

925.01 DEFINITIONS.

As used in this chapter:

(1) "BEST MANAGEMENT PRACTICES (BMPS)" ARE IDENTIFIED IN THE LATEST EDITION OF THE OHIO EPA GENERAL (NPDES) PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (SEE PART III G2E OF THE OHIO EPA'S NPDES PERMIT). THEY CONSIST OF STRUCTURAL AND NON-STRUCTURAL STORMWATER QUALITY MANAGEMENT CONTROL MEASURES.

(1.1) "Biochemical oxygen demand (BOD)" means the quantity of oxygen expressed in milligrams per liter, utilized in five days at twenty degrees Celsius, in the biochemical oxidation of organic matter under standard laboratory procedure, as prescribed in "Standard Methods for the Examination of Water and Wastewater", Thirteenth Edition.

(2) "Building drain" means 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, terminating five feet outside the building wall.

(3) "Sewer lateral, sewer service or house connection" means the extension from the building drain to the sewer main or other place of disposal.

(4) "Chemical oxygen demand (COD)" means the quantity of oxygen expressed in milligrams per liter equivalent to that portion of the organic matter in a sample of wastewater that is susceptible to oxidation by a strong chemical oxidant, as prescribed in "Standard Methods for the Examination of Water and Wastewater."

(5) "City" means the City of Fairfield or its authorized agents or representatives.

(6) "City Manager" means the City Manager or his authorized agent or representative.

(7) "Compatible pollutant" means pollutants which the treatment plant was designed to treat which are BOD, suspended solids, phosphorous, ammonia and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned treatment works were designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

(8) "Connection charge" means that amount paid by the owner of each new service connected to the treatment works to pay for the City's share of facilities required to serve the premises. The charge shall be in proportion to the probable demand placed on the system.

(9) "Director" means the Director of Public Utilities or his authorized agent or representative.

(10) "Easement" means an acquired legal right for the specific use of land owned by others.

(11) "Engineer" means the City Engineer or his authorized agent or representative.

(12) "Garbage" means the solid waste from the preparation, cooking and serving of

foods and from the handling, storage and sale of produce.

(13) "Incompatible pollutant" means any pollutant which is not compatible.

(14) "Industrial cost recovery charge" means that amount assessed each industrial user to repay that portion of all federal grant amounts allocable to the treatment of wastes from the industrial users of the wastewater facilities in proportion to capacity of such facilities committed to their use.

(15) "Industrial user" means any nongovernmental user of the treatment works identified in the "Standard Industrial Classification Manual" 1972, Office of Management and Budget, published by the federal government, as amended and supplemented under the following divisions:

- A. Division A: Agriculture, forestry and fishing.
- B. Division B: Mining.
- C. Division D: Manufacturing.
- D. Division E: Transportation, communications, electric, gas and sanitary services.
- E. Division I: Services.

A user in Divisions A to I may be excluded from this definition if it is determined by the City that such user shall introduce primarily segregated domestic waste or wastes from sanitary conveniences.

(16) "Industrial wastes" means the wastewater from industrial processes, trade or business as distinguished from domestic or sanitary wastes.

(17) "Maintenance cost" means those costs, including labor, materials, supplies, equipment, accessories and appurtenances required to maintain the capacity and performance during the service life of the wastewater treatment plant for which such works were designed and constructed.

(18) "Major contributing industry" means an industrial user of the publicly owned treatment works to which any of the following apply:

- A. Has a flow of 50,000 gallons or more per average work day;
- B. Has a flow greater than five percent (5%) of the flow carried by the wastewater collection system receiving the waste;
- C. Has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307(a) of PL 92-500; or
- D. Is found by the permit issuance authority, in connection with the issuance of an NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

(19) "May" is permissive.

(20) "Nonindustrial user" means any user of the wastewater facilities not classified as

an industrial user.

(21) "NPDES permit" means National Pollutant Discharge Elimination System permit as issued by the State Environmental Protection Agency under authorization issued by the U.S. EPA, Region V.

(22) "Operating cost" means those costs, including labor, materials, supplies, equipment, accessories and appurtenances required to operate the wastewater treatment plant at the level of performance required by the NPDES permit and the administrative, billing and wastewater collection costs.

(23) "pH" means the logarithm of the reciprocal of hydrogen ion concentration. The hydrogen ion concentration is the weight of hydrogen ions, expressed in grams per liter of solution.

(24) "Phosphorus" means the total phosphorus content of a sample as expressed in milligrams per liter, including all of the orthophosphates and condensed phosphates, both soluble and insoluble, and organic and inorganic species, and referred to in "Standard Methods for the Examination of Water and Wastewater" as total phosphorus.

(25) "Pretreatment" means the treatment of wastewaters before their introduction into the wastewater collection system of treatment works.

(26) "Private sewer" means a sewer constructed, controlled and maintained by someone other than a government agency or public utility.

(27) "Properly shredded garbage" means garbage that has been shredded to such a degree that all particles shall be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

(28) "Public sewer" means a common sewer in which all owners of abutting properties have equal rights and which is controlled by a governmental agency or public utility.

(29) "Recovered amounts" means that revenue generated as a result of the Industrial Cost Recovery System.

(30) "Recovery period" means thirty years from the completion of the wastewater treatment plant.

(31) "Replacement cost" means those costs, for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(32) "Retained amounts" means that part of the recovered amounts retained by the City.

(33) "Sanitary sewer" means a sewer that carries liquid and/or water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

(34) "Segregated domestic wastes" means wastes which are characterized by a per capita discharge of 100 gallons/day at a loading of 200 mg/1 BOD and 250 mg/1 SS, commonly termed normal domestic sewage.

- (35) "Sewer" means a pipe or conduit that carries wastewater or drainage water.
- (36) "Shall" is mandatory.
- (37) "Significant user" means any industrial user that contributes greater than ten percent (10%) of the design flow or design pollutant loading of the treatment works.
- (38) "Slug" means 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 minutes more than five times the average twenty-four hours concentration of flows during normal operation or which may adversely affect the collection system and/or performance of the wastewater treatment works.
- (39) "Storm drain or storm sewer" means a drain or sewer for conveying groundwater, subsurface water or unpolluted water from any source.
- (40) "Suspended solids (SS)" means 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 therein as nonfilterable residue.
- (41) "Superintendent" means the Superintendent of Public Utilities assigned to the Wastewater Division or his authorized agent or representative.
- (42) "Unpolluted water" means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- (43) "User charge" means that amount paid by each owner of structures connected to the treatment works proportionate to the service provided. This charge shall cover all operation, maintenance and replacement costs for the treatment facilities, operation and maintenance costs for the collection system and administrative expenses incurred during operation of the wastewater office.
- (44) "Wastewater or sewage" means the spent water of a community, and may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water and storm water that may be present.
- (45) "Wastewater collection system" means the entire system of collection sewers, trunk sewers and interceptor sewers and all appurtenances, provided to collect and transport wastewater to the wastewater treatment plant.
- (46) "Wastewater treatment plant" means an arrangement of devices and structures for treating wastewater, industrial wastes and sludge.
- (47) "Watercourse" means a natural or artificial channel for the passage of water either continuously or intermittently.
(Ord. 167-95. Passed 11-13-95.)
- (48) "Debt service charge" means the portion of the sewer use charge, excluding high strength surcharges, which serves to retire debt incurred through capital improvements of the sanitary sewer collection and treatment facilities.

(49) "Sewer service charge" means the portion of the sewer use charge which serves to pay expenditures incurred in the operation and maintenance of the City's sewer collection and treatment facilities.

(Ord. 12-97. Passed 1-27-97.)

925.02 RESPONSIBILITIES AND ENFORCEMENT.

(a) Division of Wastewater Established. There is hereby established a Division of Wastewater, under the direction of the Public Utilities Director, which shall be responsible for the operation and maintenance of the wastewater treatment plant and wastewater collection system according to the requirements of the NPDES permit and other Federal and State laws.

(b) Financial Management. The City Manager shall establish a division for the billing, recording and collecting of moneys associated with the provision of services by the Wastewater Division.

(c) Bylaws and Regulations. The City Manager may make such bylaws and regulations as are necessary for the safe, economical and efficient management and protection of the wastewater system and wastewater pumping, treatment and disposal works, and for the construction and use of wastewater services and their connection to the wastewater system. Such bylaws and regulations shall have the same validity as ordinances, when not repugnant thereto.

(d) Responsibility of Public Utilities Director for Sewers. The Public Utilities Director shall be responsible for approving the design and final acceptance of all sanitary sewers constructed in the City.

(Ord. 167-95. Passed 11-13-95.)

925.03 GENERAL SEWER CONSTRUCTION REQUIREMENTS.

(a) Responsibility for Construction. The Public Utilities Director shall supervise all the construction pertaining to the wastewater treatment facilities and all tests run on the collection system. He shall be responsible for offering and making recommendations for acceptance by the City Manager and/or Council.

(Ord. 34-97. Passed 3-31-97.)

(b) Sewer Construction. All sewer construction shall adhere to specifications and drawings in accordance with the Design, Construction and Materials Specification Handbook.

(Ord. 128-07. Passed 10-9-07.)

(c) Payment for Inspection of City-Initiated Work. Inspection for all sewer work initiated by the City shall be paid for from the Sewer Fund.

(Ord. 34-97. Passed 3-31-97.)

(d) Minimum Test Requirements. Maximum allowable infiltration shall be 100 gallons per mile per inch of diameter per twenty-four hour day. The Public Utilities Director or his/her authorized representative shall be present for all testing. The City shall not accept the responsibility of maintaining any new sewer unless the entire sewer has passed the infiltration test. The Public Utilities Director may require an exfiltration test or air test and closed circuit television inspection of all new sewers before acceptance.

(e) As-Built Drawings. Within thirty days after completion of the construction work on any part of the wastewater system, the contractor shall provide a complete set of certified, reproducible as-built drawings to the Public Utilities Director for all sewers constructed, including those constructed in subdivisions.

(Ord. 128-07. Passed 10-9-07.)

(f) Rules for Submittal of Subdivision Plans and Sewer Main Extensions.

(1) Improvements plans of all proposed subdivisions which include sanitary sewers shall be submitted to the Public Utilities Director for approval prior to being submitted to the Planning Commission for final approval. The subdivider shall confer with the Public Utilities Director on allowances for extra capacity in the subdivision sewer that are required for expansion of the sewer system beyond the limits of the subdivision before plans are submitted to the Public Utilities Director. No final plats shall be approved by the Planning Commission until the Public Utilities Director has approved the detail plans and specifications for the sewer. All plans and specifications submitted for approval shall be fully detailed so as to assure conforming and reliable construction, and shall be stamped by a registered professional engineer. The drawings are to conform to City standards. If revisions in either plans, specifications or design are found necessary, the submittal shall be returned to the subdivider for revisions and resubmittal.

(g) Inspections.

(1) All sewer and appurtenant structures shall be inspected during construction [and] installation **AND REPAIR** by the Public Works Director or inspectors assigned by him and responsible to him.

(2) The Public Works Director shall appoint or designate an inspector for periodical or continuous inspection as the type of work may require or as he deems necessary.

(h) Inspection Fees.

(1) Classification. Inspection fees shall be classified as follows:

- A. Review of preliminary plans.
- B. Continuous and intermittent construction inspection.
- C. Supervisory and final construction inspection.

(2) Review of preliminary plans. The fee for review of preliminary plans accompanying the tentative plat shall be included in the fee charged by the Planning Commission for submission of the final plat.

(3) Continuous and intermittent inspection.

- A. General. When the extent of work in any project so justifies, the Public Works Director may provide for a full-time inspector for that project from his own forces. Where a project does not require full-time inspection, the Public Works Director may provide for intermittent inspection and may use the inspector for more than one such project.

B. Continuous. The Public Works Director shall send a monthly bill to the contractor for the time spent for inspection. The charge shall be at the hourly rate paid the inspectors by the City plus thirty percent (30%), with a minimum billing of one-half hour. If inspection is required at a time when the inspector is designated to receive overtime pay, the charge shall be at the overtime rate paid the inspector, plus thirty percent (30%) with a minimum billing of one-half hour.

