

ORDINANCE NO. C-16-72

AN ORDINANCE TO AMEND CHAPTER 51 ENTITLED "SEWER SYSTEM" OF THE 1966 GROVE CITY CODE OR ORDINANCES; TO RESCIND SECTIONS 51.17 to 51.22 INCLUSIVE AND TO ENACT NEW SECTIONS 51.17 to 51.21 INCLUSIVE AND TO DECLARE AN EMERGENCY

WHEREAS, It is necessary to prevent the pollution of streams and watercourses, and

WHEREAS, an emergency exists in the daily operation of the City which affects the safety and welfare of the Citizens of Grove City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Section 51.17 entitled "Permit required"; Section 51.18 entitled "Inspection and Approval of Private System"; Section 51.19 entitled "Standards for Private Systems"; Section 51.20 entitled "Discontinuance when Public System Becomes Available"; Section 51.21 entitled " Private System to be Maintained at the Expense of Owner" is hereby rescinded and the following substituted therefor:

51.17	Purpose	51.19	Faulty operation prohibited
51.17a	Permits Required	51.19a	Improper Discharge prohibited
51.17b	Compliance Required	51.20	Sewer Availability and connection
51.18	Continuous Inspection	51.20a	License Required
51.18a	Notice, Maintenance Orders & Corrective action	51.21	Injunction or abatement
51.18b	Bond required	51.21a	Penalty

51.17 PURPOSE

It is the intent of this Council, for the health, safety and welfare of all of the resident of the City of Grove City, to provide adequate controls for the proper operation of mechanical waste water treatment plans heretofore and hereafter constructed in the City of Grove City.

51.17a Permits required

Any person, firm or corporation seeking a building permit to construct any building, other than single and two-family dwelling house within the City of Grove City, when a mechanical waste water treatment plant is to be constructed to service the waste from said building, and any person, firm or corporation owning or operating an existing building or structure, a building or structure under construction, and any person, firm or corporation

contemplating building a building or structure for which a building permit has been issued as of the date of this ordinance, other than a single or two-family dwelling house within the City of Grove City wherein or whereon or in connection with which a mechanical waste water treatment plant is used to service said building or structure shall:

- (a) Obtain written approval of the plans, specifications and discharge point from the Department of Health of the State of Ohio.
- (b) Place on file with the Division of Engineering of the City of Grove City a copy of the plans, specifications and written approval by the Department of Health of the State of Ohio.
- (c) Submit an executed copy of a contract between the owner of the real property upon which the building and waste water treatment plant is to be constructed and a licensed State of Ohio waste water treatment plant operator, providing for the perpetual maintenance and repair of said plant until its use can be discontinued, and connection is made to the sanitary sewer system of the City of Grove City. The contract shall be binding upon heirs, administrators, executors and assigns of the owner.
- (d) Enter into contract with the City of Grove City providing for bi-monthly inspection of the waste water treatment plant by the Engineer of the City of Grove City, or the Inspector designed for such purpose. The contract shall be in such form as determined by the Solicitor and approved by the Council of the City of Grove City. Inspection fees shall be provided therein in accordance with the fee schedule as set forth.

51.17b COMPLIANCE REQUIRED

No building permit shall be issued to construct any building requiring a waste water treatment plant until the applicant therefor has complied with Section 51.17a of this chapter.

51.18 CONTINUOUS INSPECTION

The application submitted by the person, firm or corporation for a waste water treatment plant permit shall be deemed to be a perpetual license to the City of Grove City, its agents or employees, to enter upon the premises wherein the waste water treatment plant and its appurtenances are located, for the purpose of inspecting the condition and operation of said plant and to perform whatever tests are necessary to ascertain that the plant

is operating in accordance with the standards established by the Department of Health of the State of Ohio, which standards, now established or hereafter established, are hereto referred to and made a part hereof as though fully rewritten herein.

51.18a NOTICE, MAINTENANCE ORDERS AND CORRECTIVE ACTION

Upon inspection, if the inspector finds that the waste water treatment plant is not being properly maintained, or is in need of repair or is not operating in accordance to the standard set forth in Section 51.18 , he shall forthwith serve a notice upon the owner by certified mail, setting forth therein the maintenance to be performed, or the repairs to be made. Copy of said notice shall be sent to the Department of Health of the State of Ohio, and the person, firm or corporation with whom the owner contracted for maintenance and repair of said plant. The owner, within five (5) days of the date of the notice shall cause the specified maintenance or repairs therein prescribed to be performed.

51.18b BOND REQUIRED

No permit to construct any building referred to in Section 51.17a within the City of Grove City shall be issued until the applicant therefor has posted with the Treasurer a cash bond as follows:

1,000 to 5,000 gallons per day	\$1,000.00
5,000 to 20,000 gallons per day	\$1,500.00
20,000 or more gallons per day	\$2,000.00

This bond shall remain on deposit with the City of Grove City until the waste water treatment plant has been discontinued, and the sewer system serviced by said plant has been attached to the sanitary sewer system of the City of Grove City.

The applicant, in posting this bond, authorizes the inspector, in the event that the proper maintenance or repairs are not performed within five (5) days, after notice is served as specified in Section 51.18a to notify the Ohio waste water treatment plant operator to make such maintenance or repairs and to pay the cost thereof out of the cash bond on deposit. Within ten (10) days after such payment the owner shall make an additional cash bond to the amount of such cost.

