. Discharges from off-lot household sewage treatment systems permitted by ~~the~~ Franklin County Public Health ~~District~~ for the purpose of discharging treated sewage effluent unless such discharges are deemed to be creating a public health nuisance by ~~the~~ Franklin County Public Health ~~District~~. In compliance with the City of Gahanna Stormwater Management Program, discharges from all off-lot household sewage treatment systems must either be eliminated or have coverage under an appropriate NPDES permit issued and approved by the Ohio Environmental Protection Agency. When such permit coverage is available, discharges from household sewage treatment systems will no longer be exempt from the requirements of this regulation.
- (2) *Prohibition of Illegal Connections.* The construction, use, maintenance, or continued existence of illegal connections to the MS4 is prohibited.
 - A. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - B. A person is considered to be in violation of this regulation if the person connects a line conveying illicit discharges to the MS4, or allows such a connection to continue.

(h) *Industrial or Construction Activity Discharge.*

- (1) *Industrial or Construction Activity Discharge.* Any person subject to an industrial or construction activity NPDES Stormwater Discharge Permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City of Gahanna prior to allowing discharges to the Municipal Separate Storm Sewer System.
- (2) *Portable Toilets.*
 - A. Property owners, occupants, managers or other persons in charge of any premises, office, business establishment, institution, industry, or similar facility, including construction or demolition sites, shall be responsible for the placement and sanitary maintenance of portable toilets.
 - B. Portable toilets shall be installed in a level position and be easily accessible to users.
 - C. Where possible, portable toilets shall not be located upon any street or public right-of-way. Portable toilets shall not be located on, or within 20 feet of a storm drain, or within 100 feet from any body of water including but not limited to project ponds with over flow devices. Portable toilets shall not be located within 11 feet of a curb and / or gutter. If portable toilet placement is for a period of time lasting longer than one week, and is determined by the

City of Gahanna to be vulnerable to tipping from wind, or vandalism, the portable toilet shall be secured by staking or cabling.

- D. Where possible, portable toilets shall be located upon natural ground and not on an impervious surface such as concrete or asphalt.
- E. Portable toilets shall not be located whereby a spill or runoff will directly enter into storm drains or any water system.
- F. Portable toilets are not to be washed down whereby allowing contamination runoff to pollute soil and water resources and create potential human health issues and/or aquatic degradation. However, washing the outside of the unit is allowed as long as no contaminants are present there.
- G. Portable toilets must be cleaned and serviced by a licensed service company at least once per week or when needed to maintain sanitary conditions. Cleaning and sanitizing shall include the use of a sanitizing solution for cleaning urinals and toilet seats, removing waste from containers, recharging containers with an odor-controlling solution and installing an adequate supply of toilet paper. Removal of waste shall be handled in a clean and sanitary manner by means of a vacuum hose and received by a leak proof tank truck. All ports on the tank shall be valved and capped.
- H. Special events: City of Gahanna or privately sponsored special events may be required to submit a plan showing the location of the portable toilets to the City of Gahanna Service Department for review and approval. These portable toilets for the event shall be considered temporary for a duration no longer than five days after which time they must be removed and the location plan shall be considered expired.

(i) *Monitoring of Illicit Discharges and Illegal Connections.*

(1) *Establishment of an Illicit Discharge and Illegal Connection Monitoring Program.* The City of Gahanna Service Department or its designee shall establish a program to detect and eliminate illicit discharges and illegal connections to the MS4 in compliance with general permitting requirements of the OEPA.

(2) *Inspection of Residential, Commercial, Industrial, or Institutional Facilities.*

- A. The City of Gahanna Service Department or its designee shall be permitted without prior notice to enter and inspect facilities subject to this regulation as often as may be necessary to determine compliance with this regulation.
- B. The City of Gahanna Service Department or its designee shall have the authority to set up at facilities subject to this regulation such devices as are necessary to conduct monitoring and/or sampling of the facility's stormwater discharge, as determined by the City of Gahanna.
- C. The City of Gahanna Service Department or its designee shall have the authority to require the facility owner/operator to install monitoring equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the facility owner/operator at the owner/operator's expense. The City of Gahanna Service Department or its designee shall have the authority to calibrate said devices used to measure stormwater flow and quality to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and reasonable access to the facility to be inspected and/or sampled shall be promptly removed by the facility's owner/operator at the written or oral request of the City of Gahanna and shall not be replaced. The costs of clearing such access shall be borne by the facility owner/operator.
- E. Unreasonable delays in allowing the City of Gahanna access to a facility subject to this regulation for the purposes of illicit discharge inspection is a violation of this regulation.
- F. If the City of Gahanna is refused access to any part of the facility from which stormwater is discharged, and the City of Gahanna demonstrates probable cause to believe that there

may be a violation of this regulation, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this regulation or any order issued hereunder, or to protect the public health, safety, and welfare, the City of Gahanna may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.

G. Any costs associated with these inspections shall be assessed to the facility owner/operator.

(j) *Notification of Accidental Discharges and Spills.*

- (1) Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the MS4, state waters, or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.
- (2) Said responsible person shall notify the authorized enforcement agency in person, by phone, or other method no later than 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications shall be confirmed by written notice addressed and mailed to the City of Gahanna within three business days. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.
- (3) In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified. Failure to provide notification of a release as provided above is a violation of this chapter.

(k) *Enforcement.*

- (1) *Notice of Violation.* When the City of Gahanna finds that a person has violated a prohibition or failed to meet a requirement of this regulation, the City of Gahanna may order compliance by written notice of violation. Such notice must specify the violation and shall be hand delivered, and/or sent by registered mail, to the owner/operator of the facility. Such notice shall require one or more of the following actions:
 - A. The performance of monitoring, analyses, and reporting;
 - B. The elimination of illicit discharges or illegal connections;
 - C. That violating discharges, practices, or operations cease and desist;
 - D. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; or
 - E. The implementation of source control or treatment BMPs.
- (2) If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the facility owner/operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.
- (3) Any person receiving a notice of violation must meet compliance standards within the time established in the notice of violation.
- (4) *Appeal.* If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, the City of Gahanna shall schedule an appeal before the Board of Zoning

and Building Appeals to determine reasons for non-compliance and to determine the next enforcement activity. Notice of the appeal shall be hand delivered to the owner/operator of the facility and/or sent registered mail.

- (5) *Injunctive Relief.* It shall be unlawful for any owner/operator to violate any provision or fail to comply with any of the requirements of this regulation pursuant to Ohio R.C. 3709.211. If an owner/operator has violated or continues to violate the provisions of this regulation, the City of Gahanna may petition for a preliminary or permanent injunction restraining the owner/operator from activities that would create further violations or compelling the owner/operator to perform abatement or remediation of the violation.
- (l) *Remedies Not Exclusive.* The remedies listed in this regulation are not exclusive of any other remedies available under any applicable federal, state or local law and it is in the discretion of the City of Gahanna to seek cumulative remedies.
- (m) *Violations.* Any person violating any provision of this chapter shall be charged with a minor misdemeanor on the first offense and for each subsequent offense shall be charged with a misdemeanor of the fourth degree.

(Ord. 0161-2014. Passed 11-17-14.)

927.25 - FLOODING; LIABILITY.