C. Intermittent. Intermittent inspection may be provided when where the Public Works Director may consider this arrangement satisfactory. Charges for intermittent inspection shall be the same as those for continuous inspection based on actual hours of service, including time allowance for travel.

(4) Supervisory and final inspection.

A. Supervisory.

1. The Public Utilities Director may direct that soil tests and laboratory tests of material be made, and the subdivider shall be required to pay directly for any and all costs and charges incurred in having the tests made.

B. Final. Final inspection by the Public Utilities Director shall be made after the subdivider has submitted final as-built plans.

(i) Revisions. During construction, no departure from approved plans and specifications shall be made unless a request for a change is submitted to the Public Utilities Director in writing and approval in writing is obtained.

(Ord. 34-97. Passed 3-31-97.)

(j) As-Built Drawings. Editor's Note: This section intentionally left blank.

(k) Easements. The developer shall give the City any easements for future sewers recommended by the Public Utilities Director. Any such easements shall be recorded on the plan, and filed for approval with the Planning Commission. In the event it becomes necessary to construct sewers outside the limits of any platted easement, easements to include the sewer shall be given to the City by separate instrument. All sewers shall be constructed in public easements or rights of way.

(Ord. 128-07. Passed 10-9-07.)

(l) Sewer Charges. Charges for connection and use of sanitary sewers in subdivisions shall be made at the rate provided for by the City-wide system. All final plats of subdivisions showing sanitary sewers shall have the following note placed thereon in a conspicuous location.

"All sanitary sewers shown on this plat shall be subject to the same service charges and same rates as required for the City-wide system."

(m) Allowances for Larger Pipe Requirements. If the Director requires that the subdivision sewer or sewers must be larger than the size required to handle the sewage flow from the subdivision, due to expansion of the sewer system beyond the subdivision, in the future, the City shall pay the subdivider the difference in cost for the larger piping materials. Additional installation cost for the larger piping is the responsibility of the subdivider.

(n) Responsibility for Maintenance of Subdivision System. The City shall accept ownership and assume responsibility for the operation and maintenance of the constructed subdivision system upon completion, provided that acceptance of the system has been recommended by the Director after proper inspection and tests. The subdivider shall pay for the entire cost of the sewer unless otherwise provided for in this chapter, including the final inspection of the sewer system prior to acceptance by the City.

(o) Performance Bond. The contractor shall furnish to the City a performance bond of one hundred percent (100%) of the cost of the improvements to insure compliance with approved plans and specifications, and the proper functioning of the sewer and appurtenances. Sewer mains in subdivisions shall be included in the subdivision bonding process.

(p) Maintenance Bond.

(1) The contractor shall furnish to the City a maintenance bond of ten percent (10%) of the cost of the improvements for one year after the performance bond is released to insure proper functioning of the sewer and appurtenances.

(2) If maintenance is required as a result of improper construction and the contractor does not perform the maintenance within ten days or sooner in the event of an emergency of written notification, the City may perform the maintenance and subtract the cost of the maintenance from the bond.

(Ord. 34-97. Passed 3-31-97.)

925.04 USE OF PUBLIC SEWERS.

(a) Use Required.

(1) Except as otherwise provided, no person shall construct within the City any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

(2) The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City, abutting on any street, alley or right of way in which there is now located a public sanitary sewer of the City, is hereby required at the owner(s)' expense to install toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within ninety days after date of official notice to do so, provided that the public sewer is within 100 feet of the property line.

(b) Private Wastewater Disposal. No person shall construct and use any private wastewater system unless approval therefor has been received from the Director, County Board of Health and any other required agencies.

(c) Requirements for Private Wastewater Collection System. All privately constructed wastewater collection systems shall comply with City specifications governing the construction of sanitary sewers and two copies of certified, reproducible, as-built drawings shall be supplied to the Public Utilities Director before connection to the public system is made.

(Ord. 167-95. Passed 11-13-95.)

925.05 CONNECTION TO PUBLIC SEWERS.

(a) Procedure to Connect. No house sewer shall be constructed to connect with a public sewer nor shall any connection be made to a public sewer within the City, except in accordance with the following procedure. The owner, agent or lessee of the property for which the connection is desired shall make written application for the connection to the Public Utilities Director, which application shall state the location and nature of the property, the number of the lot, the length of the house sewer desired from the building foundation to the property or curb line and the fixtures to be connected thereto. After the application is made and a permit fee paid, a permit will be issued. The owner, agent or lessee shall have the house sewer installed and the connection to the public sewer established in the manner hereinafter provided. Connections are unlawful until the permit has been issued. In order to permit ventilation of the public sewer and sewer service, no trap shall be placed in the sewer service. After the sewer is laid and before it is covered or used, it shall be inspected by the Public Works Director and approved by the Public Utilities Director.

(b) Authorization to Install House Sewers; Connections and Toilet Facilities. The Public Utilities Director is authorized to install or have installed sewers, laterals and connections where satisfactory installation has not been made by the owner or agent. For the purpose of carrying out the provisions of this subsection, the Public Utilities Director is authorized and directed to secure the necessary equipment and hire the necessary labor. He shall maintain a record of the cost of the equipment and labor and shall ascertain as accurately as possible the actual cost of the installation of the house sewer and connection which cost, the addition to the cost of inspection and recording, shall be the cost charged to the owner, agent or lessee of the property for which the construction is done.

(c) License Required for Construction.

- (1) Sewer tapper's license. A sewer service **LATERAL AND/OR** connection may only be made, built or repaired by a person, firm or corporation having a sewer tapper's license issued by the Public Utilities Director. Application for such licenses must be made to the Public Utilities Director and a license fee of thirty dollars (\$30.00) shall accompany the application. The license shall be valid for one year, and must be renewed and an additional license fee paid each year. The license applicant shall be required to prove to the satisfaction of the Public Utilities Director that he/she possesses the qualifications necessary for a competent sewer builder. The applicant may be required to pass a test as to competency under the bylaws and regulations adopted by the Public Utilities Director.
- (2) Bond. Before being granted a license to make sewer connections, the applicant shall file with the City a bond in the amount of five thousand dollars (\$5,000) which shall be a blanket bond covering all installations of the sewer builder for one year after the actual installation. The bond shall be conditioned so as to insure proper workmanship and materials in the installation of any sewer for any property owner and to save the City harmless from claims arising as a result of damage to any person or property by reason of such sewer installations. The bond shall be approved by the Law Director as to form and surety. The license

shall be signed by the Public Utilities Director and shall expire one year after its issuance. A license may be revoked by the City Manager or Public Utilities Director if the licensee violates any of the laws, ordinances, bylaws and regulations governing connection to City sewers.

(Ord. 19-02. Passed 1-28-02.)

(d) Permit Fees; Inspection Fees. Before commencement of construction of any building sewer whether it is located on private or public property, the owners, agent or lessee shall obtain a written permit signed by the Public Utilities Director. There shall be three classes of sewer permits to establishment producing industrial wastes: residential, commercial service and multiple-family residences and service. In any case, the owner, agent or lessee shall make application on a special form furnished by the City. The permit application shall be accompanied and supplemented by any plans, specifications or other information considered necessary and pertinent in the judgment of the Public Utilities Director. A sewer permit fee of two hundred dollars (\$200.00) per tap shall be paid to the Utility Collection Office at the time the application is filed. The Public Utilities Director shall have the authority to require increased permit and inspection fees in unusual cases, or in cases where repeated inspections are required.

(e) Building Permit Required and Sewer Expansion Fee.

- (1) No sewer service shall be constructed to connect with a public sewer nor shall any connection be made to a public sewer within the City until the building permit from the Building Inspection Division has been obtained by the person, firm or corporation employed to perform the work. An application for a permit shall be signed by the owner, agent or lessee of the property for which the connection is to be made and by the person, firm or corporation employed to perform the work, and shall describe the property and state the number of fixtures to be connected.
- (2) No building permit shall be issued until a sewer expansion fee is paid. The sewer expansion fee is to be charged according to the following schedule:

<u>Sewer Expansion Fee</u>				
<u>Water Meter Size</u>	<u>Equivalent Residential Unit (ERU)</u>	<u>Treatment Plant</u>	<u>Collection System</u>	<u>Total Sewer Exp. Fee</u>
5/8"	1.0	\$450	\$1,240	\$1,690
1"	1.4	630	1,736	2,366
1-1/2"	1.8	810	2,232	3,042
2"	2.9	1,305	3,596	4,901
3"	11.0	4,950	13,640	18,590
4"	14.0	6,300	17,360	23,660
5"	21.0	9,450	26,040	35,490

6" 29.0 13,050 35,960 49,010

(Ord. 22-94. Passed 3-1-94.)

(f) Responsibilities to be Borne by Property Owner.

- (1) All costs and expense incident to the installation and connection of the sewer service shall be borne by the owner. The property owner shall indemnify the City from any claims arising as a result of any loss or damage that may directly or indirectly be occasioned by installation of the sewer service.
- (2) The owner is responsible for the cleaning of the sewer service from his house or building to the public sewer main. The owner is responsible for the maintenance of the sewer service from his house or building to the limit of the public right of way.

(g) Responsibilities to be Borne by City.

- (1) The Public Utilities Director has the option of installing the sewer service from the sewer main connection to the limit of the public right of way and billing the property owner for such installation or requiring the owner to install the sewer service from the sewer main connection to the limit of the public right of way, at the owner's expense.
- (2) The City is responsible for maintenance on the sewer service from the limit of the public right of way to the sewer main.

(h) Separate Sewers Required; Exception. A separate and independent sewer service shall be provided for every building, except where one building stands on the opposite side of the sewer service from another building on an interior lot and no private sewer is available or can be built to the far building through an adjoining alley, court, yard or driveway. In such case, the sewer service from the structure nearest to the sewer main may be extended to accommodate the far building and the whole considered as one sewer service except for billing purposes.

(i) Approval of Existing Sewer Services. As public sewers become available and connections are made to them, existing sewer services shall generally not be approved for future use. The Public Utilities Director shall, however, have the authority to approve the use of an existing sewer service for new sewer service if, in his opinion, the existing sewer service is of acceptable construction quality and good condition. An additional permit and inspection fee shall be charged for persons seeking approval of the use of all or part of an existing sewer service, regardless of the subsequent approval or rejection of them. The fee schedule shall be the same as for a new sewer service. The property owner shall, in addition, pay for or perform any testing or exposure of the existing line for inspection deemed necessary by the Public Utilities Director.

(j) Minimum Specifications for Sewer Service Connection.

- (1) Sewer service connection shall be made by a material approved by the Director. Joints shall be tight and waterproof to the satisfaction of the Public Utilities Director.

(Ord. 167-95. Passed 11-13-95.)

(2) The size and slope of the sewer service shall be subject to the approval of the Public Utilities Director, but in no event shall the diameter be less than eight inches for a public sewer main, and not less than six inches for private lateral for a gravity sewer system. Low pressure force main systems shall be sized according to hydraulic design criteria. The uniform slope of a gravity wastewater pipe shall be not less than one-quarter inch per linear foot.

(3) No sewer service shall be laid parallel to or within five feet of any bearing wall which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The sewer service shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Cleanouts shall be built at all changes of direction of forty-five degrees or more and at every seventy-five feet or fraction thereof along all straight lines.

(Ord. 128-07. Passed 10-9-07.)

(4) In all buildings in which any building drain is too low to permit gravity flow to the sewer main, sanitary sewage carried by such drain shall be lifted by artificial means as approved by the Public Utilities Director and discharged to the sewer service.

(5) Connection of cellar floor drains to the sewer service shall be permitted only when they connect to a trap with a permanent waterseal between them and the sewer service connection. All vents shall be constructed so as to prevent foreign objects from being introduced into the sanitary sewers. Tees shall not be permitted in any part of the sewer service connection.

(6) The connection of the sewer lateral into the sewer main shall be made at the Y branch provided for the lot on which the building is located. The greatest of care shall be exercised to produce a water-tight job and to assure that alignment of the sewer main is not disturbed. This work may be done only by a properly licensed contractor or by the City at the Public Utility Director's option, and the cost of it shall be borne by the property owner.

