

ORDINANCE NUMBER 5-1991

AN ORDINANCE ESTABLISHING REGULATIONS
GOVERNING THE USE OF PUBLIC AND PRIVATE
SEWERS, USER CHARGE SYSTEM, AND
SANITARY SEWER CHARGES FOR USERS OF
SEWERS SERVED AND TO BE SERVED
IN THE
VILLAGE OF RICHFIELD, OHIO
AND DECLARING AN EMERGENCY

BE IT ORDAINED and enacted by the Council of the Village of Richfield, Ohio;

ARTICLE 1 - GENERAL PROVISIONSSection 1.1. Purpose and Policy

WHEREAS, the Village of Richfield has developed a sanitary sewer collection system exclusively within defined areas of the Village for the purpose of collecting sanitary wastewater for the purpose of transporting it to the Northeast Ohio Regional Sewer District (NEORS) Southerly Wastewater Treatment Plant for treatment; and

WHEREAS, by Ordinance 38-1989, adopted on July 5, 1989, it is the policy of the Village to have its sewer system serve only those properties which are located within the boundaries of the Village; and,

WHEREAS, it is necessary to develop policies and procedures for users within the Village to assure compliance with current health standards and applicable rules and regulations concerning the collection, transport and treatment of sanitary wastes; now therefore, be it

RESOLVED, by the Council of the Village of Richfield, Ohio that there shall be established the following regulations governing the use of public and private sewers, user charge systems, and sanitary sewer charges for users of sewers served and to be served in the Village of Richfield, Ohio;

Section 1.2. Definitions

As used in this Ordinance:

(a) "Administrator" shall mean the Service Director of the Village of Richfield, Ohio or his authorized representative.

(b) "Biochemical Oxygen Demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C.

(c) "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning three (3) feet (1.0 meters) outside the outside face of the building wall.

(d) "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

(e) "C" shall mean centigrade degrees.

(f) "Chemical oxygen demand" (COD) shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedures expressed in milligrams per liter.

(g) "Combined sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.

(h) "Compatible Pollutant" shall mean a waste constituent which does not interfere with the operation or performance of the wastewater treatment works.

(i) "Control Manhole" shall mean a structure that is accessible for the purpose of maintaining a building sewer. A control manhole may be used as an inspection chamber.

(j) "Conventional Gravity Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industries and institutions.

(k) "Cooling Water" shall mean the water discharge from any system of condensation, air conditioning, cooling, refrigeration, or other sources. It shall contain no polluting substances which would produce BOD or SS (suspended solids) each in excess of 10 parts per million by weight, or toxic substances as limited in this Ordinance or other polluting substances which may be limited in this Ordinance.

(l) "Council" shall mean the council of the Village of Richfield, Ohio.

(m) "Cuyahoga County Sanitary Engineer" shall mean the Sanitary Engineer or his designated representative.

(n) "Debt Service Charge" shall mean a charge levied on the users of the wastewater treatment works for the cost of the principal and interest payments on the Village's share of the wastewater treatment works construction.

(o) "Domestic" shall mean a residential user of the wastewater treatment works.

Domestic wastes from industries are defined as wastes originating from sanitary conveniences. Domestic wastes do not include trade or process wastes. Normal Domestic Sewage shall be as subsequently defined in Paragraph Section 3.1.

(p) "Environmental Protection Agency" shall mean the Federal (or United States) Environmental Protection Agency, or any person authorized to act for that agency.

(q) "Federal Act" or "Act" shall mean the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, and any amendments thereto; as well as any guidelines, limitations, and standards promulgated by the U.S. Environmental Protection Agency pursuant to the Act.

(r) "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

(s) "Grease" shall mean a constituent in wastewater as identified in "Standard Methods for the Examination of Water and Wastewater".

(t) "Incompatible pollutant" shall mean a waste constituent which interferes with the operation and performance of the wastewater treatment works.

(u) "Industrial wastes" shall mean the wastewater from industries as defined herein.

(v) "Intercepting sewer" shall mean a sewer intended to receive flows from both combined sewers and sanitary sewers; or a sewer whose primary purpose is to transport wastewater from collector (local) sewers to a Wastewater Treatment Plant.

(w) "May" is permissive; "Shall" is mandatory.

(x) "mg/l" shall mean milligrams per liter.

(y) "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body or surface or groundwater.

(z) "NEORS" shall mean the Northeast Ohio Regional Sewer District.

(aa) "NPDES" or "National Pollutant Discharge Elimination System" permit shall mean any permit or equivalent document or requirements issued by the state water pollution control agency to regulate the discharge of pollutants into waters of the State.

(bb) "Owner" or "Person" shall mean any individual, firm, company, industry, association, society, corporation or group.

(cc) "pH" shall mean the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

(dd) "Pollutant" shall mean any noxious chemical or other refuse material that impairs the purity of water.

(ee) "POTW" shall mean Publicly Owned Treatment Works.

(ff) "ppm" shall mean part per million by weight and/or milligrams per liter.

(gg) "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than 1/2 inch (1.27 centimeters) in any dimension.

(hh) "Pretreatment" shall mean the treatment of wastewater from sources before introduction into the building drain.

(ii) "Private sewer" shall mean a sewer constructed and serving individual owners or persons under private ownership.

(jj) "Public sewer" shall mean a common sewer controlled by a governmental agency, public utility or public authority.

(kk) "Reimbursable expense" shall mean an expense for operation and maintenance of the system which is paid for directly from funds other than user charges.

(ll) "Sanitary sewer" shall mean a sewer, both Conventional Gravity Sanitary Sewers and Small Diameter Sanitary Sewers, that carries liquid and water-carried wastes from residences, commercial buildings, industries and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

(mm) "Sanitary Sewer Charges" shall mean the aggregate of rate increments established by three separate revenue systems, i.e., User Charges, Extra Strength Surcharges and Debt Service Charges.

(nn) "Septic Tank" shall mean a watertight covered receptacle designed and constructed to receive the discharge of wastewater from a building sewer and to discharge the effluent from the settled and floating solids.

(oo) "Septage" shall mean the materials, both liquid and solid, removed from a septic tank.

(pp) "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

(qq) "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the performance of the wastewater treatment works.

(rr) "Storm sewer" (sometimes termed "storm drain") shall mean a sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

(ss) "Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

(tt) "Toxic pollutants" shall include but not necessarily be limited to aldrindieldrin, benzidine, cadmium, cyanide, DD-endrin, mercury, polychlorinated biphenyls (PCB's) and toxaphene. Pollutants included as "toxic" shall be those promulgated as such by the United States Environmental Protection Agency.

