

VILLAGE OF LORDSTOWN  
BOARD OF PUBLIC AFFAIRS  
SEWER DEPARTMENT

# SEWER

RULES AND REGULATIONS  
GOVERNING SEWER USE  
AND SERVICE

Revised August 2018

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APPENDICES:

A – RATE AND FEE SCHEDULE

B – CONSTRUCTION STANDARD DETAILS

NOTE: APPENDICES ITEMS AVAILABLE SEPARATELY UPON REQUEST AT  
THE WATER CLERK’S OFFICE.

CROSS REFERENCES

Power to construct sewerage system — see Ohio R.C. 715.40, 717.01

Management and control of sewerage system — see Ohio R.C. 727.50

Compulsory sewer connections — see Ohio R.C. 729.06

Regulations to control house sewers and connections — see Ohio R.C. 729.51

Excavation permit required — see S.U. & P.S. 901.01

Minimum requirement for developers — see P. & Z. 1115.11

IMPORTANT NOTICE:

THE BOARD OF PUBLIC AFFAIRS WILL FURNISH SEWER SERVICE IN THE EAST SIDE SEWER SYSTEM (MAP ENCLOSED HEREIN) ONLY IN ACCORDANCE WITH THE CURRENTLY PREVAILING AND AS HEREAFTER MAY BE REVISED SEWER RULES AND REGULATIONS WHICH ARE A PART OF EVERY APPLICATION, CONTRACT, AGREEMENT, PERMIT OR LICENSE ENTERED INTO BETWEEN THE PROPERTY OWNER OR CUSTOMER AND THE BOARD OF PUBLIC AFFAIRS.

THE BOARD OF PUBLIC AFFAIRS, WITH THE APPROVAL OF THE VILLAGE OF LORDSTOWN COUNCIL, HEREBY RESERVES THE RIGHT SO OFTEN AS IT DEEMS NECESSARY TO ALTER, AMEND, AND/OR REPEAL THE RATE AND FEE SCHEDULE , THE CONSTRUCTION STANDARD DETAILS, SPECIFICATIONS, AND /OR THESE RULES AND REGULATIONS, OR ANY PART, AND IN WHOLE OR IN PART TO SUBSTITUTE A NEW RATE AND FEE SCHEDULE AND/OR RULES AND REGULATIONS WHEREBY ALTERED, AMENDED AND/OR NEW RATE AND FEE SCHEDULE AND/OR RULES AND REGULATIONS SHALL FORTHWITH, WITHOUT NOTICE, BECOME AND THEREAFTER BE A PART OF EVERY SUCH APPLICATION, CONTRACT, AGREEMENT, PERMIT OR LICENSE FOR SEWER SERVICE IN EFFECT AT THE TIME OF SUCH ALTERATION, AMENDMENT AND/OR ADOPTION.

CONTACT THE VILLAGE OF LORDSTOWN WATER AND SEWER DEPARTMENT FOR THE CURRENT AND PREVAILING RATE AND FEE SCHEDULE, THE CONSTRUCTION STANDARD DETAILS, AND SPECIFICATIONS. NO DOLLAR AMOUNT OF APPLICABLE RATES OR FEES ARE IDENTIFIED WITHIN THESE RULES AND REGULATIONS, NOR IN THE CONSTRUCTION STANDARD DETAILS OR SPECIFICATIONS.

**I. AUTHORITY**

Section 735.29 of the Ohio Revised Code authorizes the Board of Trustees of Public Affairs (Board or BPA) appointed under Section 735.28 of the Revised Code to manage, conduct, and control the Village of Lordstown Water and Sewer Department (Sewer Department) and appoint necessary officers, employees, and agents.

The Board may also pass such rules and regulations as it deems necessary for the safe, economical, and efficient management and protection of such Sewer Department. Such rules and regulations, when not repugnant to municipal ordinances or to the constitution or the laws of the state, shall have the same validity as ordinances.