Floods from stormwater runoff may occasionally occur which exceed the capacity of storm drainage facilities constructed, operated, or maintained by funds made available under this chapter. This chapter does not imply that property subject to the fees and charges established herein will always be free from stormwater flooding or flood damage, or that stormwater systems capable of handling all storm events can be cost effectively constructed, operated or maintained. Nor shall this chapter create a liability on the part of, or cause of action against, the City of Gahanna or any officer or employee thereof for any flood damage that may result from such storms or the runoff thereof. Nor does this chapter purport to reduce the need or the necessity for obtaining flood insurance.

(Ord. 0161-2014. Passed 11-17-14.)

927.26 - SEPARABILITY OF PROVISIONS.

Each section and each part of each section of this chapter is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

It is hereby declared to be the legislative intent that these sections or parts of sections would have been adopted independently of such sections or parts of a section so held to be invalid.

(Ord. 0161-2014. Passed 11-17-14.)

927.99 - PENALTY.

Any person violating any provision of this chapter shall be charged with a minor misdemeanor on the first offense and for each subsequent offense shall be charged with a misdemeanor of the fourth degree.

(ord. 0161-2014. passed 11-17-14.)

CHAPTER 928 - Sewer Districts¹³

Sections:

Footnotes:

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Cross reference— Sewer districts - see Ohio R.C. 727.44 et seq.

928.01 - CREATION.

Council may, from time to time, designate areas within the service area of the City's sanitary sewer system as special sewer districts. The regulations, rates, and fees applicable to all customers of the sanitary sewer system as set out in the Codified Ordinances shall apply to the sewer districts created by Council unless Council shall otherwise provide.

(Ord. 990493. Passed 11-1-99.)

928.02 - TRIANGLE NORTH SANITARY SEWER DISTRICT.

There is hereby created an area known as the Triangle North Sanitary Sewer District for the purpose of constructing a subtrunk sewer to serve the district, and to recover the cost of said sewer by means of a per acre fee, as described herein, with said Triangle North Sanitary Sewer District more particularly described in Exhibit A and map as shown on Exhibit B, with both exhibits attached to the original Ordinance 216-97, passed October 21, 1997.

- (a) *Fees.* The properties enclosed by the boundaries of Exhibits A and B of original Ordinance 216-97, passed October 21, 1997, which connect to the subtrunk sewer or tributaries and are developed in a commercial zoning, a multi-family zoning, or are platted subdivisions shall be assessed an acreage fee. This fee shall be based on the actual cost of the sewer finances over a seven-year period with an interest rate of eight percent. Engineering economical analysis, assuming seven equal payments, yields a factor of 1.3447. The capital recovery cost calculated is to be divided by the 142 acres in this district. Fees are to be paid upon acceptance of connecting sewer or connection of service.
- (b) *Waivers.* The subtrunk footage fee defined in Section 921.05(b) shall be waived for properties connecting to the North Triangle Subtrunk Sewer.
- (c) *Exceptions.*
 - (1) Existing single family residences of land zoned in the ER-1 or ER-2 Districts are subject to the statutory front footage fees.
 - (2) Properties abating the subtrunk sewer may be exempted from the front footage fees as required in Section 921.05(a) in exchange for granting of easements for said sewer.
 - (3) Exempted properties shall be subject to the fee if rezoned or redeveloped as specified herein.

(Ord. 990493. Passed 11-1-99.)

928.03 - TRIANGLE WEST SEWER DISTRICT.

There is hereby created an area known as the Triangle West Sewer District for the purpose of constructing a subtrunk sewer to serve this district, and to recover the cost of said sewer by means of a per acre fee, as described herein, with said Triangle West Sewer District more particularly described in Exhibit C and map as shown on Exhibit D, attached to original Ordinance 990493 and made a part herein.

- (a) *Fees.* The properties enclosed by the boundaries of Exhibit C and Exhibit D, attached to original Ordinance 990493, which connect to the subtrunk sewer or tributaries and are developed in a commercial zoning, a multi-family zoning, or are platted subdivisions shall be assessed an acreage fee. This fee shall be based on the actual cost of the sewer finances over a seven-year period with an interest rate of eight percent. Engineering economical analysis, assuming seven equal payments, yields a factor of 1.3447. The capital recovery cost calculated is to be divided by the 66 acres in this district. Fees are to be paid upon acceptance of connecting sewer or connection of service.
- (b) *Waivers.* The subtrunk footage fee defined in Section 921.05(b) shall be waived for properties connecting to the Triangle West Sewer District.
- (c) *Exceptions.*
 - (1) Existing single family residences of lands zoned in the ER-1 or ER-1 are subject to the statutory front footage fees.
 - (2) Properties abating the subtrunk sewer may be exempted from the front footage fees as required in Section 921.05(a) in exchange for granting of easements for said sewer.
 - (3) Exempted properties shall be subject to the fee if rezoned or redeveloped as specified herein.

(Ord. 990493. Passed 11-1-99.)

928.04 - JOHNSTOWN ROAD HAMMONS SEWER DISTRICT.

There is hereby created an area known as Johnstown Road Hammons Sewer District for the purpose of constructing a collector sewer to serve the district, and to recover the cost of said sewer by means of a per acre fee, as described herein, with said sewer district more particularly described in Exhibit A, attached to original Ordinance 990493, and consisting of the following three properties:

660 Johnstown Road	1.236 acres	Instrument No. 99709180096699
680 Johnstown Road	1.25 acres	D.B. 2645, page 140
698 Johnstown Road	1 acre	D.B. 3414, page 978

- (a) *Fees.* The properties enclosed by the boundaries of Exhibit A attached to original Ordinance 990493, which connect to the sewer and are developed in a commercial zoning, a multi-family zoning, are platted subdivisions, are sold, or the dwelling is rebuilt, shall be assessed an acreage fee. This fee shall be based on the actual cost of the sewer financed over a five-year period with an interest rate of eight percent. Engineering economical analysis, assuming a lump sum payment, yields a factor of 1.469. The capital recovery cost calculated is to be divided by the 3.486 acres in this district. Fees are to be paid upon connection of service.

The subtrunk footage fee defined in Section 921.05(b) shall not be applied to properties connecting to the Johnstown Road Hammons Sewer.

The district fee shall be applied in lieu of the statutory front footage fee, except as provided herein.

(b) *Exceptions.*

- (1) Existing single family residences of lands are subject to the statutory front footage fee.
- (2) Exempted properties shall be subject to the balance of the fee herein, allowing credit for front footage fees already paid if rezoned or redeveloped as specified.
- (3) Existing single family residences of lands which are connected to the sewer within six months of completion may pay the entire district fee, calculated using the actual cost per acre of the sewer without applying the five-year interest rate.

(Ord. 990493. Passed 11-1-99.)

928.05 - EAST INDUSTRIAL SANITARY SEWER DISTRICT.

There is hereby created an area known as the East Industrial Sanitary Sewer District for the purpose of constructing a subtrunk sewer to serve the district, and to recover the cost of said sewer by means of a per acre fee, as described herein, with said East Industrial Sanitary Sewer District more particularly described in Exhibit A and map as shown on Exhibit B, attached to the original Ordinance 0104-2003 and made a part herein.

- (a) *Fees.* The properties enclosed by the boundaries of Exhibits A and B of original Ordinance 0104-2003, which connect to the subtrunk sewer or tributaries and are developed in a commercial zoning, a multi-family zoning, or are platted subdivisions shall be assessed an acreage fee. This fee shall be based on the actual cost of the sewer finances over a five-year period with an interest rate of five percent. Engineering economical analysis, assuming five equal payments, yields a factor of 1.276. The capital recovery cost calculated is to be divided by the 211.7 acres in this service area of the district. Fees are to be paid upon acceptance of connecting sewer or connection of service.
- (b) *Waivers.* The subtrunk footage fee defined in Section 921.05(b) shall be waived for properties connecting to the North Triangle Subtrunk Sewer.
- (c) *Exceptions.*
 - (1) Existing single family residences of land zoned in the ER-1 or ER-2 Districts are subject to the statutory front footage fees.
 - (2) Exempted properties shall be subject to the fee if rezoned or redeveloped as specified herein.