(uu) "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of the receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment works provided.

(vv) "User Charge" shall mean a charge levied on users of the wastewater treatment works for the cost of operation, maintenance and replacement of such works.

Operation and Maintenance shall mean the administration, monitoring, inspection, reviewing applications, maintenance of equipment and treatment and collection of wastewaters, necessary to assure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and assures optimal long term facility management.

Replacement shall mean the obtaining and installing equipment, accessories, or appurtenances necessary during the service life of the POTW to maintain the capacity and performance for which such works were designed and constructed.

(ww) "User Class" shall mean any class of users of the wastewater works, defined as follows:

Residential user shall be any user that discharges waste to the sanitary sewer system from a dwelling unit. A dwelling unit can mean but is not limited to, houses, apartments and mobile homes used primarily for residential occupancy.

Industrial user or Industry shall mean any nongovernmental user discharging a trade or process waste to a publicly owned treatment works as identified as a "Division A, B, D, E or I" industry in the Standard Classification Manual, 1986, Office of Management and Budget, as amended and supplemented. A user in the Division A, B, D, E or I may be excluded if it is determined that the industry will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

Commercial user shall mean non-residential or non-industrial user that discharges waste to the sanitary sewer system from a commercial establishment. A commercial establishment can mean but is not limited to retail establishments, service enterprises and other business or community activity.

Institutional/Governmental user shall mean non-residential or non-industrial or non-commercial user that discharges waste to the sanitary sewer from an institutional/governmental establishment. An institutional/governmental establishment can mean but is not limited to education facilities, churches and synagogues and federal, state and local administration and service facilities.

(xx) "Village" shall mean the Village of Richfield, Ohio.

(yy) "Wastewater" or "Wastes" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industries and institutions, together with any ground water, surface water and stormwater that may be present.

(zz) "Wastewater treatment plant" or "Plant" shall mean that portion of the wastewater treatment works required to treat wastewater and septage (but not added grit) and dispose of the effluent.

(aaa) "Wastewater treatment works" or "Works" shall mean the structures, equipment, parcels of land, easements and processes required to collect, carry away and treat wastewater and dispose of the effluent of the Village. Wastewater treatment works shall include septic tanks, sanitary sewers and intercepting sewers, but shall not include storm sewers.

ARTICLE 2 - REGULATIONS

Section 2.1. Use of Public Sewers Required

It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the Village of Richfield, or in any area under the jurisdiction of said Village, any human excrement, garbage or other objectionable waste.

It shall be unlawful to discharge to any natural outlet within the Village of Richfield or in any area under the jurisdiction of said Village, any sanitary wastewater, septic tank effluent, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance, excepting that nothing in this Ordinance shall be deemed to control wastes which are discharged pursuant to any NPDES permit issued by the Ohio Environmental Protection Agency to the NEORSDD.

Except as hereinafter provided, in this Ordinance it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the ultimate disposal of wastewater.

Every owner or occupant of any property, which has a structure located within 200 feet of an accessible sanitary sewer in this Village, shall make adequate connections with such sanitary sewer. Such sanitary sewer connections must be made within two hundred seventy (270) days of the sewer availability, according to the regulations of Council and by proper underground connections. Upon application of the property owner, a ninety (90) day extension for hardship reasons may be granted by the Administrator. The mandates of the Summit County Health Department or the Ohio Environmental Protection Agency may negate any extension. In any case where there is failure by the property owner to comply with the foregoing, notice shall be given to such owner, tenant or occupant to make such connections forthwith, and if, within such two hundred seventy (270) days time (or permitted extension) of the sewer availability such connection is not made, the Village may then proceed to make such connection at the expense of the owner and assess it upon the property. Sanitary sewers shall be constructed of material and in accordance with the current specifications of the Village.

In all cases where property is served by an adequate sanitary sewer, the failure on the part of the property owner to connect into the sanitary sewer within the first ninety (90) days after sewer availability shall then necessitate the Village to charge the property owner such sanitary sewer charges as are currently in effect and to collect same according to the regulations of the Village.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. Existing connections of such nature shall be removed immediately upon being identified. Future connections of such nature are prohibited.

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm drain or to a natural outlet approved by the Administrator and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged on approval by the Administrator to a storm sewer or natural outlet.

It shall be unlawful to deposit septage wastes into a public sewer, storm sewer, sanitary sewer or drainage system. Septage wastes shall be transported to the wastewater treatment plant for proper treatment and disposal.

Private and semi-private sewers, as defined in Section 1.2 that are tributary or potentially tributary to the public sewer system of the Village shall meet the design and construction standards applicable to public sewers constructed by the Village. The Village shall have sufficient access or right-of-way to private sewers for inspection, supervision, testing and enforcement of all health, sanitation, safety and sewer regulations.

Each user shall provide protection from accidental discharge of prohibited or limited substances regulated by this Ordinance. Facilities to prevent accidental discharge of substances shall be provided when required by the Administrator and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Administrator for review, and shall be approved by the local government before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the responsibility to modify the facility as necessary to meet the requirements of this Ordinance.

In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the Administrator of the incident. The notification shall include location and discharge, type of waste, concentration and volume and corrective actions. Within five (5) days following an accidental discharge; the user shall submit to the Administrator a detailed written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the wastewater disposal system, fish kills or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this article or other applicable law.

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause such a discharge to occur or suffer from the discharge are advised of the emergency notification procedure.

Section 2.2. Private and Independent Wastewater Disposal

Where a public sanitary sewer is not available under the provisions of Section 2.1, the building sewer shall be connected to a private or independent sanitary wastewater disposal system complying with the provisions of the appropriate Health District of the State of Ohio.

Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit from the appropriate Health District or the Village. Application for permit shall be made on a form provided by the Health District supplemented with drawings, specifications and other necessary information. A permit and inspection fee shall be paid at the time the application is submitted.

The type, capacities, location and layout of a private wastewater disposal system shall comply with all provisions of the regulations of the appropriate Health District. The Administrator shall be permitted to inspect the work at any stage of construction.

The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Village.

At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 2.1, a direct connection shall be made to the public sewer in compliance with this Ordinance and current regulations of the Village, and any cesspools and similar private wastewater disposal facilities shall be abandoned and filled with suitable material.