**II. SANITARY SEWER MAIN FEES; ASSESSMENT**

Before a connection permit to the East Side Sewer Area sanitary sewer main is issued to a licensed sewer builder or plumber for the owner of property for which a sanitary sewer connection is desired, the Village BPA shall determine a sanitary sewer main fee, in accordance with the following:

- A. If the property for which an East Side Sewer Area sanitary connection is desired, has been previously assessed for a sanitary sewer main by a political subdivision or the sewer main has been installed by a developer at his expense, there shall be no charge for the sanitary sewer main fee. However, the tap charge and inspection fee shall be in effect as described in Section III.
- B. If the owner of property for which an East Side Sewer Area sanitary sewer connection is desired has not previously contributed toward an existing sewer main, then a front foot assessment fee shall be charged. This fee contributes to the cost of constructing the sanitary sewer main and the owner of property will be charged the prevailing fee set by the BPA. Also to be included are the tap charge and inspection fees, as described in Section III.
- C. If an East Side Sewer Area sanitary sewer main is extended by an individual, at his expense under a special construction permit issued by the Village BPA, there shall be no fee for the special construction permit; however, the owner shall pay inspection charges for the construction of the sanitary sewer main extension and the standard tap charges and inspection fees for each connection thereto, as described in Section III.

If an East Side Sewer Area sanitary sewer main is extended by an individual, at his expense under a special construction permit issued by the Village BPA, there shall be no fee for the special construction permit; however, the owner shall pay inspection charges for the construction of the sanitary sewer main extension and the standard tap charges and inspection fees for each connection thereto, as described in Section III.

All East Side Sewer Area sanitary sewer main fees, as described herein, are collected to defray the cost of construction of such sanitary sewer main where there was no contribution by the abutting affected properties at the time of construction.

**III. TAP CHARGE, PERMIT FEE, AND DEPOSIT FEE FOR SEWER CONNECTIONS**

No person shall connect any pipe with any manhole, lamp hole, catch basin, inlet or any public sanitary or storm sewer of the Village or deposit anything in any manhole, lamp hole, catch basin

or street inlet without first obtaining a permit to do so from the Water and Sewer Department. Permits for any connection shall be issued only to licensed sewer builders or plumbers in Trumbull County. Before a new sanitary sewer connection permit is issued, proof in the form of a deposit receipt for sanitary sewer service as issued by the Village must accompany the application.

In addition to the sanitary sewer main fee as described in Section II, there shall be tap charges and inspection fees issued and collected by the Water and Sewer Department and the fees for the same shall be as follows:

- A. The Ohio Environmental Protection Agency (OEPA) has estimated that the average amount of water used by a standard single-family residential dwelling amounts to 400 gallons per day. Therefore, tap charges shall be determined by using a standard single-family residential dwelling as the basic unit. The tap charge for a basic unit shall be the prevailing fee set by the BPA per each 400 gallons of water or part thereof used per day, however regardless of water usage or type of structure, the minimum tap-in charge shall be in the amount of the prevailing fee set by the BPA. In estimating water used by installations other than single-family residential dwellings, the following Sewage Flow guide, as established by the OEPA, shall be used along with the owner's or applicant's detailed specifications and projected activities for such installation

<b>Installation</b>	<b>Sewage Flow (Gallons Per Day)</b>
Apartments	250 one-bedroom
	300 two-bedroom
	350 three-bedroom
Assembly Halls	2 per seat
Bowling Alleys (no food service)	75 per lane
Churches (small)	3-5 per sanctuary seat
Churches (large with kitchen)	5-7 per sanctuary seat
Country Clubs	50 per member
Dance Halls	2 per person
Drive-in Theaters	5 per car space
Factories (no showers)	25 per employee
Factories (with showers)	35 per employee
Food Service Operations	
Ordinary restaurant (not 24-hour)	35 per seat
24-hour restaurant	50 per seat
Banquet rooms	5 per seat
Restaurant along freeway	100 per seat
Tavern (very little food service)	35 per seat
Curb service (drive-in)	50 per car space
Vending machine restaurants	100 per seat at
Homes in Subdivisions	400 per dwelling
Hospitals (no resident personnel)	300 per bed
Institutions (residents)	100 per person

Laundries (coin-operated)	400 per standard size machine
Mobile Home Parks	300 per mobile home space
Motels	100 per unit
Nursing and Rest Homes	150 per patient
	100 per resident employee
	50 per non-resident employee
Office Buildings	20 per employee
Recreational Vehicle parks and Camps	125 per trailer or tent space
Retail Store	20 per employee
Schools — Elementary	15 per pupil
High and Junior High	20 per pupil
Service Stations	1,000 first pay or pump island
Shopping Centers (no food service or laundries)	0.2 per square foot of floor space
Swimming Pool (average)	3 — 5 per swimmer (design load)
with hot water shower	5 — 7 per swimmer (design load)
Vacation Cottages	50 per person
Youth and Recreation Camps	50 per person

Calculation shall then be made on the basis of submitted data to be determined by multiplying the estimated amount of gallons of water used per day by the prevailing fee set by the BPA per 400 gallons of water or part thereof, used per day. These fees shall be paid to the Sewer Revenue Fund.

