



## City of Gahanna

200 South Hamilton Road  
Gahanna, Ohio 43230

### Signature

**Ordinance: ORD-0124-2015**

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**Type:** Ordinance

**Status:** Passed

**In Control:** City Council

**Version:** 1

**Final Action:** 12/7/2015

At a meeting of the City Council on 12/7/2015, a motion was made by Brian D. Larick, seconded by Jamie Leeseberg, that this Ordinance be Adopted. The motion passed.

**Yes:** 7 Angelou, Jolley, Leeseberg, Renner, Schnetzer, Kneeland and Larick

### **TO AMEND CHAPTER 921, SANITARY SEWER CONNECTIONS AND RENTAL RATES, OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA.**

WHEREAS, the City of Columbus increased their sanitary sewer rate by 3%; and

WHEREAS, after incorporating the Columbus increase into the budgetary needs of the City of Gahanna's water and sanitary division it will require that the City amend the current rates, as set forth in the attached exhibit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That Chapter 921, Sanitary Sewer Connections and Rental Rates, of the Codified Ordinances of the City of Gahanna is hereby amended as set forth in EXHIBIT A, attached hereto and made a part herein.

Section 2. That existing Chapter 921, Sanitary Sewer Connections and Rental Rates, or any Ordinances or parts of Ordinances in conflict herewith, are hereby repealed.

Section 3. That this Ordinance shall be in full force and effect after passage by this Council and 30 days after date of signature approval by the Mayor.

**CHAPTER 921**  
**Sanitary Sewer Connections and Rental Rates**

<b>921.01</b>	<b>Definitions.</b>	<b>921.08</b>	<b>Inspections.</b>
<b>921.02</b>	<b>Property owner required to install; notice; failure to comply.</b>	<b>921.09</b>	<b>General provisions.</b>
<b>921.03</b>	<b>Permit required; fee; multiple use connections prohibited.</b>	<b>921.10</b>	<b>Prohibitions.</b>
<b>921.04</b>	<b>Sewerage system capacity charge.</b>	<b>921.11</b>	<b>Sewer rental rates.</b>
<b>921.05</b>	<b>Sewer footage fees.</b>	<b>921.12</b>	<b>Unpaid bills.</b>
<b>921.06</b>	<b>Sewer installer license.</b>	<b>921.13</b>	<b>Partial payment.</b>
<b>921.07</b>	<b>Materials and construction.</b>	<b>921.14</b>	<b>Application, administration and enforcement of Columbus sewer usage ordinances.</b>
		<b>921.15</b>	<b>Separability of provisions.</b>
		<b>921.99</b>	<b>Violations.</b>

**CROSS REFERENCES**

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

**921.01 DEFINITIONS.**

For the purposes of this chapter:

- (a) "Sewer service connections" means the complete sewer line from the City of Gahanna sewer main in the street, alley, private right of way or easement to a connection with the plumbing at the building.
- (b) "Sewer main" means the sewer pipe located in a street, alley or easement in which the waste water from the sewer service connection is delivered to a treatment facility.
- (c) "Sewer system" means all City of Gahanna facilities for storing, pumping, and transporting waste water.
- (d) "Owner" means any person, group of persons, corporation, partnership, or firm which holds title to a lot or parcel of land adjacent to the sewer system.  
 (Ord. 0158-2014. Passed 11-17-14.)

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

The owner or owners of any house, cottage or other building which is adjacent to a sanitary sewer main, which contains a toilet, kitchen sink or laundry facilities producing liquid wastes, shall, within ninety days after receipt of a notice from the Director of Public Service to install a sanitary sewer service connection, make application to the City of Gahanna for an appropriate permit and construct such connection. In the event such property owner or owners fail to apply for such permit or fail to construct such sewer service connection within the time limit, the City of Gahanna shall proceed to construct or cause to be constructed such sanitary sewer service connection and shall assess the cost of such construction, including acreage fees, front footage fees, permit fees and all other related costs to the property owner. (Ord. 0158-2014. Passed 11-17-14.)

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

(a) No connection with any part of the City of Gahanna sanitary sewer system, nor the repair or removal thereof, nor any excavation thereof shall be started without first securing a permit from the Department of Public Service. Such permit must be on the premises where such sewer service connection is being constructed, prior to the beginning of such work and during the continuation thereof. A charge of eighty U. S. dollars (\$80.00) shall be made for such permit to cover the cost of issuance and inspections. Such amount shall be deposited in the Treasury to the credit of the Sewer Fund. The charge for such permit is nonrefundable.

(b) No permit shall be issued which contemplates the construction or installation of any multiple use connection. Each commercial, industrial, residential, occupied structure, etc., shall have a separate sewer service connection to the sanitary sewer system, whether or not such facilities are owned by one person. Multiple structures shall have separate connections for each unit, except where this would create a manifest hardship, in which case the Director of Public Service may grant special written permission to the owner to use a single connection. (Ord. 0158-2014. Passed 11-17-14.)