Section 2.3. Building Sewers and Connections

No person other than an authorized employee of the Village shall make any opening in or connection with a public storm sewer, sanitary sewer or other public drain or drainage facility unless a permit therefor has been obtained prior to the commencement of the work as provided in this Ordinance.

Application for a sewer tapping permit shall be made on a form prescribed by and procurable from the Administrator providing such information concerning the proposed work as is required thereby. The permit shall be issued by the Administrator after the required fee for the tap has been deposited with the Director of Finance and may be revoked for violation of any provision of this chapter or failure to comply with the reasonable rules, regulations and orders of the Administrator adopted pursuant hereto.

The fee required for a sewer tap shall be in accordance with Exhibit A.

Building sewers which are directly or indirectly connected into the public sewer system shall conform to the Village of Richfield specifications and standard detail drawings.

All costs and expense incident to the installation and connection of the building sewer, including those building sewers requiring septic tanks, shall be borne by the owner.

Not more than one residence or building, unless otherwise approved by the Administrator, may be connected to each building sewer lateral. All costs and expenses incidental to the installation, connection and maintenance of a building sewer without a septic tank shall be borne by the owner.

The Administrator must be notified twenty-four (24) hours before a connection is to be made to insure proper inspection on the following day. All notification of this kind shall include permit number and the location of the connection.

The Administrator or his authorized representative shall inspect and approve any construction, sewer opening, tap or connection referred to in this Ordinance before backfilling begins. If the construction is backfilled or otherwise covered before such inspection, the Administrator may require the fill or cover to be removed at the expense of the permittee or person making such tap. Such expense if not otherwise paid, shall be an obligation under the bond provided for in Section 2.4.

Each person who makes openings, taps or connections with or on constructed sewers or installs septic tanks or drives upon or over public streets or property, shall keep in repair and good order the whole of the work executed by him, until the same is accepted by the Administrator or his authorized representative, which acceptance shall be given in writing, and if deemed necessary by the Administrator may be deferred until the expiration of one year after the completion of the work.

In case it is necessary to connect a drain or sewer pipe with a public sewer or drainage facility when no junction is left in the same, the new connection with the public sewer or drainage facility shall be made only when a representative of the Village, designated by the Administrator, is present to see the whole of the work performed.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such a drain shall be lifted by approved artificial means and discharged to the building sewer.

The Village shall maintain and repair house sewer laterals lying within established easements and within the right-of-way limits of dedicated public streets and alleys, except when and where prohibited wastes of non-wastewater characteristics have been allowed to enter the same and which contribute to the obstruction of flow within the sewer lateral and render repairs or maintenance necessary.

Before the Village shall undertake maintenance of or repairs of any such house lateral, the property owner shall notify the Village of the stoppage who will in return require a licensed sewer cleaning contractor to locate the exact location of the stoppage and determine if the stoppage is within the Village right-of-way or established easement.

For grease, oil, petroleum products, inorganic material and other materials as listed in the Ohio Building Code such as sand, grit, etc., interceptors shall be provided when in the opinion of the Administrator they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 2.6.(b) or any flammable wastes,

sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters of dwelling units. All interceptors shall be of a type and capacity approved by the Administrator and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Administrator. Any removal and hauling of the collected materials not performed by the owner(s)' personnel must be performed by currently licensed waste disposal firms.

In those cases where the Village constructs and installs a sanitary sewer at its cost where the sewer has been demanded and required by the Ohio Environmental Protection Agency or Board of Health regulation, the sanitary sewer connection permit fee for each abutting property owner shall be equal to the pro rata cost of installation of the sewer.

Section 2.4. Sewer Tapper's License, Qualifications and Bond

No person except the individual homeowner shall install septic tanks or shall tap, open or make connections with any sanitary or combined sewer within the Village or cause the same to be done without first having procured the proper license to do so and as hereinafter provided. Any person desiring to install septic tanks shall do so in accordance with current rules and regulations of the Summit County Health Department. Any person desiring to tap, open or make connections with such sewer or engage in the business of sewer tapping and make sewer connections with the public sewers or drains, shall make application in writing for such license to the Administrator. The Administrator shall examine or cause to be examined the qualifications of such applicant for such license and shall grant a license if the applicant is found to be qualified therefor and complies with all other requirements of this chapter.

The applicant must have a minimum of four years of acceptable experience in the installation of septic tanks and construction of sewer lines. At least two years of this experience shall be as a foreman or field superintendent over a sewer construction crew, or equivalent experience. The other two years' experience shall be as a pipe layer or as an operator of sewer trenching equipment, such as a crane or backhoe, or equivalent experience. An applicant with less number of years experience may be acceptable, if deemed qualified in all aspects by the Administrator.

The applicant must possess all equipment necessary in the judgment of the Administrator or his authorized representative, to adequately install septic tanks and make connections to the public sewer system and to construct the related sewer systems being connected to the public sewer. Such equipment shall be of adequate capacity and maintained in proper working order so as to provide adequate performance at all times.

A sewer tapper's license shall authorize the licensee to tap, open and make connections with public sewers, drains and drainage facilities under the provisions of the ordinances of the Village and laws of the State, provided that such license shall not be issued nor become effective until such applicant files with the Administrator a \$5,000 performance bond and general liability insurance certificates in accordance with current Village criteria. The licensee or

individual homeowner will also provide that it will indemnify and save harmless the Village from all loss or damage that may be either directly or indirectly occasioned by his opening, tapping or making connection with any public sewer or drain, or drainage facility, failure to properly perform the work or any work incident thereto.

The licensee, in making excavations in any street, alley, easement, public way or other public place shall in all respects be governed by the provisions of law and the ordinances of the Village now in force or which may be hereafter adopted, regulating excavations. If the licensee violates any of the ordinances of the Village or laws of the State relative to the excavating of streets or other public places, or the opening, tapping and/or connecting with public sewers, drains and drainage facilities, the Administrator shall have the power to suspend the license for such time as he may deem proper, or revoke the same as he may deem appropriate in the public interest.

By acceptance of a sewer tapper's license, the applicant assumes responsibility for restoring any pavement, curb, sidewalk, driveway, sewer pipe or appurtenance, shrubbery, lawn or other facility in the public right-of-way or established easement which is disturbed or damaged by the operation.

The Administrator or his authorized representative shall have the authority to require the application, before the work is started in a public right-of-way or established easement, to have two men on the job: one operator of trenching equipment and one man as a pipe layer.