When the waste water treatment plant is discontinued and connection made to the sanitary sewer system of the City of Grove City, any undistributed cash from the cash bond shall be returned to the owner.

51.19 FAULTY OPERATION PROHIBITED

No person, being the owner of land upon which there is a waste water treatment plant in connection with the use of the property under the provisions of this Chapter, shall maintain or continue the operation of a plant when said plant is not operating in accordance with said standards established by the Department of Health of the State of Ohio and adopted by this Chapter.

51.19a IMPROPER DISCHARGE PROHIBITED

No person, firm or corporation shall discharge, or permit or cause to be discharged, sewage, the overflow, drainage, or contents of a waste water treatment plant onto the surface of the ground, or into any street, road, alley, storm sewer, drainage ditch, watercourse creek, except in manner provided by the Department of Health of the State of Ohio.

51.20 SEWER AVAILABILITY AND CONNECTION

No waste water treatment plant shall be installed and maintained on property accessible to a sanitary sewer. Whenever a sanitary sewer is made available, the treatment plant shall be abandoned, and the sewage shall be discharged directly from the building to the sanitary sewer without passage through the treatment plant. The plant shall thereafter be dismantled in accordance with the regulations prescribed by the Engineer of the City of Grove City.

51.20a LICENSE REQUIRED

No person, firm or corporation, shall operate a waste water treatment plant within the City of Grove City without first having obtained the following:

- (a) A waste water treatment plant operator's license from the State of Ohio.
- (b) An operator's license from the City of Grove City. Such license shall be issued by the Engineer after an application has been completed on such forms as are furnished by said Engineer of the City of Grove City.

Operators, licensed by the State of Ohio, shall place on file with the Division of Engineering of the City of Grove City a certified or photostatic copy of such license.

Any operator who fails to maintain or repair a waste water treatment plant within five (5) days after notice to maintain or repair as required by this Chapter, shall forfeit his operator's license issued by the City of Grove City.

51.21 INJUNCTION OR ABATEMENT

Notwithstanding the penalties provided herein, and without invoking such criminal proceedings, may institute and maintain any remedy provided by law or equity to enjoin or abate such violation or to compel such compliance. The provision herein shall not in any manner infringe upon any owner specially damaged by such violation or to compel compliance to seek redress in a court of law or equity.

51.21a PENALTY

Whoever violates any provision of this Chapter, fails to comply therewith or with any order issued by any public official pursuant to the provisions hereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$300.00 or imprisoned for not more than ninety (90) days, or both such fine and imprisonment. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation or failure to comply is committed, continued, or permitted by such person, firm or corporation and shall be punished therefor as above provided.

SECTION 2. That the Mayor be and is hereby authorized to engage the services of an inspector who shall have the minimum requirements of Class Two Waste Water Treatment Plant Operator's license issued to him by the State of Ohio.

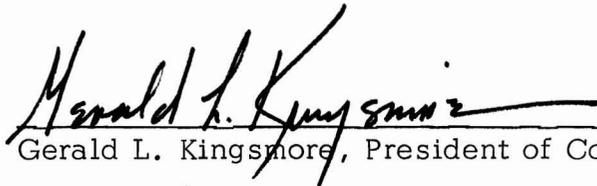
SECTION 3.

(a) Duties: The duties of the inspector shall be under the direct supervision and control of the Engineer of the City of Grove City. He shall make by-monthly inspections of waste water treatment plants constructed within the City of Grove City, except those plants which shall be constructed to service single-family and two-family houses. He shall at the time of his inspections determine that proper maintenance is being performed on such treatment plants, and that such plants are operating within the standards established by the Department of Health of the State of Ohio, which said standards are attached hereto and made a part hereof as though fully rewritten herein. He shall conduct whatever standard chemical tests or analyses are necessary to determine the operating efficiency of such treatment plants, and perform whatever additional duties as may be required by the Engineer of the City of Grove City.

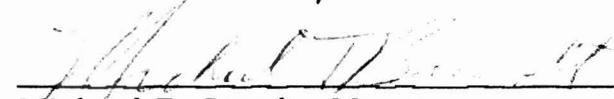
(b) Compensation. The inspector shall be paid the following fee per year each plant that he is directed to inspect by the Engineer of the City of Grove City, Ohio:

1,000 to 5,000 gallons	\$250.00
5,000 to 20,000 gallons	\$300.00
20,000 or more gallons	\$350.00

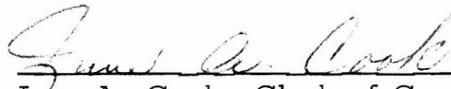
SECTION 4. That for reasons stated in the preamble hereto and made a part hereof, this ordinance is declared an emergency measure and shall take effect and be in force from and after its passage and approval of the Mayor.


Gerald L. Kingsmore, President of Council

Submitted: 3/6/72

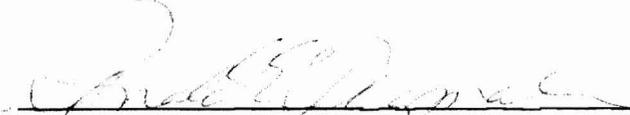

Michael T. Brandt, Mayor

Passed: 3/6/72


June A. Cook, Clerk of Council

Effective: 3/6/72

I Certify that this ordinance is correct as to form:


Ronald E. Plymale, Director of Law