(k) Notification Required. The applicant for the building sewer permit shall notify the Public Works Director at least twenty-four hours prior to when the sewer lateral is ready for inspection and connection to the sewer main. The connection shall be made under the supervision of the Public Works Director or his designated representative.

(l) Hazard Protection. All excavations for sewer service installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Public Works Director.

(Ord. 167-95. Passed 11-13-95.)

925.06 RESTRICTIONS ON SANITARY SEWER DISCHARGES.

(a) Prohibited Discharges.

- (1) No person shall discharge or cause to be discharged any storm water, surface water, ground, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer of the City; or permit or allow to be discharged or conveyed to a public sewer any wastewater containing pollutants of such character or quantity that will:
 - A. Not be susceptible to treatment or interfere with the process or efficiency of the treatment system.
 - B. Constitute a hazard to human or animal life or to the stream or water course receiving the treatment plant effluent.
 - C. Violate pretreatment standards.
 - D. Cause the treatment plant to violate its NPDES permit or applicable receiving water standards.
- (2) No person shall discharge or cause to be discharged without prior written approval of the Director of Public Utilities any hazardous waste into the sanitary sewer of the City. A hazardous waste shall be defined by OAC 3745-51-21 to 3745-51-24 inclusive or is a waste listed in OAC 3745-51-31, 3745-51-32, 3745-51-33(E), 3745-51-33(F).

(Ord. 129-85. Passed 11-11-85.)

(b) Materials Discharged to Public Sewer Limited.

- (1) The following described substances, materials, waters or waste shall be limited in discharges to the Municipal system to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment; have an adverse effect on the receiving stream; significantly affect the wastewater sludge in such a manner that might jeopardize or reduce sludge disposal methods; cause violations of the NPDES regulations; otherwise endanger lives, limb, public property; or constitute a nuisance. The Public Utilities Director may set limitations more severe than the limitations established in this section if in his opinion, more severe limitations are necessary to meet the objectives of this chapter. In forming his opinion as to the acceptability, the Public Utilities Director will give consideration to such factors 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 material or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Public Utilities Director are as follows:
 - A. Wastewater having a temperature higher than 150 degrees Fahrenheit (65°C) at point of entrance to main sewer. In no case, is heat to be contributed in such quantities that the temperature at the POTW exceeds 104 degrees Fahrenheit (40°C).

- B. Wastewater containing more than twenty-five milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- C. Wastewater from industrial plants containing floatable oils, fat, grease, or which may contain more than 100 mg/l in any single grab sample of fat, oil or grease (fluorocarbon-113 extraction method).
- D. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- E. Any waters or wastes containing iron, chromium, copper, zinc, nickel, cadmium, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Superintendent for such materials.
- F. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Public Utilities Director.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Public Utilities Director in compliance with applicable State or federal regulations.
- H. Quantities of flow, concentrations or both which constitute a "slug".
- I. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or which are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- J. 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 structural and treatment processes. The Public Utilities Director shall require all discharges to conform to all NPDES permit requirements and any other specified in State or federal regulations.
- K. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the U.S. EPA pursuant to Section 307(a) of the Act, and chemical elements or compounds, phenols or other taste or odor producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system or that will pass through the system.
- L. Any solid or viscous wastes which will or may cause obstructions to the flow in a sewer or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not

limited to, grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides, or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil or similar substances.

- M. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by the interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater facilities or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
- N. Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of 5.5 to 9.0 standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.
- O. Any waters or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment plant.

(2) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this section, and which in the judgment of the Public Utilities Director may interfere with, pass through, or otherwise be incompatible with the wastewater facilities, processes, equipment or receiving waters, or which otherwise may create a hazard to life or constitute a public nuisance, the Public Utilities Director may:

- A. Prohibit discharge of the wastes to the public sewer.
- B. Require pretreatment to an acceptable condition for discharge to the public sewers.
- C. Require control over the quantities and rates of discharge.
- D. Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

Should the Public Utilities Director require the pretreatment or equalization of any waste flows, the design and installation of the plants and equipment therefor shall be subject to the review and approval of the Public Utilities Director. When considering the above alternatives, the

Public Utilities Director shall give consideration to the economic impact of each alternative on the discharger.

- (3) The Public Utilities Director may require a user of the public sewer system to provide information needed to determine compliance with this chapter. These requirements may include, but are not limited to:
- A. Wastewaters discharge peak rate and volume over a specified time period.
 - B. Chemical analyses of wastewaters.
 - C. Information on raw materials, processes and products affecting wastewater volume and quality.
 - D. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
 - E. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
 - F. Details of wastewater pretreatment facilities.
 - G. Details of system to prevent and control the losses of materials through spills to the sewer system.

(c) Industrial Pretreatment Required. All major contributing industrial users of the treatment facilities shall pretreat any pollutant which may interfere with, pass through or otherwise be incompatible with the treatment works. All owner(s) of any source to which pretreatment standards are applicable shall be in compliance with such standards within the shortest reasonable time, but not later than two years from the date of promulgation of such standards for the applicable industrial category. Notwithstanding this permitted schedule, any waste discharge that prevents proper treatment of waste at the Municipal wastewater treatment facility shall be prohibited immediately. All owner(s) of any source to which pretreatment standards are applicable shall submit to the Public Utilities Director semiannual notices regarding specific actions taken to comply with such standards. Such notices shall be submitted on the first day of the months of April and October.

If any major contributing industrial user proposes to pretreat its wastes, the design and installation of the plants and equipment therefor shall be subject to the review and approval of the Public Utilities Director.

(d) Measurement Test and Analyses. All measurements, tests and analyses of the characteristics of water and waste shall be determined in accordance with "Standard Methods for Examination of Water and Wastewater", or other approved standards. Samples shall be taken at a control manhole, if available. In the event no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer system to the point at which the sewer service is connected.

(e) Wastewaters Having High Biochemical Oxygen Demand. The admission into the public sewers or any waters or wastes having a five day biochemical oxygen demand in excess of normal wastewater shall be subject to the review and approval of the Public Utilities Director. When necessary, in the opinion of the Public Utilities Director, means for such pretreatment as

may be needed to control the quantities and rates of discharges or reduce objectionable characteristics or constituents shall be constructed according to plans approved by the Public Utilities Director.

(f) Maintenance of Pre-Treatment Facilities. When pretreatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(g) Control Manhole. When required by the Public Utilities Director, the owner of any property served by a sewer service carrying wastes shall install a suitable control manhole in the sewer service to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safety located, and shall be constructed in accordance with plans approved by the Public Utilities Director. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times. (Ord. 167-95. Passed 11-13-95.)

(h) Grease, Sand, and Oil Interceptor. All users who discharge sanitary wastes of a nature which include grease, oils, or heavy non-putrescible materials to the City's sanitary sewer system shall be required to install interceptor(s) to remove such materials from the waste stream. The interceptor shall remain the property and responsibility of the property owner and shall be maintained in a manner which causes it to perform satisfactorily. (Ord. 12-97. Passed 1-27-97.)

925.07 SPECIAL STORM SEWER RULES.

(a) Permit; Fee. No connection shall be made to a public storm sewer within the City until the written permission of the Public Works Director or his designee has been obtained by the person, firm or corporation proposing to or employed to perform the work. An application for a permit shall be signed by the owner or agent of the property for which the connection is desired and by the person, firm or corporation employed to perform the work; shall describe the property and state the purpose for which the connection is desired; and shall be accompanied by a fee in accordance with the following schedule:

(1)	Existing residential structure sump pump drain pipe	\$10.00
(2)	Existing residential structure roof downspout	\$10.00
(3)	Existing residential structure yard drain pipe (6-inch diameter or less)	\$10.00
(4)	Existing residential structure storm sewer pipe (up to 12-inch diameter)	\$25.00
(5)	All other connections	\$125.00

No permit shall be issued until the appropriate application is made and the applicable fee is paid.

(b) Discharges Into Storm Sewers Regulated. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Public Works Director. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Public Works Director to a storm sewer

or natural outlet after obtaining the appropriate permits from the State, Environmental Protection Agency or any other required agencies.

(c) Prohibition of Illegal Discharges. No person, firm, or corporation shall discharge or cause to be discharged into a public storm sewer or watercourse any substance other than storm water, except as follows:

(1) Water line flushing or other potable water discharges, irrigation or lawn watering, diverted stream flows, rising ground water, uncontaminated ground water infiltration, uncontaminated pumped ground water, foundation or footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential vehicle washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, water from fire fighting activities, and any other water source not containing pollutants **THAT ARE OTHERWISE IDENTIFIED BY THE OHIO EPA AS A PROHIBITED NON-STORMWATER DISCHARGE SOURCE.**

(2) Discharges specified in writing by the Public Works Director or his designee as being necessary to protect public health and safety.

(3) Any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharge is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations.

(d) Prohibition of Certain Connections. The construction, use, maintenance or continued existence of any drain or conveyance, whether on the surface or subsurface, which allows a prohibited substance to enter a public storm sewer or watercourse is prohibited. This prohibition expressly includes, without limitation, connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. When a prohibited connection is discovered, the Public Works Director will provide written notice to the property owner ordering its disconnection from the storm sewer system or watercourse. No person, firm or corporation shall fail to eliminate such connection(s) to the storm sewer or watercourse within thirty days after being ordered to do so as provided herein.

(e) Inspection of Storm Sewers. After a connection to a public storm sewer is built, and before it is covered, it shall be inspected and approved by the Public Works Director or his designee.

(f) Prohibition of Curb Line Discharges. No roof downspout, sump drain, or other surface or groundwater drainage line may be constructed to discharge directly into the curb line of any public street. This prohibition expressly includes, without limitation, any curb line discharge established in the past, regardless of whether its construction was permissible under law or practices applicable or prevailing at the time. When such a curb line discharge is discovered, the Public Works Director will provide written notice to the property owner ordering its disconnection from the curb line. No person, firm, or corporation shall fail to eliminate such curb line discharge(s) within 30 days after being ordered to do so as provided herein.

(g) Erosion and Sediment Control. To minimize the entry of sediment and other pollutants

into the City's storm sewer system that is caused by construction site runoff, erosion and sediment control measures must be provided on all new development and redevelopment projects. These measures are to be shown in a sedimentation plan that has been prepared in accordance with the applicable requirements of the subdivision rules and regulations.

CONSTRUCTION ACTIVITIES DISTURBING ONE OR MORE ACRES OF TOTAL LAND, OR THAT WILL DISTURB LESS THAN ONE ACRE OF LAND BUT ARE A PART OF A LARGER COMMON PLAN OF DEVELOPMENT, REDEVELOPMENT OR SALE THAT WILL ULTIMATELY DISTURB ONE OR MORE ACRES OF LAND, SHALL SEEK COVERAGE UNDER THE OHIO EPA GENERAL CONSTRUCTION PERMIT FOR STORM WATER DISCHARGES (OHIO EPA PERMIT NO. OHC000004, OR LATEST EDITION). AS SUCH, ANY PERSON SEEKING APPROVAL OF A PLAN FOR EROSION AND SEDIMENT CONTROL MEASURES, SHALL SUBMIT TO THE CITY PUBLIC WORKS DIRECTOR PRIOR TO START OF CONSTRUCTION, A COPY OF THE "NOTICE OF INTENT" (NOI) THAT SEEKS COVERAGE UNDER THE STATE OF OHIO CONSTRUCTION PERMIT THAT HAS BEEN OR WILL BE FILED WITH THAT STATE AGENCY. AFTER THE SWP3 IS APPROVED AND DURING CONSTRUCTION, IT SHALL BE KEPT ON THE CONSTRUCTION SITE, ALONG WITH A COPY OF THE NOI AND LETTER GRANTING PERMIT COVERAGE UNDER THE OHIO EPA GENERAL CONSTRUCTION PERMIT.

(H) STORMWATER MANAGEMENT CONTROLS.

