



# ORDINANCE 2020-04

## OF THE VILLAGE OF ASHVILLE

AN ORDINANCE AMENDING PART NINE TITLE THREE OF THE VILLAGE CODE OF ASHVILLE, PROHIBITING DISCHARGE OF SURFACE WATER INTO THE VILLAGE'S SANITARY SEWER SYSTEM, AND PROHIBITING DISCHARGE OF SANITARY WATER INTO THE STORMWATER SYSTEM, AND DECLARING AN EMERGENCY.



WHEREAS this Council finds and determines that the Village should be able to provide sanitary and stormwater services to the Village to preserve the public health, safety, and welfare of the residents of the Village of Ashville,

AND WHEREAS the Village of Ashville has agreed to the Director's Final Findings and Orders,

AND WHEREAS is desirable to enact legislation to support the above objectives and orders,

AND WHEREAS is desirable to enact legislation to mitigate sanitary and stormwater issues related to Infiltration and Inflow (I&I),

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ASHVILLE, OHIO:

### SECTION ONE

The Village of Ashville hereby ordains as follows as stormwater connections to sanitary:

Part Nine – Streets, Utilities, and Public Services of the Village Code of the Village of Ashville is hereby amended as follows:

Except as otherwise expressly authorized in this code, no water from any roof surface, sump pump, footing tile, foundation drains, rain leaders, swimming pool, any other natural precipitation, cooling water or industrial process water shall be discharged into the sanitary sewer system. Dwellings and other buildings and structures which require sump pumps or footing tiles shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system, except as provided herein. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building, or structure, or is connected to a village storm sewer. It shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge or a system otherwise approved by the Wastewater and Service Departments of the Village of Ashville.

- (a) Any person, firm or corporation having a roof surface, sump pump, footing tile, foundation drains, rain leaders, swimming pool, any other natural precipitation, cooling water or unpolluted industrial process water now connected and/or discharging into the sanitary sewer system shall disconnect or remove same. Any disconnects or openings in the sanitary sewer system shall be dosed or repaired in an effective, workmanlike manner.
- (b) Every person owning improved real estate that discharges into the village's sanitary sewer system shall allow the village or a designated representative of the village to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. In lieu of having the village inspect the property, any person may furnish a village inspection report from a village approved licensed plumber certifying that the property is in compliance with this section.
- (c) Any property with a sump pump found not in compliance with this subdivision but subsequently verified as compliant shall be subject to an annual reinspection to confirm continued compliance. Any property found not to be in compliance upon reinspection, or any persons refusing to allow their property to be reinspected, within 30 days after receipt of mailed written notice from the village of the reinspection, shall be subject to the nonrefundable charge set forth in subsection 6(e) below.


Prepared: 06/08/2020  
Revised Date:  
Review Date:

**CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the ordinance adopted by the Village of Ashville Council held on 20<sup>th</sup> day of July 2020, and that I am duly authorized to execute this certificate.

(Original signature of April D. Grube)

Clerk-Fiscal Officer  
(TITLE)



- (d) All new dwellings with sumps for which a building permit is issued shall have a pump and shall be piped to the outside of the dwelling before a certificate of occupancy is issued.
- (e) A nonrefundable fee of \$100.00 per month is hereby imposed on every sewer bill mailed to property owners who are not in compliance with this section or who have refused to allow their property to be inspected to determine if there is compliance. All properties found during any reinspection to have violated this subdivision will be subject to a \$100.00 per month nonrefundable charge for all months between the two most recent inspections in addition to all other regular charges for sanitary sewer service.
- (f) The village administrator or designee is authorized to issue a permit to allow a property owner to discharge water into the sanitary sewer system. Prior to issuance of the permit, the village administrator may consult with an engineer and/or Wastewater and/or Service Departments to verify one of the criteria to issue the permit has been satisfied. The permit shall authorize such discharge only from November 15 to March 15, shall require the owner to permit an inspection of the property on March 16 or as soon thereafter as possible to determine that discharge into the sanitary sewer has been discontinued and shall subject the owner to the \$100.00 monthly nonrefundable charge in the event the owner refuses an inspection or has failed to discontinue the discharge into the sanitary sewer. The nonrefundable charge will commence with the April water billing and continue until the property owner establishes compliance with this section. A property owner is required to meet at least one of the following criteria in order to obtain the permit:
  - 1. The freezing of the surface water discharge from the sump pump or footing drain is causing a dangerous condition, such as ice buildup or flooding, on either public or private property.
  - 2. The property owner has demonstrated that there is a danger that the sump pump or footing drain pipes will freeze up and result in either failure or damage to the sump pump unit or the footing drain and cause basement flooding.
  - 3. The water being discharged from the sump pump or footing drain cannot be readily discharged into a storm drain or other acceptable drainage system.