(Ord. 0104-2003. Passed 6-16-03.)

CHAPTER 929 - Water Connections and Rates¹⁴

Sections:

Footnotes:

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Cross reference— Compulsory water connections - see Ohio R.C. 729.06, 743.23; Management and control of water works - see Ohio R.C. 743.02 et seq.; Weekly deposit of water works money collected - see Ohio R.C. 743.06; Unauthorized connections - see Ohio R.C. 4933.22

929.01 - DEFINITIONS.

For the purposes of this chapter:

- (a) *Water service connection* means the water pipe extending from the curb stop after the water main to the connection with the plumbing at the building served including meter pits.
- (b) *Water main* means the water pipe located in a street, alley or easement from which the domestic water supply is delivered to the service pipe leading to the water service connection.
- (c) *Water system* means all City of Gahanna facilities for supplying, treating, storing, pumping and distributing potable water.
- (d) *Owner* means any person, group of persons, corporation, partnership or firm which holds title to a lot or parcel of land adjacent to the water system, or desires to purchase water from the City of Gahanna.
- (e) *Fixture* means any valve, valve box, hydrant, meter, curb stop, curb box, tank, building or any other appurtenances owned or operated by, or essential to the operation of, the water system.
- (f) *Front footage* means the frontage which abuts on the street right of way. On corner parcels, it shall be the shortest frontage so abutting. Front footage shall be measured at the building line where lots are irregular in shape. When the property to be served does not abut upon a street right of way, front footage means the smaller of the parcel dimensions, but in no event shall be less than the required frontage for the zoning of that parcel.

(Ord. 0159-2014. Passed 11-17-14; Ord. No. [0116-2016](#), Exh. A, 11-21-16; [Ord. No. 0083](#), § 1(Exh. A), 11-20-17)

929.02 - PERMIT REQUIRED; MULTIPLE USE CONNECTIONS PROHIBITED.

- (a) No connection with any part of the City of Gahanna water system, nor the repair or removal thereof, nor any excavation thereof shall be started without first securing a permit from the ~~Department of Public Service~~[Department of Public Service and Engineering](#). Such permit must be on the premises where such water service connection is being constructed, prior to beginning such work and during the continuation thereof. A charge of \$80.00 shall be made for such permit, to cover the cost of issuance and inspections. Such amount shall be deposited in the Treasury Water Fund. The charge for such permit is non-refundable.
- (b) No permit shall be issued which contemplates the construction or installation of any multiple use connections. Each commercial, industrial, residential, occupied structure, etc., shall have a separate water service connection to the water system, whether or not such facilities are owned by one person. Multiple structures shall have separate connections for each unit, except where this would create a manifest hardship, in which case the ~~Director of Public Service~~[Director of Public Service and Engineering](#) may grant special written permission to the owner to use a single connection. Where such permission is granted for double units to use a single connection, it must provide that such connection shall not be less than one inch in diameter, and that separate curb stops and boxes, and separate meters are installed.
- (c) The ~~Director of Public Service~~[Director of Public Service and Engineering](#) shall review these permit fees annually and submit a written report to Council, recommending that this fee either be maintained or modified.

(Ord. 0159-2014. Passed 11-17-14.)

929.03 - WATER TAP CHARGE.

- (a) The Division of Water shall maintain the water tap which shall remain the property of the City of Gahanna. The tap charges shall be paid in advance as follows:

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DIAMETER OF TAP (in inches)	TAP CHARGE (IN USD) (effective January 1, 2006)
3/4 or less	\$ 770.00
1	\$ 900.00
1-1/2	\$ 1,155.00
2	\$ 1,540.00

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- (b) The water tap charges, set forth above, shall be reviewed each year by the ~~Director of Public Service~~ Director of Public Service and Engineering, who shall submit a written report to Council, recommending needed adjustments based upon actual cost.
- (c) All water taps in subdivisions or developments must be installed at the time the water mains are installed.
- (d) Every property owner shall be required to install a tap for each lot or parcel immediately prior to the paving of any street when ordered by the Director.
- (e) Taps may be installed by a contractor licensed by the City of Gahanna upon issuance of a permit by the Division of Water. Such installation must conform to the standards and specifications of the Division of Engineering and must be approved by the Division of Water.
- (f) Before issuing any permit to tap, as set forth in this chapter, a charge of \$30.00 per front foot of the property to be served shall be made and collected unless one or more of the following conditions exist:

- The property has been specially assessed for the cost of construction of the water main to be tapped.

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- The tap is made to a water main that was installed by a private developer that was not constructed under a private water agreement.
- The private agreement has expired.

Lots or parcels of ground which have the same width at the front and rear, and the same depth on each side shall be charged on the basis of actual frontage, except where the depth of such lot or parcel of ground abuts on a street or other public way and the owner elects to construct a building fronting on the street or public way abutting such depth, the fee shall be exacted for such depth.

- (g) All amounts so collected for front footage shall be deposited in the Water System Capital Improvements Fund.

- (h) The Director shall review these water tap charges and front footage fees annually and submit a written report to Council, recommending that these fees either be maintained or modified.

(Ord. 0159-2014. Passed 11-17-14; [Ord. No. 0083, § 1\(Exh. A\), 11-20-17](#).)

929.04 - WATER MAIN EXTENSION.

The ~~Director of Public Service~~[Director of Public Service and Engineering](#) is authorized to provide water service to new consumers when the Director determines that the water main extension is feasible both economically and from an engineering standpoint and will not be detrimental to the best interest of the City of Gahanna having given consideration to the overall effect on the total water system and to the long term plans and probable future growth of the water system of the City of Gahanna.

(Ord. 0159-2014. Passed 11-17-14; [Ord. No. 0083, § 1\(Exh. A\), 11-20-17](#).)

929.05 - CHARGE FOR EXTENSION OF WATER MAINS.

- (a) All water main extensions in the City of Gahanna shall be paid for by the applicants or developer requesting such extension. Water main extensions will be of the same diameter as the existing main being extended unless otherwise required by the City of Gahanna.
- (b) The ~~Director of Public Service~~[Director of Public Service and Engineering](#) shall determine from the Division of Engineering records, or other sources, the cost of the pipe, fittings and valves and this determination shall be final.
- (c) The ~~Director of Public Service~~[Director of Public Service and Engineering](#) may authorize water main extensions to be installed by a qualified developer and the Director shall determine whether the water main shall be installed by the City of Gahanna or by the applicant or developer.
- (d) For each water main extension requested and installed by the City of Gahanna, the Division of Engineering shall make an estimate of the total costs involved and the applicants or developer shall make a deposit to the City of Gahanna that is sufficient to cover the estimated cost of the water main extension. If the actual cost of the extension is higher or lower than the deposit, the applicants or developer will be refunded the amount of any excess deposit or shall pay the City of Gahanna any deficit that may exist in the deposit, as the case may be.
- (e) When water main extensions are installed by the City of Gahanna, the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the line is required by the City of Gahanna to be larger than eight inches. When the water main is required by the City of Gahanna to be installed larger than eight inches, the amount assessed shall be the total installation cost less 110 percent of the difference in the cost of the pipes, fittings and valves between the installation of an eight-inch water main and the water main installed. The costs shall be determined as prescribed in subsection (b) hereof.
- (f) The specifications and standards of construction for all water main extensions shall be prepared by the City Engineer. Plans and installation shall be subject to approval by the Division of Engineering.
- (g) The size of all water mains shall be determined by the ~~Director of Public Service~~[Director of Public Service and Engineering](#) and shall be large enough not only to serve the areas under immediate consideration but also to serve areas which are likely to be developed and which should be served by the water main under consideration. Unless otherwise required by the ~~Director of Public Service~~[Director of Public Service and Engineering](#), no water main shall be smaller than eight inches nominal diameter.
- (h) All extensions of water mains shall include the installation of all taps, valves and fire hydrants. The number and location of fire hydrants shall be in accordance with the requirements of the City of

Gahanna. The number and location of all taps and valves shall be as required by the ~~Director of Public Service~~Director of Public Service and Engineering.