**921.04 SEWERAGE SYSTEM CAPACITY CHARGE.**

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

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

<u>Domestic Water Supply Diameter of Tap (in inches)</u>	<u>System Capacity Charge (in USD) Effective Date (January 1, 2006)</u>
<u>3/4</u>	<u>\$5,327</u>
<u>1</u>	<u>8,880</u>

**Commented [MH1]:** The edit was to place the below in a table.

<u>1-1/2</u>	<u>17,757</u>
<u>2</u>	<u>28,413</u>
<u>3</u>	<u>56,826</u>
<u>4</u>	<u>88,790</u>
<u>6</u>	<u>177,581</u>
<u>8</u>	<u>284,130</u>

#### Domestic Supply

Water Tap Size (Inches)	System Capacity Charge (In USD) Effective Charge Beginning 2006	-
3/4	\$ 5,327	
1	8,880	
1-1/2	17,757	
2	28,413	
3	56,826	
4	88,790	
6	177,581	
8	284,130	
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(c) Any tap larger than 8" shall be based on the same proportionate ratio to that charged by Columbus, so that the City of Gahanna keeps the same percentage of revenue as incorporated in the previous table beyond Columbus' charges. This section shall be changed should Columbus increase their capacity charge.

(d) The funds received from the charges herein imposed shall be deposited in the Treasury, shall be credited to the Sanitary Sewer Capital Improvement Fund, and shall be available for the construction, operation, maintenance, management, repair, extension or enlargement of the sanitary sewer system, and for the payment of principal and interest on any debt incurred for the construction, improvement, repair, or extension of any part of such sanitary sewer system.  
(Ord. 0158-2014. Passed 11-17-14.)

#### 921.05 SEWER FOOTAGE FEES.

(a) Front Footage Fee. Before issuing any permit to tap, as set forth in this chapter, a charge of thirty U. S. dollars (\$30.00) per front foot of the property to be served shall be made and collected, provided that such property has not been specially assessed for the cost of construction of a sewer to provide a lateral sewer benefit, or provided that such lateral sewer is not constructed under a private sewer agreement. Lots or parcels of ground which have the same width at the front and rear and the same depth on each side shall be charged on the basis of actual frontage. However, where the depth of such lot or parcel of ground abuts on a street or other public way and the owner elects to construct a building fronting on the street or public way abutting such depth, the fee shall be exacted for such depth.

In the event the lot or parcel of ground is irregular in shape, the front footage shall be measured on a line forty feet from the front lot line and parallel to the center line of the street. However, where the frontage is curved, it shall be measured on a line parallel to and forty feet distant from a line tangent to such curved frontage at a point midway between the sides of the lot or parcel of ground.

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

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

(b) Subtrunk Sewer Fees. Before connecting any property to a subtrunk sewer

constructed through undeveloped lands, acreage fees shall be charged to the property to be served by such connection. The acreage fees shall be determined and charged on a per acre basis, except under the following conditions:

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

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

All amounts so collected shall be deposited in the Treasury and credited to the Sewer System Capital Improvement Fund, Front Foot Charges Account.  
(Ord. 0158-2014. Passed 11-17-14.)

**921.06 SEWER INSTALLER LICENSE.**

Any person, firm or corporation desiring to engage in the business of installing sewer service connections to any part of the sanitary sewerage system shall make application to the Department of Public Service for an installer's license. The application for such license shall be furnished by the City of Gahanna and shall be executed by the applicant and submitted together with sufficient evidence of prior experience, a performance bond on an approved company in the amount of not less than five thousand U. S. dollars (\$5,000), proof of Worker's Compensation Insurance, a liability insurance policy in an amount approved by the Director of Public Service and an application fee of seventy-five U. S. dollars (\$75.00). The license shall not be transferable and shall expire on December 31 of the year in which it is issued. The installer shall carry such license and shall exhibit the same to any authorized agent of the City of Gahanna on demand. No sewer service connections shall be installed by any person, firm or corporation without an installer's license. Poor workmanship or violation of any of the regulations herein shall be sufficient cause for revocation of the license. The application fee shall not be refundable should the license be voided for any reason. (Ord. 0158-2014. Passed 11-17-14.)

**921.07 MATERIALS AND CONSTRUCTION.**

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

(b) Traps shall not be placed in the main line of the sewer service connections and any change in direction shall be made only with approved fittings. Basement floor drains shall be permitted only when they connect to a trap with a permanent watertight seal between them and the sewer service connection. Vents shall be so constructed as to prevent foreign objects from being introduced into the sanitary sewerage system. Tee intersections shall not be permitted in any part of a sewer service connection. (Ord. 0158-2014. Passed 11-17-14.)