- B. In the event the installation is not covered under the Sewage Flow Guide or is not applicable, as determined by the Village BPA, then the tap charge shall be determined by multiplying the total number of square feet within the installation, including basement floor areas and excluding the garage floor areas by 0.2 per square foot. This product shall then be multiplied by the prevailing fee set by the BPA per 400 gallons of water or part thereof, used per day. These fees shall be paid to the Sewer Revenue Fund.
- C. In the event the installation that is proposed is to be rebuilt or built on land where an existing building has been razed or moved, there shall be no tap charge as long as the installation proposed is comparable to the razed or moved building; that is single-family, commercial or industrial user. However, the inspection and permit fee shall remain in effect in accordance with subsection (E) hereof.
- D. In the event the installation proposed is of an industrial type (industrial type being defined as any activity where materials are received at the installation altered by one or more internal operations and then dispatched in the altered form to the Village's sanitary sewer system), no permit shall be issued until the Village's pretreatment program is satisfied in accordance with the City of Warren's Sewer Use Ordinance, Chapter 925 and written approval from the Warren Water Pollution Control Superintendent is received by the Village BPA.
- E. In addition to the tap fee as covered under subsections (A) to (D) hereof,

there shall be three classes of inspection permits and fees, as set by the BPA for the following:

- i. For residential inspection fee.
- ii. For commercial inspection fee.
- iii. For industrial inspection fee.

These inspection permit fees shall be collected by the Water and Sewer Department, to defray the cost of administration and inspection for the same and deposited to the appropriate BPA Fund.

- F. There shall be a deposit fee for all new sanitary sewer customers. The Rate and Fee Schedule contains the prevailing deposit fee.
- G. There shall be a sanitary sewer charge for all sanitary sewer customers connected to the East Side Sanitary Sewer System. The Rate and Fee Schedule contains the prevailing rate of charge, the fee collection time interval, and the associative late payment penalty charge. Sanitary sewer charges are intended to defray costs for operations, maintenance, replacement, and treatment charges.
- H. There shall be no service, tap, or deposit charge required of any applicant for a storm sewer tap-in, however, inspection permit fees as established under subsection (e) hereof, shall remain in effect.
- I. Where a property is affected by an assessment for a proposed or existing sanitary sewer, the above charges and fees shall be in effect for same.
- J. Requests for sewer connections not covered by the provisions herein shall be decided by the Village BPA.
- K. All fees collected from the above charges by the Water and Sewer Department under this section shall be deposited to the appropriate BPA Fund.

**IV. CONNECTIONS TO BE INSPECTED AND APPROVED PRIOR TO COVERING AND PERMIT EXPIRATION**

Prior to connecting any building or facility to the sanitary sewer, an inspection performed by the Trumbull County Health Department shall be conducted to verify that no storm water sources are connected to the sanitary lateral. This includes gutters, downspouts, roof drainage systems, footer drains, foundation drains, yard drains and all other sources of clean storm and surface water as described in Section IX. If any clean water connections are discovered, the property owner shall not be permitted to connect to the sanitary sewer until all clean water connections are eliminated. The property owner shall be responsible for all costs associated with eliminating clean water connections to the sanitary sewer and any associated inspection fee for eliminating the connection.



Any licensed sewer contractor or plumber making any connection with a public sewer, and before covering the same, shall have the connection inspected and approved by the Water and Sewer Department. No lateral shall be left open or exposed after approval.

The Water and Sewer Department shall be notified by the plumber or sewer builder when the work is ready for inspection. All work shall be left uncovered and convenient for examination until inspected and approved. All sewer connections shall be inspected from the point of commencement at the sewer main or existing lateral stub to a point no closer than 5-Feet from the outside of the building. No notice shall be sent for any inspection until the work is entirely ready for the same.

All connections shall be installed by licensed contractors and plumbers approved by the Trumbull County.

Owners receiving a connection permit must complete installation within 90 days from date of permit issuance.

**V. DEPOSITING REFUSE IN SEWERS**

No garbage, offal, dead animals, wood, stone, straw, rages, grease, grit, leaves, sticks, grass clippings or other substance of a tougher or harder texture than toilet tissue shall be deposited in any manhole or any sanitary sewer, nor shall they be deposited in any manhole, inlet or catch basin of any storm sewer.