Fraudulent statements or other misrepresentations made by the applicant in his application for a license, or failure to show adequate performance in installing septic tanks or in laying of a sewer line, or failure to abide by any of the foregoing provisions, shall be grounds for the denial or revocation of the license by the Administrator.

No person, authorized and licensed under this chapter to install septic tanks or to make openings, taps or connections with sewers, drains or drainage facilities or provide septic tank cleaning or repair services, shall allow his name to be used by another for the purpose of obtaining permits, or of doing any work under the license issued to him.

Section 2.5. Substances Prohibited

No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Construction materials, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, fur, wax or any solid or viscous substances capable of causing obstruction to the flow in sewers or other interferences with the proper operation of the sewerage system.
- (b) Any gasoline, benzene, naptha, fuel oil, organic solvent, or other flammable or explosive liquids, solids or gases.
- (c) Steam or hot water above 150° Fahrenheit (65° Centigrade).

- (d) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 250 mg/l or containing substances which may solidify or become viscous at temperatures between 33° and 150° F (10 and 65° C).
- (e) Any waters or wastes having a pH lower than 5.0 or higher than 10 or having any other corrosive property apt to cause damage or hazard to structures, equipment of the sewerage system, or personnel employed in its operation.
- (f) Coal tar, its derivatives and waste.
- (g) Any liquids or wastes containing toxic or poisonous substances in sufficient quantities or rates of flow as to injure or interfere with any of the sewage treatment process, to constitute a hazard to human beings or animals, or to create any hazard in the receiving waters.
- (h) Brine from gas, oil, or water well drilling operations.

Section 2.6. Substances Limited

The following described substances, materials, waters or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property or constitute a nuisance. The Administrator may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. Deliberate dilution with unpolluted water to meet the concentrations established in the regulations below shall not be acceptable. In forming his opinion as to the acceptability, the Administrator will give consideration to such facts as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the Administrator are as follows:

- (a) Wastewater having a temperature higher than 150° F.
- (b) Wastewater containing more than 50 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, product of mineral oil origin or floatable oils, fat, wax or grease.
- (c) Any waters or wastes containing solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the Wastewater treatment plant, including but not limited to cyanides, hexavalent chromium, copper, zinc, cadmium, nickel and phenols in the wastes as discharged to the public sewer. The following

concentrations shall not be exceeded in wastes discharged to the public sewers:

Metals	
Cadmium	2 mg/l
Chromium Hexavalent	10 mg/l
Chromium Total	25 mg/l
Copper	3 mg/l
Nickel	10 mg/l
Iron	50 mg/l
Zinc	15 mg/l
Lead	2 mg/l
Cyanide	
Cyanide (Cl ₂ amenable)	2 mg/l
Total Cyanide	10 mg/l
Phenols	50 mg/l
Solvents	
Carbon Tetrachloride	maximum combined
Tetrachloroethylene	concentration is
Trichloroethylene	1 mg/l
Methylene Chloride	25 mg/l
1, 1, 1, Trichloroethane	25 mg/l
Chlorobenzene	25 mg/l
Creosols	25 mg/l
Cresylic acid	25 mg/l
Nitrobenzene	25 mg/l
Toluene	25 mg/l
Carbon disulfide	25 mg/l
Isobutanol	25 mg/l
Spent chlorofluorocarbon	
solvents	25 mg/l
Methyl Ethyl Ketone	250 mg/l

The maximum combined solvent limitation is 250 mg/l.

These maximum concentrations may be changed as necessary by the Administrator, the Code of Regulations from NEORS or State regulatory agencies based on new information concerning inhibitory substances or to protect treatment plant processes. Industrial discharges covered by Federal pretreatment requirements shall meet those limitations specified under the effluent guidelines published under Title 40 CFR Part 403 of the Federal Act or the above concentrations whichever is more stringent. Major contributing industries discharging incompatible pollutants into the public sewers shall be regulated as provided in Section 2.7.

The Administrator may impose mass limitations on discharges where dilution occurs in order to meet the Pretreatment Standards or Requirements of this Code, or in other cases where the imposition of mass limitations is deemed appropriate by the Administrator.

- (d) Any water or wastes which by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a

condition deleterious to workers, structures and treatment processes.

- (e) Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits in compliance with applicable State or Federal regulations.
- (f) Quantities of flow, concentrations or both which constitute a "slug" as defined herein.
- (g) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 2.7. Authority for Control of Wastewater Discharges

If any water or wastes are discharged or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in Section 2.6. and, which in the judgment of the Administrator may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, including violation of applicable water quality standards, or which otherwise create a hazard to life or constitute a public nuisance, the Administrator may:

- (a) Reject the waste,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or,
- (d) Require payment to cover the added cost of handling and treatment of the wastes.

All industrial wastes discharged to the public sewers by major contributing industries shall as a minimum meet the national pretreatment standards or best practical control technology currently available for incompatible pollutants as published in Title 40 Code of Federal Regulations Part 128 unless the Village is committed, in its agreement with NEORS, to remove a specified percentage of the incompatible pollutant. In those instances the applicable pretreatment standards may be correspondingly reduced to levels determined by the Administrator, or his duly authorized representative, or State regulatory agencies.

If the administrator requires pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of the Administrator and State regulatory agencies and subject to the requirements of all applicable codes, ordinances and laws.

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

The Administration reserves the right to prohibit future connections to the sanitary sewer if sufficient capacity is not available at the wastewater treatment facility, and if in his/her judgment exceeding the capacity would have a deleterious effect on the treatment works and its ability to maintain compliance with the NPDES permit.

Section 2.8. Control of Industrial Wastes

Within ninety (90) days after passage of this Ordinance, each person whose operation entails the discharge of industrial wastes to a public sewer shall prepare and file with the Administrator a written statement setting forth the nature of the operation contemplated or presently carried on, the amount and source of water required for use, the proposed point of discharge of said wastes into the wastewater collection system of the Village, the estimated amount to be so discharged and a fair statement setting forth expected bacterial, physical, chemical and other known characteristics of said wastes. Within a reasonable time of receipt of such statement, it shall be the duty of the Village to make an order stating such minimum restrictions as in the judgment of the Administrator may be necessary to adequately guard against unlawful uses of the Village's wastewater system.

When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed herein, a request for extension of time may be presented for consideration of the Administrator. All requests for extension of time shall be submitted in writing stating the reasons for such a request. Under no circumstances shall the extension of time exceed ninety (90) days after approval of the extension by the Administrator.