Following ten day's written notice and an opportunity to be heard, the village administrator may require the owners of property to discharge their sump pump into the sanitary sewer from November 15 to March 15 if surface water discharge is causing an icy condition on streets.

- (g) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
  - 1. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
  - 2. Any water or waste which may contain more than 100 parts per million by weight, of fact, oil, or grease.
  - 3. Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gas.

**SECTION TWO**

The Village of Ashville hereby ordains as follows as sanitary connections and sanitary connections to stormwater:

Part Nine – Streets, Utilities, and Public Services of the Village Code of the Village of Ashville is hereby amended as follows:

The Village of Ashville has adopted a number of practices that are aimed at protecting the quality of water resources within Ashville and the integrity of the sanitary sewer system. These practices are crucial to the future performance and investment required by the utility system because they represent the manner in which this and previous sanitary sewer plans are implemented.

The sanitary sewer ordinance requires that properties where domestic or industrial wastewater is produced be connected to the public sanitary sewer system within two years of service availability. Further, the ordinance prescribes the design and manner in which individual connections and use of public sewers are to be made. To limit the amount of inflow into the sanitary sewer system, the ordinance prohibits the flows of storm water, ground water, roof runoff, surface water, unpolluted drainage, unpolluted industrial cooling water, or unpolluted industrial process water into any public sanitary sewer.

**SECTION THREE**

**REUSE OF EXISTING CONNECTION FOR NEW BUILDING**

Where a building having a connection to the public sewer has been torn down and a new building is being constructed in its place, the abandoned house drain connection that served the previous building may be used, PROVIDING IT MEETS ALL THE CURRENT REQUIREMENT OF A NEW CONNECTION, with the exception that the pipe depth must be at least six (6) feet measured to the top of pipe at the property line. If the owner elects to use the old connection, a regular permit must be taken out for such connection of the new building. The line must be flushed and televised (and reviewed by the Wastewater Department-Utility), prior to use, at the contractor's cost. Services over fifty years old cannot be reused except at the discretion of the Utility. If approved, the house Sewer Contractor must inform the property owner that they have ownership and are responsible for the re-used pipe.

When reusing an abandoned sand rock drift, the new drill hole is to be constructed in front of the old drill hole, a bulkhead must be of similar construction as used for abandoning sand rock drifts.

**SECTION FOUR**

Point of Sale Removal - As an existing home within the Village is sold, the Village will administer an ongoing plan requiring an inspection of the plumbing system. If either sump pumps or passive drain tile are found that discharge clear water to the sanitary sewer system, their discharge will be routed away from the sanitary sewer.

**SECTION FIVE**

That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village and its inhabitants for the reason that there exists an imperative necessity for the earliest passage of this Ordinance to meet the fiscal obligations of the Village and will go into effect immediately upon its passage by Council.

Offered by: Tracie N. Sorvillo

Seconded by: Roger L. Clark

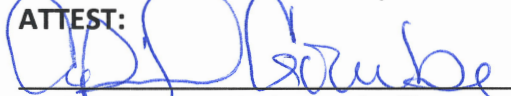
Upon roll call on the adoption of the ordinance, the vote was as follow:

Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nelson R. Embrey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brad B. Lutz	<input type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tracie N. Sorvillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Resigned from Council

**PASSED THIS 6<sup>th</sup> DAY OF JULY, 2020**

**ATTEST:**



April D. Grube, Clerk-Fiscal Officer

DATE: 7/7/2020

**APPROVED:**



Charles K. Wise, Mayor

DATE: 08 Jul 20