- (i) All water mains and appurtenances shall be owned, operated and maintained by the City of Gahanna, with title to be vested in the City of Gahanna upon completion and written acceptance of the water main.
- (j) No water mains shall be installed except by the City of Gahanna, unless authorized by an agreement between the City of Gahanna and the developer or applicants. Where water mains are installed by a developer or applicant and abut on parcels not owned by the developer or applicant not included in the agreement, the developer or applicant shall be entitled to reimbursement when such parcels are connected to the water main within ten years after the completion of the water main from the funds collected by the City of Gahanna for such connections pursuant to Section 929.03(f).
- (k) To be eligible for this reimbursement, the developer or applicant must file with the Division of Water within 90 days after the completion of the water main or such further time as may be authorized by the ~~Director of Public Service~~Director of Public Service and Engineering in accordance with the standards and specifications, receipts for all labor and material used in connection with the construction of the water main, together with final, as-built plans, properly referenced for future location of the work.

(Ord. 0159-2014. Passed 11-17-14.)

929.06 - INSTALLER'S LICENSE.

Any person, firm or corporation desiring to engage in the business of installing water service connections shall make application to the ~~Department of Public Service~~Department of Public Service and Engineering for an installer's license, as set forth in Section 921.06. The license issued under such section shall authorize the person to whom granted to install both sewer and water service connections. All pertinent parts of Section 921.06 are incorporated by reference in this section, as if fully written herein.

(Ord. 0159-2014. Passed 11-17-14.)

929.07 - INSPECTIONS.

Each water service connection must be inspected, in its entirety and before being backfilled, by a duly authorized representative of the ~~Department of Public Service~~Department of Public Service and Engineering, serving as Water Inspector. Twenty-four hours' notice must be given the Department before starting construction of the water service connection. The water service connection must be constructed in accordance with the City of Gahanna specifications.

(Ord. 0159-2014. Passed 11-17-14; Ord. No. [0125-2015](#), § 1(Exh. A), 12-7-15)

929.08 - METER SERVICE FEE.

- (a) When a permit is issued for a water service connection or a change in meter size up to one inch in nominal diameter, the meter shall be installed by the City. Meters shall be purchased from the City at a rate of cost plus ten percent. Additionally, a transmitter shall be purchased from the City at a rate of cost plus ten percent. Remote reading devices will be required on all meters and installed by the Division of Water.
- (b) When a permit is issued for a water service connection or a change in meter size one and one-half inches or larger in nominal diameter, the meter shall be installed by the applicant under the inspection and approval of the Division of Water. Meters shall be purchased from the City at a rate of cost plus ten percent. Additionally, a transmitter shall be purchased from the city at a rate of cost

plus ten percent. Remote reading devices will be required on all meters and installed by the Division of Water.

- (c) After the meter is procured and before the curb stop is opened, the meter shall be set and installed in an easily-accessible position in a manner approved by the City of Gahanna, and shall not thereafter be moved, removed or otherwise tampered with, except upon express written approval of a duly authorized agent of the City of Gahanna.
- (d) The meter service fee as set forth, shall be reviewed each year by the ~~Director of Public Service~~Director of Public Service and Engineering, who shall recommend to Council any needed adjustments based upon actual cost.
- (e) All water meters exclusive of deducting meters, shall be maintained by and remain the property of the City of Gahanna.
- (f) Meter Service Fees shall be calculated based on the actual size of the meter in nominal diameter.
- (g) Sewer adjustment meters for the purpose of deducting water not entering the sanitary sewer system from the sewer portion of the bill shall be permitted. Such meters shall be purchased from the City of Gahanna at a rate of cost plus ten percent. Additionally, a transmitter shall be purchased from the City of Gahanna at a rate of cost plus ten percent. All deducting meters must meet the specifications established by the City of Gahanna and shall be owned and maintained by the property owner. The meters shall be installed in such manner as to register water that does not enter the sanitary sewer system in any way. Such installation shall meet with the standards of the Division of Water and Sewer and shall be inspected by its representative upon completion. Sewer adjustment credits will only be allowed after inspection and approval of the meter by the City of Gahanna. Any usage from the date of installation to the date of inspection and approval will not be subject to a reduction. The fee for said inspection shall be \$40.00.

(Ord. 0159-2014. Passed 11-17-14; Ord. No. [0125-2015](#), § 1(Exh. A), 12-7-15)

929.09 - MATERIALS AND CONSTRUCTION.

All material used and work performed in making water service connections must conform to regulations and standard drawings approved by the City Engineer and issued by the ~~Department of Public Service~~Department of Public Service and Engineering. Substitutions shall not be made without the specific written approval of the ~~Director of Public Service~~Director of Public Service and Engineering.

(Ord. 0147-2013. Passed 12-2-13; Ord. No. [0125-2015](#), § 1(Exh. A), 12-7-15)

929.10 - GENERAL PROVISIONS.

- (a) It shall be the responsibility of the owner to properly install the water service connection. Inspection shall not, in any way, relieve the owner of maintaining, operating and repairing the connection, nor shall the City of Gahanna or its agents or employees be liable for any damage arising from the installation or use of the water service connection.
- (b) The owner shall maintain in good condition, at owner's expense, the water service connection and all appurtenances from the curb stop to the meter, the meter, and the transmitter, and shall permit inspection and testing of the same at any reasonable time by a duly authorized representative of the Division of Water. In the event such service pipe is determined to be defective and leaking, service may be discontinued immediately until repair or replacement of such pipe is made.
- (c) Within five calendar days after inspection by the agent of the City of Gahanna, the stone, brick, earth, concrete, asphalt or other material which may have been excavated or disturbed, shall be replaced by the water installer as nearly as possible to the same condition in which it was found. All rubbish and excess material shall be immediately removed, and the restored area shall be maintained by the water installer until all possible trench settlement has taken place.

- (d) The water installer shall use care not to damage or break any other pipe, drain tile or conduit encountered during construction. In case any such pipes, conduit or tiles are damaged, they shall be restored or replaced in as good condition as originally found, at the expense of the water installer.
- (e) The owner and the water installer shall at all times have the sole responsibility of protecting each opening or excavation made by the installer in the public streets, roads or alleys, with sufficient barriers and caution lights to effectually guard the public from accidents and damages.
- (f) Plumbing for all buildings having water service connections to the water system shall be installed strictly in accordance with the City of Gahanna and State Building and Plumbing Codes.

(Ord. 0159-2014. Passed 11-17-14; [Ord. No. 0083, § 1\(Exh. A\), 11-20-17.](#))

929.11 - PROHIBITIONS.