No statement contained in this Ordinance shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste or unusual strength or character may be accepted by the Village for treatment, subject to possible payment therefore by the industrial concern may appeal to the Administrator any determination made in the enforcement of this Ordinance.

Section 2.9. Protection From Damage

No unauthorized persons shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the waste treatment works.

Section 2.10. Powers and Authority of Inspectors

Employees of the Village, duly authorized by the Administrator and bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the wastewater treatment works in accordance with the provisions of this Ordinance.

The authorized employees of the Village are authorized to obtain information concerning industrial or commercial process information which have a direct bearing on the kind and source of discharge to the wastewater treatment works. The owner may withhold process information considered confidential. The owner

must establish that the revelation to the public of the information in question might result in an advantage to competitors.

The Administrator is hereby authorized to make and enforce such regulations as may be necessary or proper in respect to or to provide for:

- (a) The safe, economical and efficient management and protection of the public sanitary facilities and appurtenances;
- (b) The treatment, pumping and disposal of wastewater, wastes, storm waters and any pumping, transmission or facilities therefor;
- (c) The construction, repair, maintenance and use of the public sewer system, facilities, appurtenances and connections thereto, including the materials used in and methods employed in the performance of work pertaining thereto;
- (d) Such applications, permits, bonds and other forms or documents as may be necessary or convenient to the discharge of his duties and responsibilities in respect to and the enforcement of the provisions of this Council pertaining to the subject matter hereof.

Such rules and regulations when approved by Council shall be enforced to the same extent as the provisions of this chapter or other legislation enacted by Council and violations thereof shall be punished as provided in Article 6 of this ordinance.

ARTICLE 3 - REVENUE SYSTEM

Section 3.1. Normal Concentration of Wastes

Charges for waste treatment pursuant to Section 3.5. shall apply to wastes not exceeding normal concentrations as follows:

- (a) For discharge to Conventional Gravity Sanitary Sewers
 - (1) BOD - 210 milligrams per liter;
 - (2) Suspended Solids - 214 milligrams per liter;

Applicable concentrations shall be based upon average concentrations, weighted in proportion to volume of flow and determined during each billing period by the most practical method possible. Should the average concentration discharged to a Conventional Gravity Sanitary Sewer of any constituent exceed the normal concentration provided in Section 3.1.a., a surcharge for each constituent so exceeded shall apply for the applicable billing period, in accordance with the provisions of Section 3.6.

Section 3.2. Pollutants in Excess of Normal Concentrations

Wastewater containing pollutants in excess of normal concentrations as defined in Section 3.1.a. shall be:

- (a) Subject to prohibition of discharge to the wastewater treatment works;
or;

- (b) Subject to pretreatment prior to discharge to the wastewater treatment works to comply with concentrations or amounts of pollutants established by the Village and subject to payment of a surcharge pursuant to Section 3.6.; or
- (c) Permitted to be discharged to the wastewater treatment works without pretreatment, subject to payment of a surcharge pursuant to Section 3.6.

The Village shall determine which of the three alternates shall apply, based upon the volume and concentration of pollutants of the wastewater involved.

Section 3.3. Volume of Wastewater

As described in subsequent sections of this Ordinance, certain segments of the Sanitary Sewer Charges can be determined by applying a unit charge to a volume of wastewater flow from each user. In all cases, this volume to be charged for shall be one hundred percent (100%) of the volume that is recorded on the meters used to measure water from the water system within the Village, unless the user is supplied with water from a source other than the water system in the Village or unless a substantial volume of water supplied to the user is not discharged to the wastewater treatment works, in which case, the volume of water discharged to the wastewater treatment works shall be determined by a meter installed to measure wastewater discharged, or by other means approved by the Village. In the event a sewer user shall elect at his own cost and expense to install a meter to register the exact volume of wastewater that enters the wastewater treatment works, the volume to be charged for such metered shall be based upon one hundred percent (100%) of the actual meter reading and the rates established by the Village shall apply. Meters installed other than the meter used to record consumption from the water system of the Village shall be approved by the Village and installed and maintained at the expense of the user.

Wastewater meters may be tested by the Village for accuracy at the expense of the owner once a year.

The Village shall have the authority to remove the meter on its initiative to undertake the test and correct any meter which in its judgment is registering incorrectly without the consent of the owner. Should the wastewater meter be found to be registering outside of the accuracy of the specifications published for such meter, the owner shall bear the cost for shipping, testing, repair and replacement. Should the wastewater meter be found to be registering within the accuracy of the specifications published for such meter, the Village shall bear the cost for shipping, testing, repair and replacement. During the period the meter is not in service, the volume of wastewater discharged shall be determined by the Administrator.

A system has been prepared for those units not having access to Village water and, consequently, no available water meter. The system and accompanying tables, as shown in Exhibit B, provide an estimate of anticipated flow for various users within the Village for the purpose of establishing a Sanitary Sewer Charge.

Section 3.4. User Class

For the purpose of applying User Charges and Extra Strength Surcharges, all users of the wastewater treatment works shall be classified as a member of one of the following two user classes and are subject to the above charges. No user will be excused from paying these charges. No free service is permitted:

- a. Residential
- b. Industrial
- c. Commercial/Retail
- d. Governmental/Institutional/Religious

An industry may be placed in the Resident User Class if the industry discharges primarily segregated sanitary wastes or primarily wastes from sanitary conveniences.

Any industry, commercial/retail, or governmental/institutional/religious establishment whose wastes are not primarily sanitary wastes or not primarily wastes from sanitary conveniences shall be placed in the Industrial User Class.

The placement of a user within the Resident User Class shall be as determined by the Administrator in accordance with the above criteria.

Section 3.5. User Charges - Wastes of Normal Concentration

A User Charge shall be levied on all users of the wastewater treatment works to provide funds necessary to pay for the cost of operation, maintenance and placement of the treatment works to each user, or user class, in proportion to such users metered water loading of the treatment works. Factors such as strength and delivery flow rate characteristics shall not be considered and included as the basis for the user's contribution. The method to be used to establish the User Charges for Wastes within the limits of normal concentrations (as defined in Section 3.1.) shall be defined in this section. The method to be used to establish the User Charge - Extra Strength Surcharge for wastes in excess of normal concentrations shall be defined in Section 3.6.

The volume of wastewater from each user shall be subject to a User Charge as based on a system as described in Exhibit B.

User Charges levied pursuant to this section shall be billed pursuant to Section 3.9. of this Ordinance. The rates shall be established by the Village.

