

**925.04 BUILDING SEWERS AND CONNECTIONS; LICENSES AND FEES.**

(a) Connection Permit Required. No person, firm, corporation, public agency, partnership or association whatsoever shall connect, or cause to be connected, either directly or indirectly, any building or other structure with the sewerage system for the purpose of discharging sanitary sewage or industrial waste therefrom without first securing from the City Manager a permit for such purpose in a form prescribed by the City Manager and, prior to the issuance of such permit, having paid the charge provided for in subsection (b) hereof, and any applicable additional charges determined in accordance with any other provisions of this section.

(b) Calculation of Permit Fee. The City Manager shall not issue a permit for the purpose described in subsection (a) hereof, until the applicant therefore has paid a charge of fifty dollars (\$50.00) and any additional charges required by this section. This fifty dollar (\$50.00) charge is based upon the Engineering News Record 20 Cities Average Construction Cost Index of 2276 and is to be adjusted to that index as of the date which is nearest the date of application for the tap-in. Adjustment is determined by multiplying fifty dollars (\$50.00) by the Engineering News Record 20 Cities Average Construction Cost Index as of the date nearest the date of the application for the tap-in permit and dividing the resulting product by 2276. This charge shall reimburse the City for reasonable cost of inspection and other cost related to the making of connections to the sewerage system.

(c) Charge In Lieu of Original Special Assessment Charge: Distribution of Charge. When a property owner of a lot or parcel of land within the corporate boundaries of the City makes a connection directly into a Sanitary Sewer Extension within 10 years of the completion of construction of such Sanitary Sewer Extension and in connection with the construction of which Property Owners' Extension Costs, as defined in Section 925.08(d)(1)(d), had been specially assessed in accordance with Section 925.04 hereof, but no portion of such Property Owners' Extension Costs had been specially assessed against such lot or parcel of land to be connected, the City Manager shall not issue a permit for the purpose described in subsection (a) hereof until the applicant has paid, in addition to the charges specified in subsection (d) of this Section 925.04, a charge calculated in accordance with Section 925.08(d) hereof equal to the full amount that would have been charged as a special assessment in accordance with Section 925.08(d) hereof had such an assessment so calculated been, or been able to be, assessed as a part of the original assessment proceedings against such lot or parcel of land. Upon payment to the City of such charge by the property owner responsible for such a payment with respect to such lot or parcel of land, the City shall refund the amount of such charge pro rata to all current property owners of lots or parcels of land with respect to which there had been previously paid either (i) a special assessment for their respective portion of the Property Owners' Extension Costs in connection with the construction of such Sanitary Sewer Extension or (ii) prior to the payment of such charge, a charge pursuant to this subdivision (c), each such pro rata amount to be based upon the Front Footage, as defined in Section 925.08(e)(2) hereof, of each such lot or parcel of land as a percentage of the aggregate Front Footage of all lots or parcels of land with respect to which there had been previously paid either (i) a special assessment for their respective portion of the Property Owners' Extension Costs in connection with the construction of such Sanitary Sewer Extension or (ii) prior to the payment of such charge, a charge pursuant to this subdivision (c).

(d) Additional Charge for Connections Outside the City: Distribution of Charge. In connection with the construction of a Sanitary Sewer Extension, as defined in Section 925.06(a)(5), outside of the corporate boundaries of the City, the owner or owners of the lots or parcels of land requesting such a Sanitary Sewer Extension shall pay one hundred percent (100%) of the Construction Costs as defined in Section 925.08(e)(1)(a). In order for such Sanitary Sewer Extension to be connected to the sewerage system of the City, as defined in Section 925.01 hereof, and to qualify for the benefits of this subdivision (f), such Sanitary Sewer Extension shall conform to all