Grease/grit interceptors shall be installed on all existing and future building sanitary sewer laterals where such buildings are proven contributors of deleterious and detrimental materials, as defined under Section 4923:2-51-24 of the Ohio Plumbing Code within the Ohio Administrative Code, to the Village's sanitary sewer system.

Where such contributions are found to exist, the Water and Sewer Department shall notify the property owner by certified mail to install a grease/grit interceptor, as described above, within ninety days of receipt of notification.

Failure to construct a grease/grit interceptor within the specified time frame shall result in a financial penalty as set by the BPA.

A separate offense shall be deemed to have been committed for each period of twenty-four hours that such violation continues after a period of thirty days.

**VI. INJURING OR REMOVING MANHOLES OR CATCH BASINS**

No person shall break, damage in any way or remove any portion of any manhole, catch basin or any part of any sewer or appurtenance thereto without a permit to do so as approved and issued by the Water and Sewer Department.

**VII. SEPTIC TANK REQUIREMENTS**

No person, owner, agent, lessee, tenant or occupant of any lot, land or parcel of land or building thereon located within the Village shall establish or construct a privy, septic tank, cesspool or other receptacle for sewage or excreta or a connection to a private sewer, ditch or other outlet without first obtaining a permit to do so, as issued by the Trumbull County Health Department.

**VIII. MANDATORY CONNECTION TO SANITARY SEWER**

When a public sewer is available or is hereafter made available, a connection to such public sewer shall be established and constructed. The cost of such construction including any permit fees as set forth in Section II and III, and any other ordinances now in effect or which may take effect in the future, shall be paid by such person, owner, or agent.

Failure to make the connection within one hundred eighty days following notification by the Village BPA shall result in a financial penalty as set by the BPA.

A separate offense shall be deemed to have been committed for each period of twenty-four hours that such violation continues after a period of thirty days following the original conviction. If the property owner still fails to connect within one hundred twenty days of the original notification, the Village BPA reserves the right to impose all assessments and connection fees that may have been previously waived.

**IX. CLEAN WATER DRAIN CONNECTIONS PROHIBITED**

- A. The practice of connecting downspouts or garage or driveway drains, and specifically sunken driveway drains or other surface drains to the sanitary sewer system is prohibited. Broken or leaking service connections on laterals are likewise prohibited. Where such connections now exist, the practice shall be stopped. The Water and Sewer Department is authorized and directed to investigate all conditions where such connections exist or are reported to exist. Where such connections are found to exist, the Water and Sewer Department shall order them removed or eliminated or repaired on or before ninety days after the date of such order. The abandoned section of the connection shall be permanently sealed to the satisfaction of the Water and Sewer Department performing the inspection of the disconnection.
- B. The order shall be made against and served personally or by certified mail upon the owner, operator, manager, lessee, agent or occupant of the building or premises which such connection serves. If no such person can be found upon whom the order can be served, it shall be sufficient notice to post copies of the order at two conspicuous places upon the building or premises.
- C. If such connections are not removed or eliminated within the ninety-day period prescribed in such order, the Village BPA is authorized to charge double the rate shown on the Rate and Fee Schedule Sheet until such connection has been removed or eliminated. If the illegal connection is not removed within ninety days after notification, then the Village BPA is authorized to charge triple the rate shown on the Rate and Fee Schedule Sheet. If the illegal connection is still not removed within ninety days after the

triple notification, the Village BPA is hereby authorized to disconnect the illegal connection from the Village's sanitary sewer system, in accordance with Section XIV. The property owner shall then be billed for all assessed costs incurred for the same. Should the Village BPA cause to disconnect the sewer lateral from the Village's sanitary sewer system, such disconnection shall be performed within the street right-of-way or public easement. It shall then be the responsibility of the property owner to reconnect to the Village's sanitary sewer system and pay the appropriate fees, in accordance with Section III upon the correction of the cited violation.