Section 3.6. Extra Strength Surcharges

In addition to the base User Charges applicable pursuant to Section 3.5 users discharging pollutants to the wastewater treatment works of the Village, whose average concentration, as defined in Section 3.1 in one or more classifications exceeds in any quarter that concentration defined as normal in Section 3.1.a. in the corresponding classification shall be subject to surcharges in accordance with current applicable Industrial Sewerage Service Rates as developed by the NEORS.

Surcharges may also be established for pollutants other than those provided for in this paragraph which are permitted to be discharged to the

wastewater treatment works by the Village, after pretreatment, or without pretreatment.

Surcharges levied pursuant to this Section 3.6. shall be billed in accordance with the standard billing procedures established by the Village. The rates shall be as established by the Village.

Section 3.7. Debt Service Charges

A Debt Service Charge may be levied on users of the wastewater treatment works to provide funds necessary to meet the principal and interest payments of the wastewater treatment works construction cost. The method to be used to establish the Debt Service Charges for wastes discharged to the wastewater treatment works shall be as defined when required.

Debt service charges pursuant to this section shall be billed pursuant to Section 3.9. of this ordinance and shall be subject to a minimum charge corresponding to a minimum wastewater volume as described in Exhibit B. The debt service charge shall expire at the date when the last scheduled installment payment is made on any appropriate loan for the wastewater treatment and collection improvement.

Section 3.8. Use of Funds

The funds received from the collection of the charges authorized by this ordinance shall be deposited with the Director of Finance and shall be known as the Sewer Revenue Fund and Sewer Replacement Fund. When appropriated by Council, the Sewer Revenue Fund shall be available for the payment of costs and expenses of the management, maintenance and operation of the Wastewater Treatment Works and the Replacement Fund shall be available for replacement costs of the Wastewater Treatment Works.

Section 3.9. Billing and Collection

The billing and collection of Sanitary Sewer Charges is hereby delegated to the Director of Finance of the Village to be assessed, levied and collected quarterly in conjunction with the administration of the charges for water service supplied by the Village. The same shall be subject to and governed by the valid and applicable rules and regulations from time to time established by the Village with respect to the collection of water charges. To insure that the revenue collected is sufficient to support the system, an annual audit, or more often if required, will be made and the rates will be adjusted accordingly.

At least once annually, the billing statement will show the separate charges applied to debt service charges and user charges, if applicable.

The Sanitary Sewer Charges shall be a lien upon the entire delinquent real property owned by the person served by the Richfield sanitary sewer system, and certification of delinquent payments to the County Auditor for special assessment upon the tax duplicate, shall be in accordance with the Ohio Revised Code.

Any Sanitary Sewer Charges which are certified delinquent to the County Auditor shall be subject to a 10% surcharge. Sanitary Sewer Charges shall be considered delinquent if not paid within 30 days after due and payable.

The Administrator is hereby authorized to discontinue either the delinquent consumer's water service or sewer service, whichever is more practicable and feasible to the Village at any time after due delinquency notification to the consumer. A delinquent account shall never be allowed to continue after 180 days from the original billing date.

The owners of mobile home courts, apartment buildings and commercial or industrial complexes shall furnish the Village with an accurate and true list of consumer units occupying his or her lands or buildings that are served by a master water meter. This number shall apply to each billing unless the number of units increases or decreases which shall be reported to the Village immediately or may be reported at set intervals as agreed upon by the Administrator.

In the event the consumer has utilized the sewer service less than a full billing period and the water service has been curtailed by the Village or proper notification has been given to the Village, the minimum charge may be pro-rated at no less than a monthly basis provided the water consumption is also less than the average of 9,125 gallons per month.

The Village shall have the right to enter into contract with Industrial Users; however, the contract shall not be in conflict with any of the provisions of this Ordinance.

Section 3.10. Appeals

The Village of Richfield shall establish and maintain an administrative appeal procedure by which individual users may be heard regarding the reasonableness of the User Charges (UC) and Surcharges levied upon them. Appeals may be submitted in writing to the Administrator.

The administrative appeal procedure shall insure that:

- (a) Each user has the opportunity for written presentation and the right to have financial or legal counsel participate in such presentation;
- (b) Each appeal will be decided promptly, which decision shall either uphold the original determination, or allow adjustment and/or repayment.
- (c) Each appeal decision will include a written statement of reasons on which the decision is based.
- (d) Prompt repayment shall be made of any UC or Surcharge amounts paid where are determined to be due the User because of error in allocating and assessing UC or Surcharges.
- (e) The Village of Richfield shall retain all documents sustaining each appeal.

Section 3.11. Control Manholes

When required by the Administrator, a user shall construct and maintain one or more control manholes or access points in a reasonable period of time and not to exceed nine months, to facilitate observation, measurement and sampling of his wastes, including sanitary wastewater.

Control manholes or access facilities shall be located and built in a manner acceptable to the Administrator. If measure devices are to be permanently installed they shall be of a type acceptable to the Administrator.

Control manholes, access facilities and related equipment shall be installed by the person discharging the waste at his expense, and shall be maintained by him so as to be safe condition, accessible and in proper operating condition at all times. Plans for the installation of such facilities shall be approved by the Administrator prior to the beginning of construction.

Section 3.12. Testing

Industrial wastes discharged into the public sewers shall be subject to periodic inspection with a determination of character and concentration of said wastes. The owner shall be responsible for the collection and testing of the aforementioned samples.

Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling shall be accomplished by the use of automatic sampling equipment capable of collecting composite samples.

All measurements, tests and analyses of the characteristics of wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Health Association, unless such standards conflict with regulations promulgated by the U.S. Environmental Protection Agency under 40 CFR 136 - "Guidelines Establishing Test Procedures for the Analysis of Pollutants", in which case, the regulations promulgated by the Environmental Protection Agency shall govern. Sampling methods, location, times, duration and frequencies shall be determined on an individual basis subject to approval by the Village, NEORS or the duly authorized representative.

Section 3.13. Analyses

Laboratory procedures used in the examination of industrial wastes shall be those set forth in the latest edition of "Standard Methods". However, alternative methods for certain analysis of industrial wastes may be used subject to mutual agreement between the Administrator and the owner.

Determination of the character and concentration of the industrial wastes shall be made by the owner responsible for the discharge, or his qualified agent as approved by the Administrator. The results of the analyses shall be reported to the Village on a monthly basis or as required by the Administrator on forms provided by the Village. The Village shall make its own analysis on the wastes and these determinations shall be binding as a basis for charges, except under circumstances in the following paragraph.