(1) TO MINIMIZE THE IMPACT OF LAND DEVELOPMENT AND REDEVELOPMENT ACTIVITIES ON STORM RUNOFF AND DRAINAGE, STORMWATER MANAGEMENT CONTROLS SHALL BE REQUIRED ON NEW DEVELOPMENT AND REDEVELOPMENT SITES, PURSUANT TO REQUIREMENTS CONTAINED IN CHAPTERS 1117 AND 1182, AND PER THE DESIGN REQUIREMENTS CONTAINED IN THE CITY DESIGN, CONSTRUCTION AND MATERIALS SPECIFICATION HANDBOOK.

(2) CONSTRUCTION ACTIVITIES DISTURBING ONE OR MORE ACRES OF TOTAL LAND, OR THAT WILL DISTURB LESS THAN ONE ACRE OF LAND BUT ARE A PART OF A LARGER COMMON PLAN OF DEVELOPMENT, REDEVELOPMENT OR SALE THAT WILL ULTIMATELY DISTURB ONE OR MORE ACRES OF LAND, SHALL SEEK COVERAGE UNDER THE OHIO EPA GENERAL CONSTRUCTION PERMIT FOR STORM WATER DISCHARGES (OHIO EPA PERMIT NO. OHC000004, OR LATEST EDITION). AS PART OF THAT COMPLIANCE, POST-CONSTRUCTION BEST MANAGEMENT PRACTICES SHALL BE MADE PART OF THE STORMWATER MANAGEMENT CONTROLS ON LAND DEVELOPMENT SITES, PURSUANT TO THE REQUIREMENTS OF THE OHIO EPA PERMIT AND PER THE REQUIREMENTS IN CHAPTERS 1117 AND 1182.

(I) ROUTINE AND REMEDIAL MAINTENANCE.

(1) OWNERS AND OCCUPANTS OF PROPERTIES WITH STORMWATER MANAGEMENT FACILITIES ARE RESPONSIBLE FOR OPERATION AND MAINTENANCE AS SPECIFIED IN SECTION 925.07(M). THE PUBLIC WORKS DIRECTOR SHALL PROVIDE FOR INSPECTION AND ROUTINE

MAINTENANCE OF FACILITIES THAT HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE CITY. CITY MAINTENANCE MAY INCLUDE STORM WATER CONVEYANCE-RELATED STRUCTURE CLEANING AND REPAIR.

(2[3]) Commercial, industrial, multi-family residential property. The property owner(s) shall fully maintain detention/retention basins located on private commercial, industrial, or multi-family residential property, whether such basins are located within a public easement or not. This maintenance responsibility shall include both routine maintenance such as mowing, cleaning, debris removal, and erosion repair and non routine maintenance such as the repair or replacement of damaged or missing structural components.

(3[4]) Single family residential property. The property owner(s) and/or homeowner's association shall be responsible for routine maintenance such as mowing, cleaning, debris removal, and erosion repair for detention/retention basins located on private single family residential property, whether such basins are located within a public easement or not. The City shall be responsible for non-routine maintenance such as the repair or replacement of damaged or missing structural components of such basins.

~~[(3) Notification. When the maintenance of a detention/retention basin is found to be in violation of this subsection, the Public Works Director will provide written notice to the appropriate property owner(s) and/or homeowner's association ordering that the necessary maintenance be performed within a reasonable period of time. No person, firm or corporation shall fail to perform the required maintenance within the required period after being ordered to do so as provided herein.]~~

(Ord. 127-03. Passed 8-11-03.)

(J) Storm Water Quality Management Plan. As a requirement of the City's NPDES Phase II Storm Water Permit, Council hereby adopts the "Storm Water Quality Management Plan" dated [~~January 2005~~] **FEBRUARY 2014**, prepared by City staff as the City's official planning document for addressing storm water quality and pollution prevention. All subsequent amendments to the "Storm Water Quality Management Plan" shall also be adopted by legislative action of Council. A copy of this plan is on file in the office of the Clerk of Council.

(Ord. 20-05. Passed 2-14-05.)

(K) STORMWATER FACILITY MAINTENANCE CORRECTION PROCEDURES.

(1) ORDER TO CORRECT IMPROPER DRAINAGE. WHENEVER THE CITY SHALL FIND THAT (I) A TRACT OF LAND NOT MAINTAINED BY THE CITY IS INADEQUATELY DRAINED, OR (II) THERE IS EXCESSIVE EROSION OR SEDIMENTATION UPON SUCH LAND, OR (III) THERE IS AN OBSTRUCTION TO A CULVERT OR WATER COURSE UPON SUCH LAND THAT INTERFERES WITH WATER NATURALLY FLOWING THEREIN, OR (IV) THAT SUCH CULVERT, STORM SEWER OR WATERCOURSE UPON SUCH LAND IS OF INSUFFICIENT CAPACITY TO REASONABLY ACCOMMODATE THE FLOW OF WATER, AS REQUIRED BY THE CITY, THE PUBLIC WORKS DIRECTOR OR DESIGNEE SHALL ORDER THE OWNER OR PERSON HAVING

POSSESSION, CHARGE, OR MANAGEMENT OF SUCH LAND TO REMOVE THE OBSTRUCTION, PROVIDE ADEQUATE DRAINAGE, FILL OR DRAIN SUCH LAND, ENLARGE THE CULVERTS, DRAINS, OR WATERCOURSES, MITIGATE EXCESSIVE EROSION OR SEDIMENTATION, AND/OR ACCOMPLISH ANY OTHER ACT DETERMINED BY THE PUBLIC WORKS DIRECTOR NECESSARY TO FURTHER THE PURPOSES OF THIS CHAPTER. SUCH ORDER SHALL BE SERVED ON SUCH PERSONS OR ENTITY IN THE SAME MANNER AS PROVIDED BY THE OHIO RULES OF CIVIL PROCEDURE FOR SERVICE OF SUMMONS AND THE PUBLIC WORKS DIRECTOR OR HIS DESIGNEE MAY POST THE ORDER AT THE PROPERTY. THE ADDRESS UTILIZED FOR ANY SERVICE SHALL BE THE PROPERTY ADDRESS ITSELF AND THE TAX BILLING ADDRESS FOR SUCH PREMISES AS MAINTAINED ON THE RECORDS OF THE BUTLER COUNTY AUDITOR.

(2) THE OWNER MUST COMPLY WITH THE ORDER(S) WITHIN A REASONABLE TIME NOT TO EXCEED 30 DAYS, UNLESS AN EXTENSION IS GRANTED BY THE PUBLIC WORKS DIRECTOR FOR GOOD CAUSE SHOWN. FAILURE TO COMPLY WITH SUCH ORDER SHALL CONSTITUTE AN UNLAWFUL ACT. EACH ADDITIONAL DAY THEREAFTER DURING WHICH THE OWNER FAILS TO CARRY OUT THE ORDER OF THE CITY SHALL CONSTITUTE A SEPARATE OFFENSE.

A. IN ANY CASE WHERE A CONDITION DESCRIBED ABOVE EXISTS FOR MORE THAN THE TIME PERMITTED IN THE ORDER AFTER SERVICE OF THE ORDER, THE CITY MAY EFFECT THE NECESSARY REPAIRS PER SECTION 925.07(L) OR THE CITY MAY FILE CRIMINAL CHARGES, OR BOTH.

B. THE PUBLIC WORKS DIRECTOR OR DESIGNEE(S) MAY ENTER UPON ANY REAL PROPERTY IN THE CITY DURING REASONABLE TIMES AND NORMAL BUSINESS HOURS FOR THE PURPOSE OF INSPECTION, REPAIR OR MAINTENANCE REQUIRED BY THIS CHAPTER.

(3) FAILURE OF THE CITY TO OBSERVE OR RECOGNIZE HAZARDOUS OR UNSIGHTLY CONDITIONS OR TO RECOMMEND DENIAL OF A PERMIT/ZONING CHANGE SHALL NOT RELIEVE THE OWNER OR PERSON HAVING POSSESSION, CHARGE, OR MANAGEMENT OF SUCH LAND FROM THE RESPONSIBILITY FOR THE CONDITION OR DAMAGE RESULTING THEREFROM, AND SHALL NOT RESULT IN THE CITY, ITS OFFICERS OR AGENTS BEING RESPONSIBLE FOR ANY CONDITION OR DAMAGE RESULTING THEREFROM.

(4) NOTHING IN THIS CHAPTER SHALL BE CONSTRUED AS AUTHORIZING ANY PERSON TO MAINTAIN A PRIVATE OR PUBLIC NUISANCE ON HIS PROPERTY, AND COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER SHALL NOT BE A DEFENSE IN ANY ACTION TO ABATE SUCH NUISANCE.

(5) NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO PREVENT IMMEDIATE ACTION BY THE CITY IN EMERGENCY SITUATIONS. IN CASE OF AN EMERGENCY, THE CITY MAY DIRECT THAT ACTION BE TAKEN IMMEDIATELY TO CORRECT THE CONDITION OR ABATE THE ACTIVITY

TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE. THE CITY MAY PERFORM THE REQUIRED WORK AND ASSESS THE ABATEMENT COSTS AGAINST THE PROPERTY.

(L) CORRECTION COSTS.

(1) IF THE OWNER OR OCCUPANT HAVING THE CARE OR CONTROL OF THE LANDS MENTIONED IN SECTION 925.07(I) FAILS TO COMPLY WITH THE ORDER PROVIDED IN FOR SECTION 925.07(I), THE CITY SHALL CAUSE SUCH ABATEMENT PROCEDURES TO BE IMPLEMENTED. THE COST FOR SUCH ABATEMENT PROCEDURES SHALL BE IMMEDIATELY DUE AND PAYABLE TO THE CITY, PROVIDED, HOWEVER, THAT AN ADMINISTRATIVE FEE SHALL ALSO BE CHARGED IN THE AMOUNT OF ONE HUNDRED DOLLARS. THE COST OF THE ADMINISTRATIVE FEE TOGETHER WITH THE COST OF THE ABATEMENT PROCEDURE TOGETHER WITH ANY LEGAL FEES INCURRED BY THE CITY SHALL BE ASSESSED AGAINST THE OWNER AND, IF UNPAID, AGAINST THE LOT OR LAND TOGETHER WITH INTEREST THEREON AT THE THEN JUDGMENT RATE IN EFFECT IN THE STATE OF OHIO.

~~[Violation and Enforcement Costs. In addition to other penalties listed in this chapter, any person, firm or corporation who violates any provision of this chapter shall be liable to the City for any expense, loss or damage resulting from the cleaning, repair or replacement work caused by the violation. Any person, firm or corporation who violates any provision of this chapter shall also be liable for any fine or penalty incurred by the City caused by their violation. Any person, firm or corporation who must be monitored by the City for enforcement and/or compliance shall be liable for the associated costs.]~~

(M) STORMWATER MANAGEMENT FACILITY POST CONSTRUCTION OPERATION AND MAINTENANCE PLAN.

(A) OPERATION AND MAINTENANCE PLAN.

(1) THE DEVELOPER/PROPERTY OWNER SHALL PREPARE AN OPERATION AND MAINTENANCE PLAN FOR ANY STORMWATER MANAGEMENT FACILITY APPROVED BY THE CITY AFTER MAY 31, 2014 MEETING THE MINIMUM REQUIREMENTS OF THE LATEST VERSION OF THE OHIO EPA NPDES CONSTRUCTION STORMWATER PERMIT FOR REDEVELOPMENT AND NEW DEVELOPMENT PROJECTS WHEREIN CONSTRUCTION ACTIVITIES WILL RESULT IN THE DISTURBANCE OF ONE OR MORE ACRES.

(2) THE OPERATION AND MAINTENANCE PLAN SHALL BE SUBMITTED BY THE DEVELOPER/PROPERTY OWNER TO CITY OF FAIRFIELD FOR REVIEW AND APPROVAL PRIOR TO THE CITY ISSUING THE BUILDING PERMIT.