- D. In the event a building is to be demolished or physically removed from its original site, the sanitary sewer building lateral shall be permanently sealed with concrete to the satisfaction and inspection of the Water and Sewer Department, prior to demolition or removal. All persons desiring to demolish or remove a building shall first obtain a permit to seal the lateral, as described herein, from the Water and Sewer Department. There shall be no charge for the permit, however, there shall be an inspection fee as set by the BPA and the permit holder shall accompany the Water and Sewer Department Inspector at the time of the inspection.
- E. No person shall discharge into the building sewer the surface water that collects in the basement or foundation excavations. If the building sewer is connected before the plumbing is to be connected, the sewer builder shall provide and seal a plug in the end of the building sewer, or if the sewer has been extended into the basement and decreased in size, a plug of proper size shall be sealed in the end until such time as the plumber is ready to connect the plumbing to the building sewer. Any surface water accumulation shall be pumped on the ground outside the building foundation.
- F. From and after the effective date of this section, no person, firm or corporation shall, in constructing a new building or correcting a problem, cause or permit footer drains or foundation drains to be connected directly or indirectly into a sanitary sewer.
- G. The practice of repairing existing footer drains without removing their outflow discharge from the sanitary sewer building lateral is prohibited. When such repairs are made, the existing footer connection shall be removed from the lateral and properly discharged to a clean storm water outlet that is storm sewer, inlet, catch basin, road ditch or downspout opening at the curb. The practice of connecting sump pumps, or other mechanical means, to the downspout opening at the curb is prohibited. Any such existing connection creating a public nuisance shall be ordered removed and permanently eliminated at no cost to the Village. If such outfall cannot be accomplished by gravity flow, then a form of sump pump shall be installed to discharge clean water as stated herein. All corrective work to the sanitary sewer service lateral as described herein shall include an exterior clean out within five feet of the foundation. The clean out shall be constructed to the satisfaction of the Water and Sewer Department. The clean out shall be constructed of the same materials as the sanitary sewer service lateral and shall have a removable watertight plug to prevent the infiltration of clean water. The clean out shall be of such design to allow sewer cleaning equipment to access to the sanitary sewer service lateral, outside of the structure serviced by same.

- H. The practice of installing basement waterproofing systems that connect to the existing footer system that in turn connects to the sanitary sewer building lateral is prohibited. When such systems are installed, they shall discharge to a clean water outlet, as described in subsection (G) hereof.
- I. No person, in regard to subsections (G) and (H) hereof shall perform any work or connection on a building's footer drain or sanitary sewer building lateral without first obtaining a permit to do so from the Water and Sewer Department. Permits shall be issued only to licensed sewer builders, licensed plumbers or the property owner, if they are to perform the work themselves. There shall be no charge for the permit or inspection thereof
- J. Whoever violates subsection G, H, or I hereof shall be subject to the charges as described in subsections A, B, and C hereof.

**X. SANITARY SEWER SERVICE OUTSIDE VILLAGE**

- A. The sanitary sewer system of the Village shall not be extended to any unincorporated lot, parcel or piece of real property adjacent to the corporate limits of the Village and not already serviced by that system unless and until the Village shall enter into an agreement with the County Commissioners having jurisdiction where such service shall be extended.
- B. Before any connection permitted can occur, a permit therefore shall be obtained from the Water and Sewer Department. Such permit shall only be issued to a sewer builder or plumber licensed by Trumbull County.
- C. Before a new sanitary sewer connection permit is issued, proof in the form of a deposit receipt for sanitary sewer service as issued by the Village BPA must accompany the application.
  - i. If the property for which a sanitary connection is desired has been previously accessed for a sanitary sewer main by a political subdivision, or the sewer main has been installed by a developer at his expense, there shall be no charge for the sanitary sewer main fee. However, the tap and inspection fee shall be in effect as described in Section XI.
  - ii. If the owner of the property for which a sanitary sewer connection is desired has not previously contributed toward an existing sewer main, then a front foot assessment fee shall be charged. This fee contributes to the cost of constructing the sanitary sewer main. Also to be included are the tap and inspection fees as described in Section XI.
  - iii. If a sanitary sewer main is extended by an individual at his expense under a special construction permit issued by the Water and Sewer Department, there shall be no fee for the special permit; however, the owner shall pay inspection charges for the construction of the sanitary

sewer main extension and the standard connection and inspection fees for each connection thereto as described in Section XI.

- iv. All sanitary sewer main fees are collected to defray the cost of constructing such sanitary sewer main where there are no contributions by the abutting affected property at the time of construction. These main fees are to be deposited to the Sewage Revenue Fund.
- v. The Village Council is authorized to execute, for and on behalf of the Village, any agreement set forth previously in subsection (a) hereof. In addition to constituting contractual terms and provisions, the terms and provisions set forth in the agreement set forth previously in subsection (a) hereof constitute and reflect policy, procedure, law and ordinances of the Village relative to the extension of the sanitary sewerage system of the Village to unincorporated property outside the corporate limits of the Village not already serviced by that system.
- vi. Any connection or extension pursuant to this section shall also be made in accordance with applicable rules, regulations and ordinances of the Village.

