

ORDINANCE NO. C-52-76

AN ORDINANCE TO REPEAL THE PRESENT CHAPTER 941
AND TO ENACT NEW CHAPTER 941 OF THE GROVE CITY
CODE OF ORDINANCES

WHEREAS, it is necessary to establish the procedures to construct temporary treatment plants or connect to existing temporary treatment plants which is or will be owned and operated by the City; and

WHEREAS, it is necessary to up-date the Code of Ordinances with respect to these temporary treatment plants;

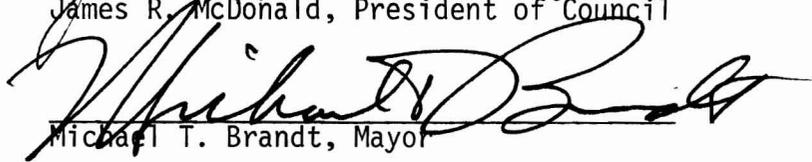
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Chapter 941 of the Grove City Code of Ordinances is hereby repealed and there is hereby enacted the attached Chapter 941. Said chapter being attached as exhibit "A" and made a part hereof.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Submitted: 6/7/76
Passed: 6/21/76
Effective: 7/21/76

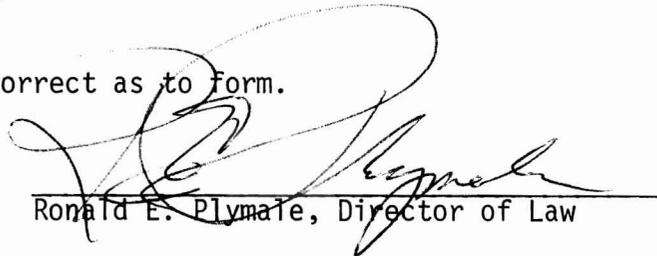

James R. McDonald, President of Council


Michael T. Brandt, Mayor

Attest:


June A. Cook, Clerk of Council

I Certify that this ordinance is correct as to form.


Ronald E. Plymate, Director of Law

CHAPTER 941
CITY-OWNED TEMPORARY TREATMENT PLANT

941.01	Purpose	941.07	Acceptance by the City
941.02	Governing Regulations	941.08	Operational Requirements
941.03	Definitions	941.09	Cost Sharing
941.04	Construction Permitted	941.10	City Ownership
941.05	Procedures to Construct	941.11	Existing Plants
941.06	Financing the Construction	941.99	Penalty

941.01 PURPOSE

To establish the procedures to construct temporary treatment plants or connect to existing temporary treatment plants which is or will be owned and operated by the City.

941.02 GOVERNING REGULATIONS

Where there appears to be, or there is in fact, a conflict between this chapter and CHAPTER 935, DRAINAGE AND SEWERAGE SYSTEM USE, the chapter providing the more stringent requirement, criteria, standard or procedure shall govern.

941.03 DEFINITIONS

The definitions of CHAPTER 935 shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

941.04 CONSTRUCTION PERMITTED

When authorized by the Director, temporary sewage plants may be constructed by a developer or a group of developers to serve a tract or

tracts of ground until such time as the City's permanent sewage system can serve the tract or tracts. Temporary sewage plants shall not be permitted for the purpose of providing pretreatment when required and approved in accordance with CHAPTER 935.

941.05 PROCEDURES TO CONSTRUCT

Upon obtaining the Director's approval the person(s) wishing to construct a temporary treatment plant shall:

- (a) Obtain from the Director the design criteria for the plant.
- (b) Submit detailed plans, specifications and sufficient design information to allow proper evaluation of the plant's capacity to meet the design criteria.
- (c) Obtain approval of the plans and specifications from Grove City, Ohio Environmental Protection Agency and all other governmental agencies having jurisdiction.
- (d) Sign an agreement in such form and such terms as are required by the Director and the Director of Law and post the necessary inspection deposit, bond (if required), and fees.
- (e) Obtain written permission from the Director to begin construction.

941.06 FINANCING THE CONSTRUCTION

(a) In lieu of the connection fees as established in 939.08, the person(s) shall pay all costs incurred in the gaining of approvals, design, construction, inspection and other activities necessary to provide the treatment plant.

(b) Prior to beginning construction the person(s) shall submit a plat or drawing showing those lots or tracts of ground for which the waiver of connection fee is requested because of temporary plant construction. The amount to be waived shall not exceed the connection fee as determined by multiplying the connection fee rate as stipulated in Section 939.08(b) times the rated capacity using the SCHEDULE OF AVERAGE DAILY GALLONAGE of Section 939.08(b). Any additional costs incurred by the person(s) causing the installation of or installing the temporary plant shall not be a cost or an expense to the City.

941.07 ACCEPTANCE BY THE CITY

The City shall accept the plant as a public facility after:

(a) the plant's construction has been completed in accordance with the approved plans and specifications including approved change orders,

(b) easements have been filed giving the City access to the plant and its components as well as sufficient land around the plant and its components to operate, maintain and expand the plant until such time as the components are dismantled and removed by the City.

(c) "as-built" reproducible drawings and all equipment, motors, and machinery brochures, specifications, operation instructions and warranties shall be provided to the City.

(d) Unless waived by the Director, the plant has been operated, by a qualified operator at the person(s) expense who installed the plant or caused its installation, for six (6) months in a manner that provides the required effluent.

941.08 OPERATIONAL REQUIREMENTS

During the six (6) month period of operation as required in 941.07(d) the plant shall be considered a private plant and as such the requirements of CHAPTER 937, PRIVATE DISPOSAL FACILITIES shall be in force.

941.09 COST SHARING

Any person(s) wishing to make use of the plant other than the person(s) who caused its installation or installed the temporary plant shall be permitted to subject to:

- (a) signing an agreement as required by the Grove City Code of Ordinances
- (b) Making payments as stipulated in the agreement
- (c) There being enough treatment capacity in the plant or the ability for enough expansion to insure service to the original area that it is designated to serve.

941.10 CITY OWNERSHIP

Upon acceptance of the temporary treatment plant by the City for operation and maintenance, all components, equipment and tankage of the temporary plant shall become the sole property of the City and no person(s) shall retain any rights of ownership, resale or salvage.

941.11 EXISTING PLANTS

Unless requested otherwise by the person(s) who installed or caused the installation of existing temporary plants, all agreements relative to temporary treatment plants in existence at the time of the enactment of this chapter shall remain in force.

941.99 PENALTY

Whoever violates any provision of this Chapter or Order of the Director pursuant to this Chapter shall be deemed guilty of a misdemeanor and fined not exceeding five hundred dollars (\$500.00). Each day or portion thereof during which such a violation occurs shall be considered a separate offense.