**921.08 INSPECTIONS.**

Each sewer service connection must be inspected, in its entirety and before being backfilled, by a duly authorized representative of the Department of Public Service, serving as Sewer Inspector. Twenty-four ~~hours notice~~hours' notice must be given the Department of Public Service before starting construction of the sewer service connection. The sewer service connection must be constructed in accordance with the City of Gahanna specifications. (Ord. 0158-2014. Passed 11-17-14.)

**921.09 GENERAL PROVISIONS.**

(a) Within five (5) calendar days after inspection by the agent of the City of Gahanna, the stone, brick, earth, concrete, asphalt or other material which may have been excavated or disturbed, shall be replaced by the sewer installer as nearly as possible to the same condition in which it was found. All rubbish and excess material shall be immediately removed, and the restored area shall be maintained by the sewer installer for a period of one (1) year.

(b) The sewer installer shall use care not to injure or break any other pipe or drain tile encountered during the construction. In case any such pipes, conduit or tiles are damaged, they shall be restored or replaced in as good condition as originally found, at the expense of the sewer installer.

(c) The owner and the sewer installer shall at all times have the sole responsibility to protect each opening or excavation made by such installer in the public streets, roads or alleys, with sufficient barriers and caution lights to effectually guard the public from accidents and damages.

(d) It shall be the responsibility of the owner to properly install the sewer service connection, and inspection shall not, in any way, relieve the owner of maintaining, operating and repairing the connection, nor shall the City of Gahanna, its agents or employees be liable for any damages arising from the installation or use of the sewer service connection.

(e) Plumbing for all buildings having sewer service connections to the sanitary sewer system shall be installed strictly in accordance with the City of Gahanna and State Building and Plumbing Codes. (Ord. 0158-2014. Passed 11-17-14.)

#### **921.10 PROHIBITIONS.**

(a) The sanitary sewer system and connections thereto shall be used exclusively for drainage of waterborne wastes from water closets, urinals, lavatories, bath tubs and showers, laundry tubs, washing machines, refrigerator drips, automatic dishwashers, drinking fountains, sinks, floor drains of all types, soda fountains and for no other purpose whatever. However, garage floor drains, when receiving oil, grease or gasoline shall be connected to the sanitary sewer system with pre-treatment (i.e. oil/water separator, grease interceptor, etc.) and the residue therefrom must be disposed of by the owner. ~~However, garage floor drains, when receiving oil, grease or gasoline shall not be connected to the sanitary sewer system and the residue therefrom must be disposed of by the owner.~~

(b) Any wastes which may cause damage to, or stoppage of the sanitary sewer system or which may interfere with the purification or treatment of sewage, shall not be permitted to enter the sanitary sewer system. If any such waste is found, the sewer connection or connections discharging the same shall be disconnected at the expense of the owner.

(c) The connection of foundation drains in any way or manner, direct or indirect, shall not be permitted under any circumstances. All such drains found to be connected shall be immediately disconnected at the owner's expense and such use shall be discontinued.

(d) The connection of downspout or gutter drains, or of any roof water, either directly or indirectly, shall not be permitted under any circumstances. Any such connections shall be immediately disconnected at the owner's expense and such use shall be discontinued.

(e) The entrance of any surface water shall not be permitted, regardless of the amount or the method of entrance. Any person or the officers of any firm or corporation deliberately introducing surface water into the sanitary sewer system shall suffer the penalties hereinafter set forth.

(f) No person, group of persons, firm or corporation shall maintain a private sewer system within the City of Gahanna, except where the sanitary sewerage system is not available for use. All buildings accessible to the sanitary sewer system shall, upon order of the Director of Public Service, be required to connect to the sanitary sewer system in accordance with this chapter and the private sewers and septic tanks, or other forms of household sewage treatment systems, shall be properly abandoned per Franklin County Health Code requirements. (Ord. 0158-2014. Passed 11-17-14.)

**921.11 SEWER RENTAL RATES.**

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

Sewer Rental Table (In USD)

Effective Date	Base Rate Charge per 1,000 Gallons Water	Capital Improvement Fund per 1,000 Gallons	Total Base Charge per 1,000 Gallons	Sewer Surcharge for City of Columbus Consent Order Projects per Equivalent Residential Unit (ERU)	Total Charge Calculation Formula
January 1, 2014	5.38	0.35	5.73	\$2.54/Month/ERU	Total Base Charge per 1,000 Gallons Plus \$2.54/Month/ERU for Columbus Surcharge
January 1, 2015	\$5.92	\$0.35	\$6.27	\$2.60/Month/ERU	Total Base Charge Per 1,000 Gallons Plus \$2.60/Month/ERU For Columbus Surcharge
January 15, 2016	\$6.81	\$0.51	\$7.32	\$2.63/Month/ERU	Total Base Charge Per 1,000 Gallons Plus \$2.63/Month/ERU For Columbus Surcharge