(3) THE OPERATION AND MAINTENANCE PLAN MUST BE A STAND-ALONE DOCUMENT CONTAINING THE FOLLOWING:

- A. DESIGNATE THE ENTITY ASSOCIATED WITH PROVIDING THE BEST MANAGEMENT PRACTICES (BMPS) INSPECTION AND MAINTENANCE.**
- B. INDICATE ROUTINE AND NON-ROUTINE MAINTENANCE TASKS TO BE UNDERTAKEN.**
- C. INDICATE A SCHEDULE FOR INSPECTION AND MAINTENANCE TASKS.**
- D. PROVIDE PROOF OF ANY NECESSARY LEGALLY BINDING MAINTENANCE EASEMENTS AND AGREEMENTS THAT ARE NECESSARY TO PROPERLY INSPECT AND MAINTAIN THE BMP(S).**
- E. PROVIDE A MAP SHOWING THE LOCATION OF THE BMP(S) THAT ARE INDICATED ON THE CITY OF FAIRFIELD APPROVED STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND NECESSARY ACCESS AND MAINTENANCE EASEMENTS.**
- F. PROVIDE DETAILED BMP DRAWINGS AND INSPECTION AND MAINTENANCE PROCEDURES.**
- G. ENSURE THAT THE COLLECTED POLLUTANTS RESULTING FROM BMP MAINTENANCE ACTIVITIES ARE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL GUIDELINES.**

(B) DECLARATION OF COVENANTS AND RESTRICTIONS. A DECLARATION OF COVENANTS AND RESTRICTIONS SHALL BE MADE BETWEEN THE OWNER AND THE CITY OF FAIRFIELD ENSURING THAT THE BMP(S) SHALL BE PROPERLY INSPECTED AND MAINTAINED AND SHALL BE INCLUDED WITHIN THE OPERATION AND MAINTENANCE PLAN.

(C) INSPECTION.

- (1) PERSONNEL IDENTIFIED WITHIN THE OPERATION AND MAINTENANCE PLAN SHALL INSPECT THE BMP(S) TO ENSURE PROPER FUNCTIONALITY AND DETERMINE IF MAINTENANCE IS NECESSARY.**
- (2) AT A MINIMUM, INSPECTIONS ARE TO BE CONDUCTED ON AN ANNUAL BASIS, OR AS SPECIFIED IN THE OPERATION AND MAINTENANCE PLAN.**
- (3) WRITTEN INSPECTION REPORTS SUMMARIZING THE BMP(S) INSPECTION OBSERVATIONS AND MAINTENANCE REQUIREMENTS ARE TO BE SUBMITTED TO THE CITY OF FAIRFIELD UPON REQUEST BY THE CITY.**

(D) MAINTENANCE.

- (1) ALL BMPS ARE TO BE MAINTAINED ACCORDING TO THE MEASURES OUTLINED WITHIN THE OPERATION AND MAINTENANCE PLAN.**

- (2) ENSURE THAT THE COLLECTED POLLUTANTS RESULTING FROM BMP MAINTENANCE ACTIVITIES ARE DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL GUIDELINES.
- (3) THE OWNER SHALL MAKE NECESSARY REPAIRS WITHIN FOURTEEN DAYS OF THEIR DISCOVERY AS IDENTIFIED WITHIN THE INSPECTION REPORTS OR THROUGH A REQUEST FROM THE CITY OF FAIRFIELD RESULTING FROM CITY CONDUCTED INSPECTIONS.
- (4) MAINTENANCE ACTIVITIES PERFORMED ARE TO BE DOCUMENTED ON A WRITTEN REPORT AND SUBMITTED TO THE CITY OF FAIRFIELD UPON REQUEST.
- (5) BMP(S) SHALL BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS AND PROCEDURES SPECIFIED IN SUBSECTIONS 925.07(I), (K) AND (L).

([k]N) Compliance with Other Regulations. Compliance with the provisions of this chapter or other sections of City Code does not relieve the site owner from obtaining all other necessary permits and/or approvals from federal, state and/or county agencies. If requirements vary, the most stringent requirement shall apply.

(Ord. 127-03. Passed 8-11-03.)

925.08 USER CHARGE ESTABLISHED.

(a) Charges Established; Classes; Computation.

(1) During the effective period of this chapter, there is levied and assessed a charge or rental known as a "user charge" upon each lot, parcel of land, building or premises having any sewer connection with the sanitary sewer system of the City or otherwise discharging wastewater, industrial wastes, water or other liquids either directly or indirectly into the City wastewater treatment system.

(2) The users of the system shall be divided into classes. Classes shall be groups of users for which the wastewater characteristics are approximately equal and services provided are essentially the same. Initially there shall be established three classes of users, as follows: Industrial, nonindustrial and commercial. Charges for these classes shall be as shown, except as otherwise provided herein. The Public Utilities Director may recommend additional classes as determined to be necessary.

(3) Charges for wastewater treatment service shall be paid by each user connected to the system and shall be computed in accordance with probable demand a user places on the system and the quantity of water discharged to the system, as measured: by the City water meter installed thereon and/or by a sewage meter installed on the discharge pipe therefrom and/or as estimated by the City, and in accordance with the charge schedule hereinafter set forth.

(4) When a considerable amount of water delivered to any premises is not returned to the City's wastewater collection system, the customer, with the permission and approval of the Public Utilities Director, may install a separate

water meter to determine the amount of such water not returned to the wastewater disposal system. The customer shall not be billed sewer use charges for such water not returned to the sewage disposal system. The cost of the water meter and its installation shall be the responsibility of the customer. The manner of installation of the water meter must be specifically approved in writing by the Public Utilities Director. Upon a determination by either the Public Utilities Director or the customer that the use of direct metering sanitary sewage flow is necessary or is a more equitable method of determining sewage disposal charges, the Public Utilities Director may approve the installation and use of wastewater meters.

(Ord. 191-99. Passed 10-12-99.)

(5) Irrigation credit. A special sewer rate structure for residential domestic service accounts will be used during the summer months (May, June, July, August and September) in determining sewer charges to account for water used for outside or other irrigation purposes and not returned to the City Sanitary Sewer System. The special rate will eliminate sewer charges for all domestic residential service water in excess of one hundred and fifty percent (150%) of the average monthly water amount used during the previous winter season (November, December, January and February) for that account. In the event that a complete winter season average cannot be established, an amount of 7,500 gallons per month will be used in establishing a base winter season monthly average. (Ord. 111-10. Passed 12-6-10.)

(6) In-City residential wastewater customers of the City of Fairfield who are provided water service by an entity other than the City of Fairfield shall also be allowed a credit against their monthly wastewater charges so that their total monthly water and wastewater charges are the same as those paid by in-City residential customers who use both City of Fairfield water and wastewater service, provided that such credit shall not exceed the actual amount of the customer's wastewater charges in any month. The Finance Director is authorized and directed to calculate and apply the credit as described herein.

(Ord. 179-00. Passed 11-13-00.)

(b) User Charge Rate Structure.

(1) The sewer rates for all users of sewer service provided by the City within the corporate limits of the City shall be as shown in the Attached Tables A through E, inclusive, which are incorporated herein by reference and which shall be effective upon the dates stated therein. The existing sewer rates shall remain in effect until February 1, 2012.

(Ord. 125-11. Passed 12-12-11.)

(2) The sewer rates for sewage treatment service provided by Butler County, Ohio to users of sanitary sewer service within the corporate limits of the City, shall be based upon the Butler County Regional Wastewater System rates for transmission and treatment of wastewater, as those rates may be amended from

time to time, plus an additional amount of twenty percent (20%) of the Butler County Regional Wastewater System rates. Such charges for sewer service shall be remitted to the City. The minimum quantities for sewer service based upon water meter size which are applicable to users of sewer service provided by the City shall also apply to users of Butler County sewage treatment service within the corporate limits of the City and such minimum quantities shall also be charged at the Butler County Regional Wastewater System rate, plus an additional twenty percent (20%).

(3) Capacity fees for new public sewer connections shall be paid to the City by the users of sewage treatment service provided by Butler County, Ohio within the corporate limits of the City. Such capacity fees shall be in accordance with the Butler County Regional "Schedule of Equivalent Residential Units", and in such amounts as are presently established and periodically amended by Butler County, Ohio subsequent to the passage of this section. Such fees shall be paid by the user prior to the issuance of a permit to connect to the public sewer.

(c) Rates Outside Corporate Limits. The rates for users of sewer services provided by the City outside the corporate limits of the City shall be the same as those for users of sewer service inside the corporate limits of the City, plus an additional charge of fifty percent (50%) of the total of each monthly sewer bill, unless provided otherwise by specific agreement of the City. Such additional charge shall be used for debt service and capital expenditures of the sewer system.

(d) Determination of Discharge.

(1) In the event a lot, parcel of land, building or premises discharges to a City sanitary sewer, either directly or indirectly, and is not a user of water supplied by the City, the amount of discharge to the sanitary sewer shall be determined by the Public Utilities Director in such manner as he may find practicable in light of the conditions and attendant circumstances.

(2) Charges for such service shall be at the rates provided in subsection (b) hereof with a minimum charge as set forth therein. If a lot, parcel of land, building or premises not served with water by the City has a water meter, the minimum sewer charge shall be based upon the size of the water meter.

(Ord. 112-83. Passed 8-8-83; Ord. 133-88. Passed 6-26-88; Ord. 72-94. Passed 5-23-94; Ord. 52-95. Passed 5-8-95.)

(e) Unreported Discharge. If premises are found to be discharging wastewater to the City sanitary sewer system without payment of a sewer service charge, the Public Utilities Director shall measure or estimate the quantity of such wastes, by such methods as he may find practicable for the purpose of establishing a proper charge and such premises shall be charged for the total term of the prior usage on the basis of the quantity so determined, and in accordance with previous charges.

(f) High Strength Surcharges. In addition to the minimum charge and the volume charge, any user discharging wastewater containing BOD in excess of 200 mg/l or COD in excess of 500 mg/l or suspended solids in excess of 250 mg/l or ammonia nitrogen in excess of 11.4 mg/l shall pay the following additional charges:

BOD* 0.136 per pound of excess over 200 mg/l

COD* 0.039 per pound of excess over 500 mg/l

SS 0.136 per pound of excess over 250 mg/l

NH4 0.606 per pound of excess over 11.4 mg/l

* Either BOD or COD shall be used, not both. Option to be selected by the Public Utilities Director.

(g) Sampling and Metering.

(1) For purposes of high strength surcharges, and ascertaining pretreatment compliance the Public Utilities Director shall have the option of sampling and testing a wastewater and billing the user for the sampling or requiring the user to perform a regular sampling and testing program, approved by the Public Utilities Director, at the user's expense. The user shall make all data available to the Public Utilities Director upon request and the Public Utilities Director shall be allowed to sample the wastewater, as necessary, to verify the user's data.

(2) In addition to the other charges, each user shall be charged fifty dollars (\$50.00) for each sampling and metering performed by the Public Utilities Director. A fee shall be charged for each sampling permit in which samples are collected and analyzed. Sampling period shall not exceed a twenty-four hour day.

(h) Sewer Service Charge for Private System. There shall be a sewer charge for all lots situated in the area to be served by a private sewer system and the service charge shall remain in force and effect so long as the system is being used for the purpose or purposes and under conditions for which it was constructed. The amount of the service charge shall be determined by the Public Utilities Director.

(Ord. 112-83. Passed 8-8-83.)

(i) Industrial Contracts. The Director may contract with industrial or sanitary users to receive acceptable wastes not part of the normal waste stream, or cover other situation(s) not covered by this chapter, provided such contracts are governed by user charges and other regulations set forth in this chapter.

(Ord. 12-97. Passed 1-27-97.)

(j) Revisions. On or before September 1, of each year the Director shall review the laws, ordinances, bylaws, regulations, charges and fees set forth. If changes, revisions or modifications are necessary, he shall submit the changes to the City Manager for necessary action. The charge system shall be in accordance with EPA regulations which now require:

(1) The charges shall result in the distribution of operation, maintenance and replacement costs of the treatment works within the jurisdiction of the City to each user class in proportion to such user's contribution of the total wastewater loading of the treatment works. Factors such as strength, value and delivery flow rate characteristics shall be included to ensure a proportional distribution of the costs.

(2) The charges shall be reviewed annually and revised periodically as required.