- (a) Except as otherwise provided herein, no person, group of persons, firm or corporation shall connect or cause to be connected to the water system any pipe, hose, conduit or fixture for the purpose of using water from the system without the use of a properly installed and approved meter. All water so used for any purpose whatsoever shall be billed at the rate hereinafter established. Failure to comply with this regulation in all respects shall subject the violator to loss of water service and other penalties prescribed herein.
- (b) No cross connections shall be installed or maintained between the water system and any private water supply. Any premises using both the water system and a private water supply shall be subject to periodic inspection to ascertain whether or not such cross connections are being or have been maintained.
- (c) No person, other than the ~~Director of Public Service~~[Director of Public Service and Engineering](#) or the Director's authorized agent, shall operate, manipulate or tamper with any fixture of the water system.
- (d) No persons shall install a private water supply system for domestic use within the City of Gahanna, except where the City of Gahanna water system is not available. All existing buildings, other than residential, accessible to the water system, upon recommendation of the ~~Director of Public Service~~[Director of Public Service and Engineering](#), shall be required to connect to the City of Gahanna water system, and have the private water supply disconnected from the City of Gahanna water system in such building. All existing residential buildings shall be exempted from the requirements of this section for so long as the existing private water supply is safe and potable and in sufficient quantity to meet the reasonable needs of the residents without supplementation.

(Ord. 0159-2014. Passed 11-17-14.)

929.12 - WATER RATES (IN USD).

- (a) The following rates (in USD) shall apply to water service within the City of Gahanna:

Effective Date	Base Rate Per Thousand Gallons	Plus Capital Improvement Per Thousand Gallons	Billing Rate Per Thousand Gallons
JANUARY 1, 2017 <u>2018</u>	\$ 7.01 <u>36</u>	\$ 0.38 <u>27</u>	\$ 7.39 <u>63</u>
JANUARY 1, 2018	\$ 7.36 <u>85</u>	\$ 0.27 <u>31</u>	\$ 7.63 <u>8.16</u>

<u>2019</u>			
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- (1) The "billing rate per thousand gallons" in the above table shall be applied to the first nine million gallons of water purchased per user per quarter. Quantities beyond nine million gallons purchased per user per quarter shall be charged an amount equal to the supply cost.
- (2) Minimum base rate domestic water charges per quarter (in USD).

Meter Diameter (inches)	Minimum Gallons Billed	2017-2018 January 1	2018-2019 January 1
Less than 3	3,000	\$ 22.89 \$ 22.17	\$ 22.89 <u>4.48</u>
3	18,000	\$ 137.34 \$ 133.02	\$ 137.34 <u>146.88</u>
4	24,000	\$ 183.12 \$ 177.36	\$ 183.12 <u>195.84</u>
6	36,000	\$ 274.68 \$ 266.04	\$ 274.68 <u>293.76</u>
8	48,000	\$ 366.24 \$ 354.72	\$ 366.24 <u>391.68</u>
10	60,000	\$ 457.80 \$ 443.40	\$ 457.80 <u>489.60</u>

- (b) The City of Gahanna adopts the Columbus Low Income Discount Program and the ~~Director of Public Service~~ Director of Public Service and Engineering is authorized to create regulations for administering said program. So long as the City of Columbus offers the Low Income Discount Program, or similar programs, to master meter communities, the City of Gahanna may offer the program to its qualified users.
- (c) The Water Fund shall be used for the payment of bonds and notes issued for the purpose of financing water system capital improvements, and no moneys therein shall be used for any other purpose until and unless the Finance Director of the City of Gahanna certifies that there are sufficient moneys within the fund to make all payments necessary to pay the bonds and notes. In the event the Finance Director so certifies, then the excess funds may be used for capital improvements and maintenance of the water system.
- (d) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the ~~Director of Public Service~~ Director of Public Service and Engineering. The quarter bill, including all penalties, shall be due and payable 30 days from the date of mailing. A ten percent penalty shall be assessed to all accounts paying after the due date. A delinquent notice granting an additional 14 days before discontinuance of service shall be mailed to those accounts not paid in the 30 day period. The ~~Director of Public Service~~ Director of Public Service and Engineering or the Director's designee has the authority under this chapter to waive the above ten percent penalty after review of the facts presented.

- (e) Final bills shall be due and payable within 14 days from the date of mailing.
- (f) Bills shall be sent on a time schedule to be determined by the ~~Director of Public Service~~Director of Public Service and Engineering, but no less frequently than a quarterly basis to the address given by the owner, who shall be responsible for promptly notifying the Division of Water of any change of address, and no consideration shall be given for failure to so do.
- (g) The ~~Director of Public Service~~Director of Public Service and Engineering shall review these water rates annually and shall submit a written report to Council, recommending either that this rate schedule be maintained or modified.

(Ord. 0159-2014. Passed 11-17-14; Ord. No. [0125-2015](#), § 1(Exh. A), 12-7-15; Ord. No. [0116-2016](#), Exh. A, 11-21-16; [Ord. No. 0083, § 1\(Exh. A\), 11-20-17](#))

929.13 - UNPAID BILLS.

- (a) Each water charge rendered under or pursuant to this chapter is hereby made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the water system of the City of Gahanna. If the same is not paid within 60 days after said water charge becomes due and payable, in addition to any other remedies available to the City of Gahanna, said water charge may be certified to the auditor of the county in which the property is located, who shall place the certified amount on the real property tax list and duplicate of the property served by the connection. This amount shall include the interest and penalties allowed by law and shall be collected as other taxes are collected.
- (b) It shall be the responsibility of the buyer and seller, when property is sold or transferred, to assure that a final reading of water consumption is made and provisions agreed to for payment; otherwise, the responsibility for payment for any water charges whatsoever shall reside with the current owner of such property.

(Ord. 0159-2014. Passed 11-17-14; [Ord. No. 0083, § 1\(Exh. A\), 11-20-17](#))

929.14 - SYSTEM CAPACITY CHARGE.

- (a) The following rates shall be charged for each water service connection made to any property and shall be paid at the time a permit is issued for the water service connection. No person shall make a water service connection or any part thereof, unless they have been issued a permit by the ~~Director of Public Service~~Director of Public Service and Engineering. In the event a tap is subsequently enlarged, the difference between the charges for the two sizes shall be paid at current system capacity charges.

In the event that an existing tap is reduced or eliminated, a credit for the reduced size and/or eliminated tap will be applied to offset current capacity charges. Credits will be determined by using current system capacity charges. Should the sum total of the credits exceed the system capacity charge for the new tap(s), the system capacity charge shall be zero. In no instance shall a refund be paid due to the reduction in size of an existing tap or the elimination of an existing tap.

Tap Diameter (Inches)	System Capacity Charge (in USD) Effective Date (January 1, 2006)
3/4	\$ 1,593
1	\$ 3,312

1-1/2	\$ 8,568
2	\$ 14,699
3	\$ 30,624
4	\$ 47,775
6	\$ 108,529
8	\$ 191,100

- (b) For all taps used to supply fire protection only, the rate shall be one-half the rate specified in this section.
- (c) System Capacity Charge shall be calculated based on the actual size of the tap in nominal diameter.
- (d) The ~~Director of Public Service~~Director of Public Service and Engineering shall review these system capacity rates annually and submit a written report to Council, recommending either that this rate schedule be maintained or modified.

(Ord. 0159-2014. Passed 11-17-14; Ord. No. [0125-2015](#), § 1(Exh. A), 12-7-15)

929.15 - PRIVATE FIRE PROTECTION SERVICE.