Gallons of Water per Quarter - First 3,000 or Less (in USD)

Effective Date	Base Total Fee	Sewer Surcharge for City of Columbus Consent Order Projects Per Equivalent Residential Unit (ERU)	Total Charge Calculation Formula
January 1, 2014	17.19	\$2.54/Month/ERU	Base Total Fee Plus \$2.54/Month/ERU For Columbus Surcharge



<b>January 1, 2015</b>	<b>18.81</b>	<b>\$2.60/Month/ERU</b>	<b>Base Total Fee Plus \$2.60/Month/ERU For Columbus Surcharge</b>
<u>January 15, 2016</u>	<u>\$21.96</u>	<u>\$2.63/Month/ERU</u>	<u>Base Total Fee Plus \$2.63/Month/ERU For Columbus Surcharge</u>

(b) The City of Gahanna adopts the Columbus Low Income Discount Program and the Director of Public Service is authorized to create regulations for administering said program. So long as the City of Columbus offers the Low Income Discount Program, or similar programs, to master meter communities, the City of Gahanna may offer the program to its qualified users.

(c) Additional billing charges may be incurred due to industrial use classification changes, which shall be charged to the individual customer(s) affected in accordance with the industrial user class charges established in Columbus City Code, Section 1147.08. These additional charges shall become a part of the quarterly bill.

(d) Quarters shall consist of three-month periods with billings commencing on a schedule to be determined by the Director of Public Service. The quarter bill, including all penalties, shall be due and payable thirty days from the date of mailing. A ten percent (10%) penalty shall be assessed to all accounts paying after the due date. A delinquent notice granting an additional fourteen days before discontinuance of service shall be mailed to those accounts not paid in the thirty day period. The Director of Public Service or the Director's designee has the authority under this chapter to waive the above ten percent (10%) penalty after review of the facts presented.

(e) Final bills shall be due and payable within fourteen (14) days from the date of mailing.

(f) Bills shall be sent on a time schedule to be determined by the Director of Public Service, but no less frequently than a quarterly basis, with the water bills, to the address given by the owner. The owner shall be responsible for promptly notifying the City of Gahanna of any change of address and no consideration shall be given for failure to do so.

(g) Any property owner who uses or intends to use the City of Gahanna sanitary sewer system, but does not use the water system of such City of Gahanna, shall be required to purchase a water meter from the City of Gahanna and install the same on the private water system line, in order to determine the proper sewer rental charges to be assessed. The owner shall permit inspection and testing of this meter at any reasonable time by a duly authorized representative of the City of Gahanna and shall keep the meter and transmitter in good operating condition.

(h) The Sanitary Sewer Capital Improvement Fund shall be used for the payment of bonds and notes issued for the purpose of financing sewer system capital improvements, and no moneys therein shall be used for any other purpose until and unless the Director of Finance of the City of Gahanna certifies that there are sufficient moneys within the Fund to make all payments necessary to pay the bonds and notes. In the event the Director of Finance so certifies, then the excess funds may be used for capital improvements and maintenance of the sewer system.

(i) The sewer surcharge for City of Columbus consent order projects is mandated to address wet weather issues caused by rain and snow melt overwhelming the sanitary sewer system through inflow and infiltration. (Ord. 0158-2014. Passed 11-17-14.)

**921.12 UNPAID BILLS.**

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

(b) It shall be the responsibility of the buyer and seller, where property is sold or transferred, to assure that a final reading of water consumption, for purposes of calculating the sanitary sewer charge, is made and provisions agreed to for payment; otherwise, the responsibility for payment for any sanitary sewer charge whatsoever shall reside with the current owner of such property.  
(Ord. 0158-2014. Passed 11-17-14.)

**921.13 PARTIAL PAYMENT.**

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

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

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

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

So long as the City of Gahanna discharges its sewage, industrial waste, water and other liquid waste into the transportation, pumping and treatment system of the City of Columbus, all of the provisions of Chapter 1145 of the Columbus City Code, both as they exist and as they are hereafter amended, relating to the regulation of sewage use are hereby adopted by reference and made applicable to the City of Gahanna sewerage system. In the event of conflict between the provisions of this chapter and Chapter 1145 of the Columbus City Code, the provisions of Chapter 1145 of the Columbus City Code shall prevail. Officers and employees of the City of Columbus are hereby empowered to enforce such provisions of the Columbus City Code within the boundaries of the City of Gahanna. (Ord. 0158-2014. Passed 11-17-14.)

**921.15 SEPARABILITY OF PROVISIONS.**

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

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

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

**921.99 VIOLATIONS.**

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

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