applicable requirements of Chapter 925 of the Codified Ordinances of the City, and title to such Sanitary Sewer Extension shall be transferred to the City upon completion and prior to placing such Sanitary Sewer Extension in service. At the time such Sanitary Sewer Extension is placed in service, the City shall create and maintain a list of all lots or parcels of land not connected to such Sanitary Sewer Extension at such time, together with the Front Footage, as defined in Section 925.08(e)(2) hereof, of such lots or parcels of land. When, within 10 years of the completion of the construction of such a Sanitary Sewer Extension, a lot or parcel of land outside of the corporate boundaries of the City is to be connected to such Sanitary Sewer Extension that was fully paid for by a property owner or owners of a lot or parcel of land other than the lot or parcel of land presently in the process of being connected, the City Manager shall not issue a permit for the purpose described in subsection (a) hereof until the applicant has paid two hundred percent (200%) of the permit fee specified in subsection (d) of this Section 925.04 and a charge in an amount equal to the amount of what- would have been the special assessment calculated in accordance with Section 925.08(e)(2) hereof and applicable to the lot or parcel of land had such lot or parcel of land been subject to such a special assessment at the time of the construction of the Sanitary Sewer Extension, except that for the purpose of determining the Property Owners' Extension Costs, as defined in Section 925.04 hereof, to be applicable under 925.08(e)(4), Property Owners' Extension Costs shall refer to the Property Owners' Extension Costs under clause (d) of the definition thereof. Upon payment to the City of such charge by the property owner responsible for such a payment with respect to such lot or parcel of land, the City shall refund the amount of such charge pro rata to all current property owners of lots or parcels of land with respect to which there had been previously paid either a portion or all of the cost of construction of such Sanitary Sewer Extension at the time of its construction or prior to payment of such charge, a charge pursuant to this subdivision (d), each such pro rata amount to be based upon the Front Footage of each such lot or parcel of land as a percentage of the aggregate Front Footage of all lots or parcels of land with respect to which there had been previously paid either a portion or all of the cost of construction of such Sanitary Sewer Extension at the time of its construction or prior to payment of such charge, a charge pursuant to this subdivision (d).

(e) Additional Charges. The permits and charges provided for in this section shall not be deemed to preclude the subsequent levy of assessments against benefitted properties to provide funds for the construction of public sewers required to provide lateral or local sewer service to such properties, or to preclude any permit and charges provided for in other legislation and regulations of the City.

(f) Violators to be Disconnected. In the event the City Manager shall ascertain that any property has been connected directly or indirectly to the sewerage system in violation of the provisions of this section, the City Manager shall disconnect such property or have the same disconnected until such violation shall cease. The City shall be reimbursed by the violator for expenses incurred by the City in making such disconnection or any reconnection.

(g) Disposition of Collected Charges. Subject to the provisions of any indenture authorizing the issuance of revenue bonds under Article XVIII, of the Ohio Constitution, for the purpose of improving the sewerage system, all charges collected pursuant to the provisions of this section shall be deposited in the Sanitary Sewer Revenue Fund.

(h) Owner's Responsibility. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify and save harmless the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(i) Separate Sewer for Each Building. A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an

adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, provided a proper easement for the use and maintenance of such sewer is stated on the application.

(j) Old Sewers. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Manager to meet all requirements of this chapter.

(k) Size and Slope of Pipe. The size and slope of the building sewer shall be subject to the approval of the Manager, but in no event shall the diameter be less than four inches. The slope of such four-inch pipe shall be not less than one-eighth of an inch per foot.

(l) Elevation. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

(m) Lifting Sewage by Artificial Means. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged into the building sewer.

(n) Excavations. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Manager. Pipe laying and backfill shall be performed in accordance with ASTM specification C12-54 except that no backfill shall be placed until the work has been inspected.

(o) Joints and Connections. All joints and connections shall be made gastight and watertight. The maximum leakage allowances for sanitary sewage laterals shall be 200 gallons per inch in diameter per mile of pipe per twenty-four hours. All tests shall be witnessed by the City Manager or his duly authorized representative.

(p) "Y" Branch Connection. The connection of the building sewer into the public sewer shall be made by a "Y" branch, if such branch is available at a suitable location. If no properly located "Y" branch is available, the owner shall at his expense install a tapping "Y" with a flange in the public sewer at the location specified by the Manager. Special fittings may be used for the connection only when approved by the Manager.

(q) Inspection Prior to Connection. The applicant for the building sewer permit shall notify the Manager at least twenty-four hours in advance of the time when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Manager or his representative.

(r) Barricades and Warning Lights. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City Engineer and the City Manager.

(s) Owner's Responsibility. It shall be the duty of the owner of any premises having a building sewer connected with the public sewer to maintain his building sewer the entire distance from the building drain to the point of connection with the public sewer main.

(Ord. 2001-25. Passed 2-20-01.)