- (a) For all fire protection service installations made after the effective date of Ordinance 70-73, requiring a separate fire service line, the consumer shall install at their expense, subject to the inspection and approval of the City of Gahanna, all of the piping system necessary to extend from the consumer's system and connect to the City of Gahanna's existing water main.
- (b) All separate fire service lines shall have installed, before service is established, an approved meter installation. Such meter and the installation shall meet the specifications and approval of the City of Gahanna and the entire installation shall be at the expense of the consumer. The applicable rates as prescribed in Section 929.12(a) shall be paid for metered fire service lines.
- (c) The City of Gahanna reserves the right to order the installation of a meter on an existing fire protection line upon violation of applicable ordinances and the rules and regulations of the ~~Director of Public Service~~Director of Public Service and Engineering.
- (d) No charge except the minimum charge will be made for any measured water flow resulting from the use of water for firefighting purposes when such fire has been reported to the fire department serving the area involved.
- (e) Where an unmetered tap for a fire service line exists, the following charge shall be paid per quarter as prescribed below:

Fire Tap Diameter	Minimum	2018 Charge (In USD) Per Quarter 2017	2018-2019 Charge (In
Formatted Table			

(Inches)	Gallons Billed	Charge (In USD) Per Quarter	USD) Per Quarter
4 or less	24,000	\$ 183.12 \$177.36	\$ 195.84 \$ 183.12
6	36,000	\$ 274.68 \$266.04	\$ 293.76 \$ 274.68
8	48,000	\$ 366.24 \$354.72	\$ 391.68 \$ 366.24
10	60,000	\$ 457.80 \$443.40	\$ 489.60 \$ 457.80

- (f) When a property is served with both an unmetered fire protection service and water service, the amount to be paid for the combined service shall be the charge computed by using the applicable water rate established in Section 929.12 in addition to the table above.
- (g) When a property is served by more than one fire protection service and such service provides water to a common interconnected fire protection system, the services shall be considered a single fire protection service with the rates or charges to be based on the largest tap.
- (h) All outlets, except sprinkler heads, on unmetered fire protection service shall be sealed under the supervision of the Division of Water. No person shall break a seal, or withdraw water from any unmetered fire protection system, except in the case of fire, without prior approval of the ~~Director of Public Service~~ Director of Public Service and Engineering.
- (i) The ~~Director of Public Service~~ Director of Public Service and Engineering shall review these water rates annually and submit a written report to Council, recommending either that this rate schedule be maintained or modified.

(Ord. 0159-2014. Passed 11-17-14; Ord. No. 0125-2015, § 1(Exh. A), 12-7-15; Ord. No. 0116-2016, Exh. A, 11-21-16; Ord. No. 0083, § 1(Exh. A), 11-20-17)

929.16 - SEPARABILITY OF PROVISIONS.

Each section and each part of each section of this chapter is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

It is hereby declared to be the legislative intent that these sections or parts of sections would have been adopted independently of such sections or parts of a section so held to be invalid.

(Ord. 0147-2013. Passed 12-2-13.)

929.17 - SPECIAL CHARGES (IN USD).

The following charges may be imposed ~~for the specified special services furnished~~ by the City of Gahanna:

Trip to place door hanger notifying of turn off if account not paid:	\$ 12.00
Trip to turn off service for nonpayment of account during regular work hours:	\$ 36.00
Trip to turn on service after turn-off for nonpayment during regular work hours:	\$ 36.00
Trip to turn on or off service at curb box at request of customer during regular work hours:	\$ 36.00
Trip to turn on or off service at curb box at request of customer after regular working hours:	\$ 125.00
Trip to service any meter and/or transmitter that measures the amount of water not discharging into the sanitary sewer system:	\$ 50.00
Trip to service or replace meter and/or transmitter missing or damaged by negligence, vandalism, freezing, etc. :	\$ 50.00 plus actual cost to repair or replace
Penalty for Trip to turn off service as a result of fraud or illegal diversion of water, unauthorized turn on of water, meter tampering, bypass of meter, or other violation of the rules and regulations of the Director of Public Service <u>Director of Public Service and Engineering</u> :	\$500.00 <u>for each offense</u>
Permit to use water from fire hydrant meter:	\$50.00 per month plus water used, charged at regular rate plus 15%
Project Water Use Agreement	Fee based upon size of line and time flushed, charged at regular rate plus 15%
Testing of meter at the request of customer:	
(1) hg Where meter tests Outside the American Water Works Association (AWWA) Standard:	\$ 0.00
(2) hg Where meter tests within the American Water Works Association (AWWA) Standard:	

(a) hg Where a meter is less than 1-1/2 inches in diameter:	\$80.00 plus actual cost to test and repair or replace
(b) hg Where meter is 1-1/2 inches or larger in diameter, the consumer shall be responsible to have the meter removed, transported to and from a City approved meter shop, and reinstalled, under the inspection and approval of the Division of Water:	\$ 80.00 plus actual cost to test and repair or replace

The ~~Director of Public Service~~Director of Public Service and Engineering shall review these water rates annually and submit a written report to Council, recommending either that this rate schedule be maintained or modified.

(Ord. 0159-2014. Passed 11-17-14; [Ord. No. 0125-2015, § 1\(Exh. A\), 12-7-15](#); [Ord. No. 0083, § 1\(Exh. A\), 11-20-17](#))

929.18 - CHARGE FOR RENEWAL OF SERVICE.

In all cases where the ~~Director of Public Service~~Director of Public Service and Engineering has ordered a discontinuance of water service for a violation of any rule or regulation there shall be charged the fees prescribed in Section 929.17 for renewal of the water service.

(Ord. 0147-2013. Passed 12-2-13.)

929.19 - PARTIAL PAYMENT.

Partial payments may be accepted. In accepting such partial payments, the amount owing shall be considered delinquent and the moneys paid shall be applied in the following order:

- (a) Refuse;
- (b) Penalty/miscellaneous;
- (c) Stormwater management;
- (d) Sewer improvement;
- (e) Water improvement;
- (f) Columbus consent order;
- (g) Sewer; and
- (h) Water.

(Ord. 0147-2013. Passed 12-2-13.)

929.99 - VIOLATIONS.

Any person violating any provision of this chapter shall be charged with a minor misdemeanor on the first offense and for each subsequent offense shall be charged with a misdemeanor of the fourth degree.

(Ord. 0147-2013. Passed 12-2-13.)

CHAPTER 933 - Backflow Prevention

Sections:

933.01 - BACKFLOW PREVENTION—GENERAL POLICY.

- (a) *Purpose.* The purpose of these Rules and Regulations is:
- (1) To protect the public potable water supply from contamination or pollution by isolating within the consumer's water system contaminants or pollutants which could backflow through the service connection into the public potable water system.
 - (2) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and nonpotable water systems, plumbing fixtures and sources or systems containing process fluids.
 - (3) To provide for the maintenance of continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the public and consumer's potable water systems.
- (b) *Application.* These Rules and Regulations shall apply to all premises served by the public potable water system of the City of Gahanna.
- (c) *Policy.* The Water Resources Engineer shall be responsible for the protection of the public potable water system from contamination due to backflow of contaminants through the water service connection. If, in the judgement of the Water Resources Engineer, an approved backflow prevention device is necessary at the water service connection to any consumer's premises for the safety of the water system, the Water Resources Engineer or the Water Resources Engineer's authorized representative shall give notice to the consumer to install such approved backflow prevention device at each service connection at the consumer's premises. The consumer shall immediately install such approved device or devices at the consumer's own expense, and failure, refusal or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

(Ord. 0152-2000. Passed 7-17-00; Ord. No. [0032-2016](#). § 1(Exh. A), 4-18-16)

933.02 - DEFINITIONS.