(3) The charges shall derive revenue sufficient to meet all costs of operation, maintenance and replacement of the system.

(4) Users shall be notified annually of revised sewer user rate structures by notification mailed with a regular sewer bill.

(Ord. 167-95. Passed 11-13-95.)

925.09 INDUSTRIAL COST RECOVERY SYSTEM. (REPEALED)

(EDITOR'S NOTE: Former Section 925.09 was deleted in its entirety by Ordinance 20-87. Passed 3-23-87.)

925.10 PAYMENT OF CHARGES AND FEES.

(a) All charges for connection and permits shall be payable upon application.

(b) Charges shall be billed monthly or quarterly, and payment shall be made in accordance with regulations established by the City Manager. At the option of the Finance Director, such charges shall be payable at the same time as water bills.

(c) Payments shall be made at the Utility Collection Office or office designated by the City Manager.

(d) If the bill for services remains unpaid, the water connection to the property shall be shut off at such premises as soon as practicable and in accordance with the bylaws and regulations established by the City Manager for water service.

(e) A penalty of ten percent (10%) shall be added to each charge if it is not paid promptly at the time established by the Finance Director.

(f) Bills ninety days or more in arrears shall be turned over to the Law Director or other authorized personnel for collection.

(g) Each charge or rental levied by or pursuant to these rules is hereby made a lien upon the corresponding lot, land or premises served by a connection to the wastewater system of the City; and if same is not paid within thirty days after the due date, it shall be certified to the County Auditor, who shall place the same on the tax duplicates of the County, with interest and penalties allowed by law, and it shall be collected as other taxes on the property are collected. (Ord. 167-95. Passed 11-13-95.)

(h) Customers disputing a utility bill may appeal to the office manager of the utilities billing office within ten days of the billing date. The office manager will document the billing objection, review the account, and determine the nature of the dispute. If the dispute is a result of operations of the billing office, the office manager shall authorize resolution of the dispute. If the dispute is technically based, the dispute shall be remanded to the Public Utilities Director. If the Public Utilities Director determines that an adjustment is warranted, a determination shall be issued in writing. A customer may appeal a determination of the utilities billing office or Public Utilities Director to the Director of Finance. The Finance Director shall review the claim and make final determination. Once a determination has been made, the account shall no longer be considered in dispute.

(i) The Public Utilities Department will perform an audit annually with the findings to be published and made available for public inspection. Current user rates, and any pending rate increases, will be published annually as part of the normal monthly bill. The notice will itemize those portions required for debt service charge and for sewer service charge.

(Ord. 12-97. Passed 1-27-97.)

925.11 INSPECTIONS.

The Public Utilities Director and other authorized employees of the City bearing proper credentials and identification shall be permitted to enter into or upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this chapter.

(Ord. 167-95. Passed 11-13-95.)

925.99 PENALTY.

(A) No person shall construct, reconstruct, repair, enlarge, change, modify, maintain, use or discharge into any wastewater service or any part of the wastewater system or storm drainage system of the City in violation of the provisions of this chapter, or any amendment or supplement thereto adopted by Council or a bylaw or regulation adopted by the City Manager pursuant to this chapter. Any person, firm or corporation violating any of the provisions of this chapter, or any amendment or supplement thereto, or any bylaw or regulation adopted by the City Manager, shall be deemed guilty of a third degree misdemeanor. Each and every day during which such violation continues shall constitute a separate offense.

(B) THE IMPOSITION OF ANY FINE OR PENALTY PURSUANT TO THIS CHAPTER SHALL NOT PRECLUDE THE LAW DIRECTOR FROM INSTITUTING ANY APPROPRIATE LEGAL PROCEEDING IN A COURT OF PROPER JURISDICTION TO CORRECT OR ABATE A VIOLATION, REQUIRE COMPLIANCE WITH THIS CHAPTER OR OTHER APPLICABLE CHAPTERS, ORDINANCES, REGULATIONS OR RULES OF THE CITY OR STATE OF OHIO AS DETERMINED TO BE APPROPRIATE BY SUCH LAW DIRECTOR.

(Ord. 112-83. Passed 8-8-83.)

1117.01 DEFINITIONS.

Certain words and phrases as used in this chapter are defined as hereafter set forth.

(a) "Cut" means an excavation, the difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, cut means the materials removed in excavation.

(b) "Erosion" means the wearing away of the land surface by the action of wind, water or gravity.

(c) "Excavation" means any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed

and shall include the conditions resulting therefrom.

(d) "Fill" means any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the condition resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. Fill also means the material used to make a fill.

(e) "Grading" means any stripping, cutting, filling, stockpiling or any combination thereof and shall include the land in its cut or filled condition.

(f) "Mulching" means the application of suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

(g) "Natural vegetation" means the ground cover in its original state before any grading, excavation or filling.

(h) "Permanent vegetation" means producing long term vegetative cover; i.e., bluegrass, tall fescue, crown vetch, etc.

(i) "Sediment" means the solid material both mineral and organic, that is in suspension, is being transported, or has been moved from its original site or origin by air, water, or gravity as a product of erosion.

(j) "Sediment basin" means a barrier or dam built across a waterway or at other suitable locations to retain rock, sand, gravel or silt or other materials.

(k) "Slope" means the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical distance.

(l) "Swale" means a low-lying stretch of land which gathers or carries surface water run-off.

(m) "Temporary vegetation" means short term vegetative cover used to stabilize the soil surface until final grading and installation of permanent vegetation; i.e., oats, rye, or wheat.

(n) "Topsoil" means surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer.

(o) "Watercourse" means a permanent stream, intermittent stream, river, brook, channel, creek, or ditch for water whether natural or manmade.

(Ord. 141-83. Passed 9-26-83.)

1117.02 GENERAL REQUIREMENTS.

(a) Each subdivision shall be provided with a properly designed and constructed storm drainage system which includes sediment control.

(b) The drainage system and sediment control provisions shall be adequate to serve the area being platted and to protect both adjacent and downstream properties and shall meet the approval of the City Engineer and Public Works Director.

(c) The means by which this is attained shall include but not be limited to the following:

- (1) Topographic map;
 - (2) Drainage and grading plan;
 - (3) Drainage report;
 - (4) Sediment control plan;
 - (5) Pre-construction meeting;
 - (6) Certified "as built" drawings; and
 - (7) Construction of drainage facilities prior to lot grading or occupancy.
- (Ord. 167-95. Passed 11-13-95.)

1117.03 FLOODING RESTRICTIONS.

(a) All subdivision proposals shall be consistent with the need to minimize flood damage.

(b) All subdivision proposals shall have public utilities and facilities such as sewers, gas, electrical and water systems located and constructed to minimize flood damage.

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

(d) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contains at least five lots or one acre, whichever is less. Refer to the Floodway and Flood Boundary Map and the Federal Insurance Rate Map for the City. (Ord. 141-83. Passed 9-26-83.)

1117.04 DRAINAGE PLAN.

(a) The subdivision improvement drawings shall include a drainage plan that provides for complete, adequate, and satisfactory drainage for the entire area being platted for all projected land uses.

The drainage plan shall include the following:

- (1) Topographic map of the area prior to construction with two foot contours and a minimum scale of one inch equals fifty feet.
- (2) Grading plan superimposed on the topographic map which shows in two foot contours the grading of all streets, lots, swales and any other proposed improvements.
- (3) Location, size, grade and capacity of existing and proposed storm sewer pipes, inlets, culverts, watercourses, bridges, creeks, ditches and swales.
- (4) Locations and dimensions of existing and proposed streets, lot lines and utilities.

- (5) Engineering estimate of the quantity of storm water entering the subdivision.
- (6) Estimate of the quantity of flow at each pick-up point (inlet, channel or culvert).
- (7) Locate and describe any apparent pollution of watercourses and ditches.
- (8) Arrows depicting proposed flow along each lot line, curb line, storm sewer pipe and open watercourse.
- (9) Proposed elevations to nearest foot of each lot corner, change in lot line grade, pipe inlet or outlet, and other points critical to the drainage of the area. The minimum proposed elevation of each house first floor, to the nearest tenth of a foot based on one-half inch per foot of fall from the house to the curb line at midpoint. The City Engineer or Public Works Director may waive this requirement in writing.
- (10) The area encompassed within the drainage plan shall be compatible with any areawide drainage plan or drainage plans for adjacent areas. There must exist or be provided an adequate outlet for storm water, such that buildings in the development will not be flooded by a fifty year storm.
- (11) A statement by the engineer or surveyor certifying that the plans submitted provide adequate and complete storm drainage service for all parts of the entire area being platted and comments on the effects that the proposed development will have on drainage of adjacent areas.
- (12) The plot plan for each building permit shall include the same grading, draining, and elevation information as the drainage plan.
- (13) Drainage plans shall also include a drainage report containing calculations, evaluations and explanations of the drainage.
(Ord. 167-95. Passed 11-13-95.)

1117.05 DESIGN OF STORM SEWERS.

- (a) The design and construction of all sanitary sewers and water facilities shall be done in compliance with the "Design, Construction and Material Specification Handbook."
- (b) All storm sewers, open ditches and driveway culverts shall have a minimum size adequate for a ten year storm frequency.
 - (1) All road culverts on primary and secondary thoroughfares and collector streets shall be adequate for a twenty-five year storm frequency and be designed in accordance with the latest State Department of Transportation requirements.
 - (2) In all cases where there are flood hazards, the developer's engineer shall insure that all drainage courses, ditches, sewers and other such facilities are adequate for a fifty year storm frequency and in addition will prevent flooding of residential, commercial and public buildings or that would endanger health, life or property.
- (c) The minimum grade for all ditches shall be one percent (1%) except for streams, large

channels with a paved bottom, and slopes paved to a height approved by the City Engineer.

(1) All proposed channels shall be properly lined to prevent erosion unless waived by the Public Works Director. All ditches having a velocity of five feet per second or less shall be sodded, except that ditches not along the roadway may be seeded if the velocity is under two feet per second. All ditches with a velocity of over five feet per second shall be lined.

(2) Where possible, natural streams, including growth along the banks, shall not be disturbed. Roughness coefficients and increased peak flows and velocities shall be evaluated to determine stability.

(3) When part of a storm drainage system is outside of the road right of way, the developer shall provide an easement for storm drainage and maintenance. All easements for water courses or ditches shall be wide enough to contain such ditches, including side slopes, plus ample clearance for maintenance operations. Easements shall be shown and shall be provided for all existing or proposed channels. Easements shall provide ingress and egress for maintenance equipment from a public right of way. (Ord. 167-95. Passed 11-13-95.)

1117.06 SEDIMENTATION PLAN.

(a) Intent.

(1) No change shall be made in the contour of the land; no grading, excavating, removal or destruction of the topsoil, trees, or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed with and approved by the City Engineer or Public Works Director or there has been a determination by the Planning Commission that such plans are not required.

(2) FOR SITES REGULATED UNDER THE OHIO EPA GENERAL CONSTRUCTION PERMIT FOR STORM WATER DISCHARGES (OHIO EPA PERMIT NO. OHC000004, OR LATEST EDITION), THE PERSON SEEKING COVERAGE UNDER THAT OHIO EPA CONSTRUCTION PERMIT, SHALL PROVIDE A COPY OF THE "NOTICE OF INTENT" TO DO SO AND A COPY OF THE OHIO EPA'S RELATED "LETTER OF COVERAGE AUTHORIZATION", PRIOR TO START OF CONSTRUCTION.

~~(2)~~**3) No subdivision shall be approved unless:**

A. There has been a plan approved by the City Engineer or Public Works Director that provides for minimizing erosion and sediment as consistent with the intent of this chapter, and performance bond or other

acceptable securities are deposited with the City in the form of escrow guarantee which will insure installation and completion of the required improvements; or

B. There has been a determination by the Planning Commission AND THE OHIO EPA that such plans are not required.

(b) Performance Principles and Standards.

(1) The following principles are effective in minimizing erosion and sedimentation and shall be MET [~~included~~] where applicable FOR A DEVELOPING SITE AND INCLUDED in the control plan.