In case the analyses performed by the industry and the Village result in substantially different values, an effort shall be made by the industry to collect samples at the same time the Village collects its own samples. The results of the analysis on the samples collected by the Village and the industry shall be compared using the same testing procedures as outlined in the latest edition of "Standard Methods".

ARTICLE 4 - NEORS D CODE OF REGULATIONS

This Ordinance also incorporates by reference all applicable sections of the NEORS D Code of Regulations (Code), latest version. In case of conflict between the Code and this Ordinance, the stricter version, or portion thereof, shall apply.

ARTICLE 5 - CODIFIED ORDINANCE SECTIONS REPEALED

This Ordinance hereby repeals all other sections of the Richfield Municipal Code which are in conflict herewith.

ARTICLE 6 - VALIDITY

The invalidity of any paragraph, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ARTICLE 7 - PENALTIES

(a) NOTIFICATION OF VIOLATION; TIME LIMIT.

Any person found to be violating any provision of this Ordinance shall be served by the Village with a written notice, stating the nature of the violation, sent by first class mail to the person apparently guilty of the violation. This notice shall be deemed sufficient, in the event of violation. This notice shall, in all cases, set forth a time limit during which all noted violation shall cease and be abated, and appropriate corrective action taken, and if the violator shall not thus comply, the provisions of the following paragraph shall then apply.

(b) VIOLATION BEYOND THE TIME LIMIT; PENALTY.

Any person who shall continue any violation beyond the time limit provided for in Article 6 (a) shall, upon conviction thereof, be guilty of a misdemeanor of the second degree and shall suffer penalties in accordance with the Section 501.99 of the General Offenses Code.

(c) LIABILITY TO VILLAGE.

Any person violating any of the provisions of this Ordinance shall become liable to the Village for any expense, loss, attorney's fees, or damage occasioned the Village by reason of such violation, notwithstanding whether said person may have been prosecuted for a violation of the terms of this Ordinance.

(d) VIOLATION OF STATE AND/OR FEDERAL REGULATIONS.

Any person violating State of Ohio and/or Federal regulations as a consequence of violating any provisions of this Ordinance shall be subject to penalties imposed by State and/or Federal regulations, irrespective of the provisions of this Ordinance.

ARTICLE 8 - EXHIBITS

The following Exhibits shall be a part of this Ordinance:

Exhibit A - Tap-in Fee Requirements

Exhibit B - User Charge System

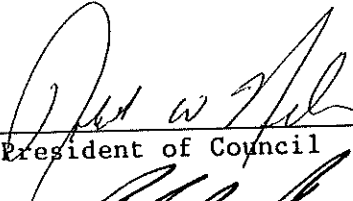
Exhibit C - Extension Policy

ARTICLE 9 - EMERGENCY CLAUSE

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation for the health, safety and welfare of the Village of Richfield and for the further reason that it is immediately necessary for the operation of the Brecksville Road Sanitary Sewer; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect and be in force immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed:

January 17, 1991


President of Council


Mayor

2/5/91
Date

ATTEST:


Clerk of Council

EXHIBIT A

VILLAGE OF RICHFIELD, OHIO

TAP-IN FEE REQUIREMENTS

A. INTRODUCTION AND POLICY

A tap-in fee shall be charged to each property owner making a connection to the Village's sanitary sewer system. The primary purpose of the tap-in fee will be to cover costs of inspection and other administrative fees that are borne by the Village of Richfield. A permit to open or tap a sanitary sewer for residential building shall be \$100.00. A permit to open or tap a sanitary sewer for a commercial or industrial user shall be \$200.00.

Each tap-in fee shall be reviewed to assure that any previously applied assessment costs present a true representation of the affected property. The assessment policy will be reviewed for the existing property at the time of a tap-in fee consideration. Additional fees such as Property Expansion User Fees may also be charged to a connecting property at the time of connection. The assessment policy and Property Expansion User Fees shall be as defined below.

B. ASSESSMENT POLICY

Properties within the Village which have been changed by consolidation or property splits, or properties annexed to the Village which become part of an existing property already served by the appropriate sewer district, shall be subject to this assessment policy review and any additional costs shall be included in a total tap-in fee.

Outlined below are the modifications with regard to any assessment and/or tap-in fee procedure.

1. Property Modifications - Any existing properties which lie within the Village and are modified through means of a split, consolidation or other appropriate means shall be reviewed for compliance with the current assessment policy in effect as of the time of certification of assessments to the County Auditor for the appropriate sewer district.

The assessment formula shall be applied to each of the modified property(ies) to determine if any adjustment to the cost of the assessment is required. The parameters to be investigated shall include: Front Footage, Acreage, Zoning, Land Value and Existing System Utilization.

Any increase in the adjusted assessment costs shall be paid to the Village within 60 days of a certified notification to the property owner.

2. Annexed Properties - Any property that is annexed to the Village if adjacent to a property currently in an existing sewer district, and which has previously been assessed, shall be subject to this policy.

For the purpose of this policy any sewer service provided these annexed lands shall be provided after payment of an additional tap-in fee for those areas not previously assessed.

The additional fee shall be calculated in accordance with the current assessment formula in effect as of the time of certification to the County Auditor of the affected sewer district. The formula shall be applied to those parameters of the formula applicable to the annexed area and shall include Front Footage, Acreage, Zoning, Land Value and Existing System Utilization.

3. Formula - The formula shall be as finalized at the time of certification to the County Auditor. It shall be reviewed annually and dollar values adjusted each year to reflect construction cost modifications as outlined in the Construction Cost Indices as provided by the Engineering News Record.

C. NEW SERVICE

The cost for a new service shall be completely borne by the property owner. This service shall be installed by a licensed contractor, having secured all permits as set forth by the Village. The design and construction shall be in accordance with the design and construction standards of the Village.

A tap-in fee shall be applied for each connection. The tap-in fee and the assessment cost shall be reduced by the amount of the actual cost of the improvement to the owner from the central sewer to the owner's property line.

D. PROPERTY EXPANSION USER FEES

In the event of a property undergoing significant change after assessment fees had been determined, the Administrator may impose additional Property Expansion User Fees to reflect actual usage at the time of connection or improvement, whichever occurs later. This Property Expansion User Fee shall be applied to any non-residential building addition and any residential dwelling wherein additional dwelling units are to be added. A schedule of these Property Expansion User Fees shall be determined by the village and may change from time to time. The fees in effect at the time of a submittal for expansion shall be assessed to the affected property and included in the total tap-in fee.