- (a) The following definitions shall apply in the operation and enforcement of these rules and regulations.
- (1) *Air Gap Separation.* The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.
 - (2) *Approved.* That a backflow prevention device or method has been accepted by the supplier of water and the Director as suitable for the proposed use.
 - (3) *Auxiliary Water Supply.* Any water system on or available to the premises other than the public water system and includes the water supplied by the system. The auxiliary waters may include water from another source such as wells, lakes, or streams; or process fluids, or used water. They may be polluted or contaminated or objectionable or constitute a water source or system over which the supplier of water does not have control.

- (4) *Backflow*. The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.
- (5) *Backflow Prevention Device*. Any device, method, or type of construction intended to prevent backflow into a potable water system.
- (6) *Consumer*. The owner or person in control of any premises supplied by or in any manner connected to a public water system.
- (7) *Consumer's Water System*. Any water system, located on the consumer's premises, supplied by or in any manner connected to a public water system. A household plumbing system is considered to be a consumer's water system.
- (8) *Contamination*. An impairment of the quality of the water by sewage or process fluid or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.
- (9) *Cross-connection*. Any arrangement whereby backflow can occur.
- (10) *Degree of Hazard*. The potential risk to health and the adverse effect upon the potable water system derived from an evaluation of that potential.
- (11) *Director*. The Director of the Environmental Protection Agency or the Director of the Environmental Protection Agency's duly authorized representative.
- (12) *Double Check Valve Assembly*. An assembly composed of two single, independently acting check valves including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.
- (13) *Health Hazard*. Any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of users. The word "severe" as used to qualify "health hazard" means a hazard to the health of the user that could reasonably be expected to result in significant morbidity or death.
- (14) *Interchangeable Connection*. An arrangement or device that will allow alternate but not simultaneous use of two sources of water.
- (15) *Non-potable Water*. Water not safe for drinking, personal, or culinary use.
- (16) *Person*. The State, any political subdivision, public or private corporation, individual, partnership, or other legal entity.
- (17) *Pollution*. The presence in water of any foreign substance that tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
- (18) *Potable Water*. Water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Environmental Protection Agency.
- (19) *Process Fluids*. Any fluid or solution which may be chemically, and biologically, or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a potable consumer's water system. This includes, but is not limited to:
 - A. Polluted or contaminated water;
 - B. Process waters;
 - C. Used waters originating from the public water system which may have deteriorated in sanitary quality;
 - D. Cooling water;

- E. Contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
 - F. Chemicals in solution or suspension;
 - G. Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.
- (20) *Public Water System*. That which is ascribed to such term in rule 3745-81-01 of the Administrative Code.
- (21) *Reduced Pressure Principle Backflow Prevention Device*. A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.
- (22) *Service Connection*. The terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.
- (23) *Supplier of Water*. The owner or operator of a public water system.
- (24) *System Hazard*. A condition posing an actual or potential threat of damage to the physical properties of the public water system or potable consumer's water system.
- (25) *Pollutional Hazard*. A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water system or a potable consumer's water system.
- (26) *Used Water*. Any water supplied by a supplier of water from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the supplier.

(Ord. 0152-2000. Passed 7-17-00; Ord. No. [0032-2016](#). § 1(Exh. A), 4-18-16)

933.03 - WATER SYSTEM.

- (a) The water system shall be considered as made up of two parts: the public potable water system and the consumer's water system.
- (b) The public potable water system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Water Resources Engineer up to the point where the consumer's water system begins.
- (c) The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the public distribution system.
- (d) The public distribution system shall include the network of conduits used for delivery of water from the source to the consumer's water system.
- (e) The consumer's water system shall include those parts of the facilities beyond the service connection which are utilized in conveying water from the public distribution system to points of use.

(Ord. 0152-2000. Passed 7-17-00.)

933.04 - CROSS-CONNECTIONS PROHIBITED.

- (a) No water service connection shall be installed or maintained on any premises where actual or potential cross-connections to the public potable or consumer's water systems may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the Water Resources Engineer.
- (b) No connection shall be installed or maintained whereby water from an auxiliary water system may enter a public potable or consumer's water system unless such auxiliary water system and the method of connection and use of such system shall have been approved by the Water Resources Engineer and by the Director of the Ohio Environmental Protection Agency as required by Section 6109.13 of the Ohio Revised Code.

(Ord. 0152-2000. Passed 7-17-00.)

933.05 - SURVEY AND INVESTIGATIONS.

- (a) The consumer's premises shall be open at all reasonable times to the Water Resources Engineer, or the Water Resources Engineer's authorized representative, for conducting of surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- (b) On request by the Water Resources Engineer, or the Water Resources Engineer's authorized representative, the consumer shall furnish information on water use practices within the consumer's premises.
- (c) It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on the consumer's premises to determine whether there are actual or potential cross-connections in the consumer's water system through which contaminants or pollutants could backflow into the consumer's or the public potable water system.

(Ord. 0152-2000. Passed 7-17-00; Ord. No. [0032-2016](#), § 1(Exh. A), 4-18-16)

933.06 - WHERE PROTECTION IS REQUIRED.

- (a) An approved backflow prevention device shall be installed on each service line to a consumer's water system, where in the judgement of the Water Resources Engineer and the source is approved by the Director of the Ohio Environmental Protection Agency;
- (b) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:
 - (1) Premises having an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Water Resources Engineer and the source is approved by the Director of the Ohio Environmental Protection Agency;
 - (2) Premises on which any substance is handled in such fashion as to create an actual or potential hazard to the public potable water system. This shall include premises having sources or systems containing process fluids or waters originating from the public potable water system which are no longer under the sanitary control of the Water Resources Engineer;
 - (3) Premises having internal cross-connections that, in the judgement of the Water Resources Engineer, are not correctable, or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist;
 - (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey;
 - (5) Premises having a repeated history of cross-connections being established or reestablished;

- (6) Others specified by the Director of the Ohio Environmental Protection Agency.
- (c) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Director of the Ohio Environmental Protection Agency determines that no actual or potential hazard to public potable water systems exists:
 - (1) Hospitals, mortuaries, clinics, nursing homes;
 - (2) Laboratories;
 - (3) Piers, docks, waterfront facilities;
 - (4) Sewage treatment plants, sewage pumping stations or stormwater pumping stations;
 - (5) Food or beverage processing plants;
 - (6) Chemical plants;
 - (7) Metal plating industries;
 - (8) Petroleum processing or storage plants;
 - (9) Radioactive material processing plants or nuclear reactors;
 - (10) Carwashes;
 - (11) Others specified by the Water Resources Engineer or the Director of the Ohio Environmental Protection Agency.
- (d) An approved backflow prevention device shall be installed at any point of connection between the public potable or consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Water Resources Engineer and the source is approved by the Director of the Ohio Environmental Protection Agency.

(Ord. 0152-2000. Passed 7-17-00.)

933.07 - TYPE OF PROTECTION REQUIRED.