A. **DEVELOPMENT OR REDEVELOPMENT SITES THAT ARE COVERED UNDER THE OHIO EPA GENERAL CONSTRUCTION PERMIT SHALL DEVELOP A STAND-ALONE STORM WATER POLLUTION PREVENTION PLAN (SWP3) PER THE REQUIREMENTS OF THE OHIO EPA PERMIT OHC000004 (OR LATEST EDITION). THIS SWP3 SHALL BE PROVIDED TO THE CITY ENGINEER FOR REVIEW WHEN THE PLAN FOR MINIMIZING EROSION AND SEDIMENTATION IS SUBMITTED FOR THE DEVELOPMENT PROPOSAL. AFTER THE SWP3 IS APPROVED AND DURING CONSTRUCTION, IT SHALL BE KEPT ON THE CONSTRUCTION SITE, ALONG WITH A COPY OF THE NOI AND LETTER GRANTING PERMIT COVERAGE UNDER THE OHIO EPA GENERAL CONSTRUCTION PERMIT.**

B.[A] Stripping of vegetation, regrading or other development shall be done in such a way that will minimize erosion. Whenever feasible, natural vegetation shall be retained, protected and supplemented.

C.[B] Development plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential.

D.[C] The smallest practical area of land shall be exposed at any one time, the topsoil shall be preserved and returned to the surface areas to be revegetated.

E.[D] Disturbed soils shall be stabilized as quickly as practicable with temporary vegetation and/or mulching to protect exposed critical areas during development.

F.[E] The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.

G.[F] Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development. Where necessary, surface water run-off shall be structurally retarded.

H.[G] Sediment in the run-off water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps or similar measures.

(2) The following standards shall be followed in all water management and sediment control plans:

A. All lots shall be graded to provide proper drainage away from buildings and to dispose of it without ponding. All land within a development shall be graded to drain and dispose of surface water without ponding, except where waived by the Planning Commission.

B. All drainage provisions shall be of such design to adequately handle the surface run-off and to carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural watercourse. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded, planted or paved as required and shall be of such slope, shape and size as to conform with the requirements of the City.

(Ord. 167-95. Passed 11-13-95.)

C. The installation of the specified water management and sediment control measures shall be accomplished in accordance with the most recent standards and specifications available from the Ohio Department of Natural Resources **DOCUMENT ENTITLED, "RAINWATER AND LAND DEVELOPMENT MANUAL"**. A copy of such standards and specifications will be kept on file in the offices of the Public Works Director and Development Services Director.

(Ord. 127-03. Passed 8-11-03.)

(3) The approved plan for water management and sedimentation control required of the landowner or his agent shall include, but not be restricted to, the following requirements:

A. A DESCRIPTION OF THE NATURE AND TYPE OF THE CONSTRUCTION ACTIVITY.

B. INDICATE THE TOTAL AREA OF THE SITE AND THE AREA OF THE SITE THAT IS EXPECTED TO BE DISTURBED (I.E., GRUBBING, CLEARING, EXCAVATION, FILLING OR GRADING, INCLUDING OFF-SITE BORROW AREAS).

C. AN ESTIMATE OF THE IMPERVIOUS AREA AND PERCENT IMPERVIOUSNESS CREATED BY THE CONSTRUCTION ACTIVITY.

D. A CALCULATION OF THE RUNOFF COEFFICIENTS FOR BOTH THE PRE-CONSTRUCTION AND POST-CONSTRUCTION SITE CONDITIONS.

E. EXISTING DATA DESCRIBING THE SOIL AND, IF

AVAILABLE, THE QUALITY OF ANY DISCHARGE FROM THE SITE.

F. THE NAME AND/OR LOCATION OF THE IMMEDIATE RECEIVING STREAM OR SURFACE WATER(S) AND THE FIRST SUBSEQUENT NAMED RECEIVING WATER(S) AND THE AREAL EXTENT AND DESCRIPTION OF WETLANDS OR OTHER SPECIAL AQUATIC SITES AT OR NEAR THE SITE WHICH WILL BE DISTURBED OR WHICH WILL RECEIVE DISCHARGES FROM DISTURBED AREAS OF THE PROJECT. FOR DISCHARGES TO THE MS4, THE POINT OF DISCHARGE TO THE MS4 AND THE LOCATION WHERE THE MS4 ULTIMATELY DISCHARGES TO A STREAM OR SURFACE WATER OF THE STATE SHALL BE INDICATED.

G. A DESCRIPTION OF PRIOR LAND USES AT THE SITE.

H. A SITE MAP IDENTIFYING THE FOLLOWING:

- (1.) LIMITS OF EARTH-DISTURBING ACTIVITY OF THE SITE INCLUDING ASSOCIATED OFF-SITE BORROW OR SPOIL AREAS THAT ARE NOT ADDRESSED BY A SEPARATE NOI AND ASSOCIATED SWP3.**
- (2.) Elevations and/or contours, dimensions, location and extent of all work proposed to be done, and the existing elevations and/or contours of the land all in two foot increments. A DELINEATION OF DRAINAGE WATERSHEDS EXPECTED DURING AND AFTER MAJOR GRADING ACTIVITIES AS WELL AS THE SIZE OF EACH DRAINAGE WATERSHED, IN ACRES.**
- (3.) SOILS TYPES FOR ALL AREAS OF THE SITE, INCLUDING LOCATIONS OF UNSTABLE OR HIGHLY ERODIBLE SOILS.**
- (4.) Location of any buildings, structures, utilities, sewers, water and storm drains on the site where the work is to be performed.**
- (5.) Location of any building or structure on land of adjacent property owners within 100 feet of the site.**
- (6.) THE LOCATION OF ALL EROSION AND SEDIMENT CONTROL PRACTICES THAT ARE DESIGNED IN ACCORDANCE WITH THE OHIO EPA GENERAL CONSTRUCTION PERMIT REQUIREMENTS AND ODNR RAINWATER AND LAND DEVELOPMENT MANUAL**

STANDARDS, INCLUDING THE LOCATION OF AREAS LIKELY TO REQUIRE TEMPORARY STABILIZATION DURING THE COURSE OF SITE DEVELOPMENT.

- (7.) SEDIMENT AND STORM WATER MANAGEMENT BASINS NOTING THEIR SEDIMENT SETTLING VOLUME AND CONTRIBUTING DRAINAGE AREA.**
- (8.) FOR SUBDIVIDED DEVELOPMENTS WHERE THE SWP3 DOES NOT CALL FOR A CENTRALIZED SEDIMENT CONTROL CAPABLE OF CONTROLLING MULTIPLE INDIVIDUAL LOTS, A DETAIL DRAWING OF A TYPICAL INDIVIDUAL LOT SHOWING STANDARD INDIVIDUAL LOT EROSION AND SEDIMENT CONTROL PRACTICES.**
- (9.) THE LOCATION OF DESIGNATED CONSTRUCTION ENTRANCES WHERE THE VEHICLES WILL ACCESS THE CONSTRUCTION SITE.**
- (10.) THE LOCATION OF ANY IN-STREAM ACTIVITIES INCLUDING STREAM CROSSINGS.**
- (11.) AREAS DESIGNATED FOR THE STORAGE OR DISPOSAL OF SOLID, SANITARY AND TOXIC WASTES, INCLUDING DUMPSTER AREAS, AREAS DESIGNATED FOR CEMENT TRUCK WASHOUT, AND VEHICLE FUELING;**
- (12.) Detailed plans of all drainage provisions, retaining walls, cribbing, vegetative practices, erosion and sediment control measures, location of proposed fences around sediment basins, steep excavations, or ponding areas, and other protective devices to be constructed in connection with, or as a part of the proposed work, together with a map showing the drainage area of land tributary to the site, and estimated cubic foot per second run-off of the area served by any drain, computed in accordance with current City storm drainage criteria.**

I. STRUCTURAL PRACTICES SHALL BE USED TO CONTROL EROSION AND TRAP SEDIMENT FROM A SITE REMAINING DISTURBED FOR MORE THAN 14 DAYS. SEDIMENT CONTROL STRUCTURES SHALL BE FUNCTIONAL THROUGHOUT THE COURSE OF EARTH DISTURBING ACTIVITY. SEDIMENT BASINS AND PERIMETER SEDIMENT

BARRIERS SHALL BE IMPLEMENTED PRIOR TO GRADING AND WITHIN SEVEN DAYS FROM THE START OF GRUBBING.

J. TEMPORARY AND PERMANENT SOIL STABILIZATION CONTROLS IN ACCORDANCE WITH THE OHIO EPA GENERAL CONSTRUCTION PERMIT REQUIREMENTS AND ODNR RAINWATER AND LAND DEVELOPMENT MANUAL STANDARDS.

K. DETAIL DRAWINGS FOR ALL STRUCTURAL PRACTICES THAT INCLUDE INSTALLATION, INSPECTION, AND MAINTENANCE PROCEDURES.

L. A certification of the quantity of excavation and fill involved.

M. A timing schedule and sequence indicating the anticipated starting and completion dates of the development; stripping and/or clearing, rough grading and construction, final grading and vegetative establishment, and maintenance and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.

N. The estimated cost of the grading and/or filling and the cost of the required erosion controls.

(c) Approval Procedures.

(1) Three backline copies of complete plans shall be filed with the office of the City Engineer.

(2) In order to insure that emergency measures could be taken by the City if the water management and sediment control measures were not implemented according to the agreed upon plan and schedule, a performance bond in the amount of the cost of the water management and sediment control measures shall be required to be filed with the City. Such performance bond shall authorize immediate payment to the City upon certification of the Planning Commission that necessary emergency work must be done immediately to ensure proper water management and sediment control as a result of the landowner's failure to complete or adhere to the approved water management and sediment control plan.

(3) The Planning Commission and the City Engineer shall make a continuing review and evaluation of the methods used and overall effectiveness of the storm water management and sediment control program.

(Ord. 167-95. Passed 11-13-95.)

(d) Enforcement.

(1) The Public Works Director or his designee shall enforce

compliance with the approved sediment control plans for projects that involve the construction of public infrastructure, including residential and commercial subdivisions.

(2) The Development Services Director or his designee shall enforce compliance with the approved sediment control plans for individual lot development projects.

(3) The Public Works Director and Development Services Director have the authority to issue stop work orders to any person, firm or corporation performing work where sediment and erosion control measures are not provided in accordance with the approved site development plans.

(Ord. 127-03. Passed 8-11-03.)

~~A. Location of any buildings, structures, utilities, sewers, water and storm drains on the site where the work is to be performed.~~

~~B. Location of any building or structure on land of adjacent property owners within 100 feet of the site.~~

~~C. Elevations and/or contours, dimensions, location and extent of all work proposed to be done, and the existing elevations and/or contours of the land all in two-foot increments.~~

~~D. A certificate of the quantity of excavation and fill involved.~~

~~E. Detailed plans of all drainage provisions, retaining walls, cribbing, vegetative practices, erosion and sediment control measures, location of proposed fences around sediment basins, steep excavations, or ponding areas, and other protective devices to be constructed in connection with, or as a part of the proposed work, together with a map showing the drainage area of land tributary to the site, and estimated cubic foot per second runoff of the area served by any drain, computed in accordance with current City storm drainage criteria.~~

~~F. A timing schedule and sequence indicating the anticipated starting and completion dates of the development; stripping and/or clearing, rough grading and construction, final grading and vegetative establishment, and maintenance and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.~~

~~G. The estimated cost of the grading and/or filling and the cost of the required erosion controls.]~~

1117.07 DETENTION/RETENTION OF STORM WATER.

Detention/retention of storm water shall be required for each subdivision unless specifically exempted by the Planning Commission.

The objective of a detention/retention facility is to regulate the run-off from a rainfall and to control discharges to downstream areas in order to reduce the impact on downstream drainage systems.

(a) Definitions. Unless the context specifically indicates otherwise, the meaning of the terms used in this section shall be as follows:

(1) "Storm water detention/retention facility" means any structure or facility used to detain storm water run-off, and gradually release the stored run-off at an acceptable rate.

(2) "Detention basin" means dry surface areas created by constructing an excavated or embankment basin.