EXHIBIT B

VILLAGE OF RICHFIELD, OHIO

USER CHARGE SYSTEM

1. INTRODUCTION

A User Charge shall be assessed each user in accordance with the volume of wastewater used (metered) or estimated (unmetered) and defined in the following paragraphs.

2. METERED

The volume of wastewater from each user shall be subject to a User Charge as follows:

(a) Charges for each regular billing during a calendar year shall be based upon the following values for that calendar year: (1) estimated total operation, maintenance and replacement expenses (Cto), which will include expenses from the Village of Richfield and Cuyahoga County along with transport expenses through Cuyahoga County and excluding any expenses classified as reimbursable expenses; (2) estimated annual revenue from extra strength surcharges (Cs); (3) estimated administration and associated expenses for preparation and collection of billings (Cb); (4) estimated annual debt service charges (D); (5) estimated total water subject to Sanitary Sewer Charges (Qt); (6) rate for transport and treatment expenses from NEORS (Rn), all subject to periodic but not less than an annual audit.

(b) The User Charge per 1,000 gallons shall equal (1) estimated total operation, maintenance and replacement expenses (Cto) plus (3) estimated administration and associated expenses for preparation and collection of billings (Cb) plus (4) estimated annual debt service charge (D) minus (2) estimated revenue from extra strength surcharges (Cs) divided by (5) estimated water consumption subject to Sanitary Sewer charges (Qt) plus (6) rate for transport and treatment expenses from NEORS (Rn), in 1,000 gallons. User charge =

$$\frac{Cto + Cb + D - Cs}{Qt} + Rn \quad \text{in 1,000 gallons}$$

(c) Each consumer unit will be billed quarterly and shall be subject to a Minimum Charge corresponding to a wastewater volume of 10,000 gallons quarterly.

(d) In the event of a master meter serving more than one consumer, each consumer unit shall be subject to the Minimum Charge and be allowed a discharge of 10,000 gallons per consumer per quarter before additional volume charges shall apply.

(e) Formulas as contained in Paragraph 2b shall be subject to adjustment as necessary based upon annual audit of sewer revenue fund expenses.

3. UNMETERED

For those areas not served by a central water system and having no means to measure wastewater volume, a Table of Classified Uses has been developed and is included as Attachment B-1. The assigned flows are totaled for each applicable sewer district and the values assigned will be calculated with the appropriate value for the base unit - a single family residence. These values will be included with the metered values to determine the total revenue/flow volume factors for the entire system. This data will be utilized to prepare a an annual User Charge.

All other aspects of the User Charge System Developed for metered customers are applicable for the unmetered users.

EXHIBIT B-1

VILLAGE OF RICHFIELD

TABLE OF CLASSIFIED USERS

<u>USER CATEGORY</u>	<u>AVERAGE DAILY FLOW (GPD)</u>	<u>VALUE ASSIGNED</u>	<u>UNIT OF MEASURE</u>
Single Family Res.	300	1.00	per home
Assembly Halls	2	0.0067	per seat
Churches	5	0.0167	per seat
Convenience Store	0.4	0.0013	per S.F.
Hospital/Clinic	300	1.00	per bed
Laundry (coin)	400	1.33	per machine
Meeting Halls	2	0.0067	per seat
Motels (no kitchen)	100	0.330	per unit
Motels (w/kitchen)	120	0.400	per unit
Multi-Family			
- One Bedroom	250	0.83	per unit
- Two Bedroom	300	1.00	per unit
- Three Bedroom +	350	1.17	per unit
Nursing/Rest Homes	150	0.50	per patient
Office Building	20	0.067	per employee
Private Club	50	0.1667	per member
Restaurant			
- Full Service	40	0.13	per seat
- Fast Food	35	0.117	per seat
- Take-out Only	150	0.50	per employee
Retail Store	0.2	0.0007	per S.F.
School	20	0.05	per pupil
Service Station/Garage	500	1.67	per station
Tavern	35	0.117	per seat
Trailer Park	300	1.00	per trailer
Truck Terminal	20	0.067	per employee
Warehouse/Storage	25	0.083	per employee

Ord 5-1991

EXHIBIT B2

VILLAGE OF RICHFIELD

ASSESSMENT FORMULA BREAKDOWN

<u>PARAMETERS</u>	<u>PERCENTAGE OF COST</u>
Front Footage	5
Acreage	5
Zoning	5
Land Value	25
Existing System Utilization	60

EXHIBIT C

EXTENSION POLICY

VILLAGE OF RICHFIELD, OHIO

I. INTRODUCTION

The extension policy shall be applicable for all sanitary sewer improvements planned and constructed by a private party for the purpose of providing sanitary sewer service to a defined area within the Village of Richfield.

II. PRELIMINARY APPROVAL

All designs for a proposed sanitary sewer improvement shall be prepared by a licensed professional engineer. Preliminary drawings will show, in general, the location, size, and grade and is to be submitted to the Village Council for approval. All submissions shall be prepared on a 24" x 36" drawing with a scale of at least 1" = 200'. The preliminary drawing must also show all existing and proposed right-of-ways, existing and proposed utilities and any utility easements, if required.

The connections to the existing sanitary sewer system shall also be shown. Information concerning design parameters, i.e., quantity and expected flow parameters are also to be provided.

III. FINAL APPROVAL

All final drawings and specifications shall be prepared by a licensed professional engineer and shall be in accordance with all existing rules and regulations of the Village of Richfield.

The costs for all approved improvements shall be borne by the Developer. Upon approval and acceptance by the Village of the improvement, it shall be turned over to the Village. The Developer shall show a history of one year successful operation after preliminary acceptance prior to foregoing ownership to the Village.

Tap-in fees shall be waived for the amount of fees that are equal to or less than the total cost of the improvement. All tap-in fees in excess of the total improvement cost shall be paid by the Developer prior to final acceptance by the Village.

All costs for extending the sanitary sewer from the end of an existing system to the proposed area shall be borne by the Developer. Tap-in fees collected for properties in this area shall be collected by the Village for use in the Village's appropriate sewer use funds.

Any costs for oversizing, deepening, or installing service connections along an existing system made at the request of the Village shall be borne by the Village. All improvements shall be prepared in accordance with the existing master sanitary sewer plan of the Village of Richfield.