- (a) The type of protection required under Section 933.06(a) to (c) of these regulations shall depend on the degree of hazard which exists as follows:
 - (1) An approved air gap separation shall be installed where the public water system may be contaminated with substances that could cause a severe health hazard;
 - (2) An approved air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public water system may be contaminated with any substance that could cause a system or health hazard;
 - (3) An approved air gap separation or an approved reduced pressure principle backflow prevention device or an approved double check valve assembly shall be installed where the public water system may be polluted with substances that could cause a pollution hazard not dangerous to health.
- (b) The type of protection required under Section 933.06(d) of these regulations shall be an approved air gap separation or an approved interchangeable connection.
- (c) Where an auxiliary water system is used as a secondary source or water for a fire protection system, the provisions of Section 933.07(b) for an approved air gap separation or an approved interchangeable connection may not be required, provided:
 - (1) At premises where the auxiliary water system may be contaminated by substances that could cause a system or health hazard, the public or consumer's potable water system shall be

protected against backflow by installation of an approved reduced pressure principle backflow prevention device;

- (2) At all other premises, the public or consumer's potable water system shall be protected against backflow by installation of either an approved reduced pressure principle backflow prevention device or a double check valve assembly;
- (3) The public or consumer's potable water system shall be the primary source of water for the fire protection system;
- (4) The fire protection system shall be normally filled with water from the public or consumer's potable water system;
- (5) The water in the fire protection system shall be used for fire protection only, with no regular use of water from the fire protection system downstream from the approved backflow prevention device;
- (6) The water in the fire protection system shall contain no additives.

(Ord. 0152-2000. Passed 7-17-00; [Ord. No. 0084, § 1\(Exh. A\), 11-20-17](#).)

933.08 - BACKFLOW PREVENTION DEVICES.

- (a) Any backflow prevention device required by these rules and regulations shall be of a model or construction approved by the Water Resources Engineer and the Director of the Ohio Environmental Protection Agency and shall comply with the following:
 - (1) An air gap separation, to be approved, shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.
 - (2) A double check valve assembly or a reduced pressure principle backflow prevention device shall be approved by the Water Resources Engineer, and shall appear on the current list of approved backflow prevention devices of the Ohio Environmental Protection Agency.
 - (3) An interchangeable connection, to be approved, shall be either a swing type connector or a four-way valve of the lubricated plug type that operates through a mechanism which unseats the plug, turns it 90 degrees and reseats the plug. Four-way valves shall not be used as stop valves but must separate stop valves on each pipe connected to the valve. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.
- (b) Existing backflow prevention devices approved by the Water Resources Engineer or the Director of the Ohio Environmental Protection Agency at the time of installation and properly maintained shall, except for inspection, testing and maintenance requirements, be excluded from the requirement of Section 933.08(a) of this regulation providing the Water Resources Engineer is assured that they will satisfactorily protect the public potable water system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Water Resources Engineer finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of these regulations.

(Ord. 0152-2000. Passed 7-17-00.)

933.09 - INSTALLATION.

- (a) Backflow prevention devices required by these rules and regulations shall be installed at a location and in manner approved by the Water Resources Engineer and at the expense of the water consumer. In addition, any backflow prevention device required by Section 933.07(b) and (c) of

these regulations shall be installed at a location and in manner approved by the Director of the Ohio Environmental Protection Agency as required by Section 6109.13 of the Ohio Revised Code.

- (b) Backflow prevention devices shall be installed on the service line to a consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- (c) Pits or vaults shall be of water-tight construction, be so located and constructed as to prevent flooding and shall be maintained free from standing water by means of either a sump pump or a suitable drain. Such sump pump or drain shall not connect to a sanitary sewer nor permit flooding of the pit or vault by reverse flow from its point of discharge. An access ladder and adequate natural or artificial lighting shall be provided to permit maintenance, inspection and testing of the backflow prevention device.
- (d) Reduced pressure principle backflow prevention devices must be installed above ground level or floor level, whichever is higher.

(Ord. 0152-2000. Passed 7-17-00.)

933.10 - INSPECTION AND MAINTENANCE.

- (a) It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspections, tests, and overhauls made in accordance with the following schedule, or more often where inspections indicate a need:
 - (1) Air gap separations shall be inspected at the time of installation and at least every 12 months thereafter.
 - (2) Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every 12 months thereafter; They should be dismantled, inspected internally, cleaned and repaired whenever needed and at least every 30 months.
 - (3) Reduced Pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every 12 months thereafter.
They should be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five years.
 - (4) Interchangeable connections shall be inspected at the time of installation and at least every 12 months thereafter.
- (b) Inspections, tests, and overhauls of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by the Water Resources Engineer, or the Water Resources Engineer's authorized representative, as qualified to inspect, test and overhaul backflow prevention devices.
- (c) Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired, overhauled or replaced at the expense of the consumer without delay.
- (d) The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections, repairs and overhauls. Records of inspections, tests, repairs and overhaul shall be submitted to the Water Resources Engineer.
- (e) Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization of the Water Resources Engineer.

(Ord. 0152-2000. Passed 7-17-00; Ord. No. [0032-2016](#), § 1(Exh. A), 4-18-16)

933.11 - VIOLATIONS.

(a) The Water Resources Engineer shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested and maintained in a manner acceptable to the Water Resources Engineer, or if it is found that the backflow prevention device has been removed or by-passed, or if an unprotected cross-connection exists on the premises.

(b) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Water Resources Engineer.

(Ord. 0152-2000. Passed 7-17-00.)

CHAPTER 935 - Public Water System¹⁵¹

Sections:

Footnotes:

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Cross reference— Compulsory water connections - see Ohio R.C. 729.06, 743.23; Management and control of water works - see Ohio R.C. 743.02 et seq.; Weekly deposit of water works money collected - see Ohio R.C. 743.06; Unauthorized connections - see Ohio R.C. 4933.22

935.01 - BACKFLOW PREVENTION DEVICE.

If the Water Resources Engineer determines an approved backflow prevention device is necessary for the safety of the public water system, the Water Resources Engineer shall give notice to the water consumer to install such an approved device. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Water Resources Engineer and shall have inspections and tests made of such approved devices as required by the Water Resources Engineer.

(Ord. 0151-2000. Passed 7-17-00.)

935.02 - SURVEYS AND INVESTIGATIONS.

It shall be the duty of the Water Resources Engineer to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Water Resources Engineer shall deem necessary.

(Ord. 0151-2000. Passed 7-17-00.)

935.03 - INSPECTION OF PIPING SYSTEM.

The Water Resources Engineer or his or its duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of Gahanna for the purpose of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Water Resources Engineer any information which he may request regarding the piping system or systems of water use on such property. The refusal of such information, when demanded, shall, with the discretion of the Water

Resources Engineer, be deemed evidence of the presence of improper connections as provided in this chapter.

(Ord. 0151-2000. Passed 7-17-00.)

935.04 - SERVICE DISCONTINUED.

The Water Resources Engineer shall provide recommendations to the ~~Director of Public Service~~Director of Public Service and Engineering to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this chapter is known to exist, and to take such precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with provisions of this chapter.

(Ord. 0151-2000. Passed 7-17-00; Ord. No. [0032-2016](#), § 1(Exh. A), 4-18-16)

935.05 - RULES AND REGULATIONS.

The Water Resources Engineer has established rules and regulations in Chapter 933 to govern the application of the backflow prevention program.

(Ord. 0151-2000. Passed 7-17-00.)

935.99 - PENALTY.

No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of Gahanna may enter the supply or distributing system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Water Resources Engineer of Gahanna and by the Ohio Environmental Protection Agency.

Any person, or any officer of any firm or corporation who violates any provision of this chapter shall be fined not more than \$50.00 per day, per violation.

(Ord. 0151-2000. Passed 7-17-00.)