(3) "Retention basin" means permanent ponds where additional storage capacity is provided above the normal water level.

(4) "Storm water run-off" means that portion of rainfall that is not lost to infiltration, surface storage or evaporation.

(b) Exemptions to Detention/Retention Requirements. The developer may apply to the Planning Commission for exemption from construction of detention/retention facilities. Each request will be reviewed on its own merit and as it affects the entire drainage area in which it lies and into which it flows.

(c) Design.

(1) Quantity of run-off. The peak rate of run-off during the 100 year post development storm cannot exceed the peak rate of run-off during the two year pre-development storm. For those areas where a study of the downstream area indicates the extended time of high discharge and/or velocity due to restricted release rate and storage may cause flooding and/or excessive erosion, the City Engineer may require additional controls.

(d) Submission Requirements. Plans and supporting data to verify storage volumes, release dates, etc., shall be submitted to the City Engineer. The submission shall include, but is not limited to, the following:

(1) A plan prepared by a registered professional engineer which may be the improvement plan, drainage and grading plan or similar plan at a scale of one inch to 100 feet or larger, shall be submitted and contain at least the following information:

- A. All existing and proposed drainage facilities.
- B. Existing and proposed contours.
- C. Existing structures.

- D. The detention/retention facility with outlet structures.
 - E. Cross section through detention/retention facility.
 - F. Pertinent elevations, e.g., water surface, flowline of flow control devices, etc.
 - G. Emergency spillway designed to pass a 100 year storm and with a minimum depth of one foot.
 - H. Any other information required by the City Engineer to clarify intent or design features.
- (2) All calculations, outlines and designation of drainage areas, and other supporting data in sufficient detail and form to facilitate an expedient and accurate review.
- (e) Fees. Review work performed by professional consultants and other costs incurred by the City may be charged to the applicant at their billed cost plus ten percent (10%). The fee must be paid in full prior to approval of the plans by the Planning Director. (Ord. 167-95. Passed 11-13-95.)

1117.08 USE OF DRYWELLS.

If drywells are to be used for storm water drainage control or storm water detention/retention in any new subdivision or dedication of public improvements, the developer shall be required to execute an agreement with the City of Fairfield satisfactory to the Law Director prior to recording of the plat or dedication which provides a warranty by the developer of the proper and efficient operation of all storm water drainage and retention/detention facilities of the subdivision in accordance with the requirements of this chapter for a period of five years after the recording of the plat or dedication. The agreement shall require the developer to take any and all corrective action, including, but not limited to, the installation of new or additional facilities in order for the subdivision or improvements to meet the requirements of this chapter. The developer's performance of the agreement shall be secured by an appropriate performance bond or other security approved by the Law Director. (Ord. 214-98. Passed 12-7-98.)

1182.01 GENERAL.

(A) GENERAL

([a]1) [~~Detention/retention of s~~] "Stormwater MANAGEMENT" refers to THE COLLECTION, SAFE CONVEYANCE AND storage of excess STORM runoff on A [the site of] development [and] OR REDEVELOPMENT SITE THAT INVOLVES USE OF A SINGLE OR MULTIPLE STORMWATER MANAGEMENT FACILITY(IES) TO CAPTURE, TEMPORARILY STORE AND TREAT RUNOFF WITH gradual release of the stored runoff at an acceptable FLOW rate INTO THE DOWNSTREAM CONVEYANCE SYSTEM. STORMWATER MANAGEMENT FACILITIES INCLUDE, BUT ARE NOT LIMITED TO, DETENTION BASINS AND RETENTION BASINS.

~~[(b)2)~~ “Detention basins” are **NORNALLY** dry surface areas created by constructing an excavated or embankment basin **WHICH DETAINS STORMWATER DURING RAIN EVENTS**.

~~[(e)3)~~ “Retention basins” are permanent ponds where additional storage capacity **DURING RAIN EVENTS** is provided above the normal water level.

~~[(d) — The objective of a detention/retention facility is to regulate the runoff from a rainfall and to control discharge to downstream areas in order to reduce the impact on downstream drainage systems.]~~

(B) STORMWATER MANGEMENT GENERAL REQUIREMENTS

(1) QUANITATIVE CONTROL. ~~[(e)]~~Detention/retention of stormwater will be required for each subdivision or land development **AND REDEVELOPMENT** unless specifically exempted.

(2) QUALITATIVE CONTROL. STORMWATER QUALITY CONTROL SHALL BE IMPLEMENTED INTO SITES WITHIN DEVELOPING AND REDEVELOPING AREAS IN ACCORDANCE WITH GENERAL AND SPECIFIC REQUIREMENTS OUTLINED IN THE LATEST EDITION OF THE OHIO EPA GENERAL (NPDES) PERMIT FOR STORMWATER DICHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (SEE PART IIIG2E OF THE OHIO EPA’S NPDES PERMIT (PERMIT NO. OHC0004, OR LATEST EDITION).

1182.02 EXEMPTIONS TO STORMWATER MANAGEMENT QUANTITATIVE CONTROL REQUIREMENTS.

(a) The developer may apply to the City Engineer for exemption from **REQUIREMENT FOR** construction of **STORMWATER MANAGEMENT QUANITATIVE CONTROL** ~~[detention/retention]~~ facilities.

(b) Each request will be reviewed on its own merit and as it affects the entire drainage area in which it lies and into which it flows.

(c) If an exemption **FOR STORMWATER MANAGEMENT QUANTITATIVE CONTROL** is granted by the City Engineer, the developer shall be required to pay a fee in lieu of the construction of the **STORMWATER MANAGEMENT** ~~[detention/retention]~~ facilities. The fee shall be 75 cents per cubic foot of detention/retention volume that would have been required if an exemption had not been granted. This fee must be paid to the City prior to recording of the plat of a subdivision or issuance of the building permit if no subdivision plat is involved.

(d) The developer may appeal the denial of an exemption to the Board of Zoning Appeals. (Ord. 30-00. Passed 3-13-00.)

1182.03 DESIGN.

(a) Runoff and Volume Calculation Methods. The methods outlined in the City Subdivision Rules and Regulations **AND CITY OF FAIRFIELD CONSTRUCTION AND MATERIALS SPECIFICATION HANDBOOK (LATEST EDITION)** shall be used to determine the runoff and storage volumes.

(b) Quantity of Runoff.

- (1) The peak rate of runoff during the 100 year post development storm cannot exceed the peak rate of runoff during the two year pre-development storm.
- (2) For those areas where a study of the downstream area indicates the extended time of high discharge and/or velocity due to restricted release rate and storage may cause flooding and/or excessive erosion, the City Engineer may require additional controls.

(c) QUALITY OF RUNOFF

(1) THE DESIGN OF STORMWATER QUALITY CONTROLS, ALSO KNOWN AS POST-CONSTRUCTION BEST MANAGEMENT PRACTICES, SHALL COMPLY WITH STANDARDS AND REQUIREMENTS AS CONTAINED IN THE LATEST EDITION OF THE OHIO EPA GENERAL (NPDES) PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY WITH CONSTRUCTION ACTIVITY (SEE PART IIIG2E OF THE OHIO EPA'S NPDES PERMIT).

(D) Basin Construction.

- (1) The side slopes of a detention/retention basin shall not exceed four to one and shall be seeded or sodded.
- (2) The bottom of the basin shall be seeded or sodded and sloped to the outlet flow control device. A method of carrying low flow through the basin shall be provided and include appropriate erosion control.
- (3) The maximum water depth for detention basins shall be six feet.
- (4) The top of the embankment shall have a minimum width of eight feet.
- (5) Outlet flow control devices may be either single-stage or multi-stage.
- (6) Other requirements may be imposed for specific cases.

(Ord. 94-84. Passed 7-9-84.)

1182.04 SUBMISSION REQUIREMENTS.

Plans and supporting data to verify storage volumes, release rates, etc., shall be submitted. The submission shall include, but is not limited to, the following:

- (a) A plan, which may be the Improvement Plan, Drainage and Grading Plan, or

similar plan at a scale of 1" - 100' or larger, shall be submitted and contain at least the following information:

- (1) The outline and designation of the drainage area(s).
 - (2) All existing and proposed drainage facilities.
 - (3) Existing and proposed contours.
 - (4) Existing structures.
 - (5) The detention/retention basin with outlet structures.
 - (6) Pertinent elevations (e.g. water surface, flowline of flow control devices, etc.)
 - (7) A recommendation from a soils engineer for the foundation and design of the embankment to be used for the retention/detention basin.
 - (8) Any other information required by the City to clarify intent or design features.
- (b) All calculations and other supporting data in sufficient detail and form to facilitate an expedient and accurate review.

(Ord. 94-84. Passed 7-9-84.)

1182.05 FEE.

Work performed by professional consultants and other costs incurred by the City will be charged to the applicant at their billed cost plus ten percent (10%). The fee must be paid in full prior to approval of the plans by the City Engineer.

(Ord. 94-84. Passed 7-9-84.)

1196.06 PLANS AND SPECIFICATIONS.

(a) The City Engineer shall issue a permit for excavating or filling only on the basis of plans and specifications submitted to and approved by him. A separate permit shall be required for each site. Unless waived or modified pursuant to the provisions of Section 1196.07 hereof, the plans and specifications submitted with the permit application shall:

- (1) Include the owner's name and address;
- (2) Include a plot plan, drawn to scale, showing the location of the proposed work;
- (3) Include a contour map of the affected area showing the existing and proposed contours at two-foot intervals;
- (4) Show the proposed amount of excavation or fill in cubic yards;
- (5) Show the location of any existing and proposed streets;
- (6) Show the location of any existing and proposed buildings or structures on the subject property and within forty-five feet of subject property;
- (7) Show the location of any existing watercourses, drainage, and utilities serving the property;
- (8) Show existing and proposed drainage structures, walls, cribbing and surface protection, and any necessary temporary earth restraining installations;
- (9) Show a plan for temporary and permanent drainage of the property, including any new or altered utilities;
- (10) Describe the proposed method for the protection of the soils from erosion and sedimentation;
- (11) Show additional information as may reasonably be required by the City Engineer;
- (12) Show flood zone.

(b) Unless waived pursuant to the provisions of Section 1196.08 hereof, the plans and specifications shall be prepared by a registered professional engineer, surveyor, or when operating within the practice of surveying, or an architect where the work contemplated by the plans and specifications is incidental to the practice of architecture and shall, in addition to the requirements of subsection (a) hereof:

- (1) Include a report showing the results of surface and subsurface exploration, conditions of the land, and procedures for performing the operation;
- (2) Show plans of all drainage provisions which shall be of such design to adequately handle the surface run-off, together with a map showing the drainage area of all land tributary to the site, and estimated cubic foot per second run-off of the area served by any drain computed in accordance with current acceptable standards;
- (3) Include a description of the borrow material, and the method to be used for and the degree of its proposed compaction;

- (4) Show proposed preparation of existing ground surface to receive fill;
- (5) Show proposed terraces and ditches where necessary to control surface drainage and debris;
- (6) Show proposed subsurface drainage if necessary for stability;
- (7) Show plans for all retaining walls, cribbing, vegetative provisions, erosion and sediment control measures, together with location of temporary and/or permanent fencing and other protective devices to be constructed in connection with, or as a part of the proposed work;
- (8) Showing a time schedule and sequence indicating the anticipated starting and completion dates of the development sequence--stripping and/or clearing, rough grading and construction, final grading and vegetative establishment and maintenance and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.

(c) ANY PLANS SUBMITTED FOR OR WORK PERFORMED UNDER PERMITS ISSUED UNDER SECTION 1196.03 MUST ALSO CONFORM WITH THE REQUIREMENTS OF SECTIONS 925.07, 1117.06 AND CHAPTER 1182 OF THESE CODIFIED ORDINANCES.

(d) If the City Engineer shall be satisfied that the proposed excavation and/or fill will not cause any of the hazards described in Section 1196.08 (a)(1) through (5) hereof then in such event he shall issue a permit authorizing the excavation and/or fill.
(Ord. 94.84. Passed 7-9-84.)