- D. Should any term(s) or provision(s) of this section be in conflict with any other term(s) or provision(s) existing elsewhere in other Village regulations, such term(s) or provision(s) of this section shall, and do, prevail.

**XI. TAP CHARGE, DEPOSIT FEE, AND PERMIT FEE FOR NON-RESIDENT CONNECTIONS**

- A. Conform to Section III.

**XII. REVOCATION OF PERMIT; RIGHTS ACQUIRED, NOT VESTED.**

All permits granted as provided in the preceding sections shall be revocable at any time at the pleasure of the Village BPA. Such lot owners shall acquire no vested rights by reason of the granting of such permit.

**XIII. EXPENSE OF CONNECTION; SUPERVISION**

All connections made under the provisions of the preceding sections shall be made at the expense of the lot owners and under the supervision and direction of the Water and Sewer Department.

**XIV. REMOVAL OF CONNECTIONS**

The Village BPA may, at any time, cause any connection made under the provisions of the preceding sections to be removed.

**XV. CONNECTION CONTROL**

When determined by the Water and Sewer Department that additional connections to the sewer system will overload a specific sanitary sewer, the Village BPA may order new connections to be limited, banned or controlled.

**XVI. SANITARY SEWER DESIGN AND CONSTRUCTION**

Refer to Construction Standard Details in the Appendix and the following specifications in this chapter.

**A. MATERIALS, JOINTS AND CONNECTIONS**

The materials listed below may be accepted for sanitary gravity sewer construction, however, the selection of materials should take into account the nature of the wastes to be transported, compatibility with adjacent and connection materials, soils and the cleaning methods which will be used.

<b>Rigid Pipe</b>	<b>Material Specifications</b>	<b>Joint Specifications</b>
Asbestos Pipe	ASTM-C 428	ASTM-D 1869
	ASTM-C 644	
Cast Iron	ANSI- A 21.6	ANSI-A 21.11
	AWWA-C 106	AWWA-C 111
	ANSI-A 21.8	
	AWWA-C 108	
Ductile Iron Pipe	ANSI-A 21.51	ANSI-A 21.11
	AWWA-C 151	AWWA-C 111
Reinforced Concrete	ASTM-C 14	ASTM-C 443
Concrete Pressure Pipe	AWWA-C 300	AWWA-C 300
	AWWA-C 301	AWWA-C 301
	AWWA-C 302	AWWA-C 302
	ASTM-C 361	ASTM-C 361
Reinforced Concrete	ASTM-C 76	ASTM-C 443
	ASTM-C 655	
	ODOT- 706.02	
	ODOT- 706.03	
	ODOT- 706.04	
<b>Flexible Pipe</b>	<b>Material Specifications</b>	<b>Joint Specifications</b>
Acrylonitrile Butadiene Styrene (ABS) Compound	ASTM-D 2680	ASTM-D 2680 "O" ring preferred

Acrylonitrile Butadiene Styrene (4-inch and 6- inch building sewers only) (ABS)	ASTM-D 2661	ASTM-D 2661
	ASTM-D 2751	ASTM-D 2235 (Solvent Cement)
Polyvinyl Chloride	ASTM-D 3034	ASTM-D 3212
	ASTM-D 3033	
	AWWA-C 201	AWWA-C 201
Steel	AWWA-C 202	AWWA-C 202
<b>Manholes</b>	<b>Material Specifications</b>	<b>Joint Specifications</b>
Precast concrete manholes	ASTM-C 478	ASTM-C 443

**B. INFILTRATION; TESTS**

After completion of the sewer construction, the Village BPA may require an infiltration or exfiltration test, whichever is decided by the Village BPA Engineer to be most practical at the time of completion. The infiltration shall not exceed 500 gallons of water per inch of pipe diameter per mile of sewer in a twenty-four per hour period. Exfiltration shall not exceed 500 gallons of water per inch of diameter of pipe per mile of sewer in a twenty-four hour period based on a two foot minimum head. The maximum infiltration and/or exfiltration may be decreased by a note on the plans, special permit. This test shall be made by the Contractor at his expense under the supervision of the Village BPA Engineer.

**C. METHOD OF LAYING SANITARY SEWER SERVICE PIPES**

All trenches shall be dug so that there shall be a clear space of not less than six inches between the sewer to be laid and the side of the trench or the timbers that may be used to keep the sides in place. The contractor will be required to maintain a clear width of roadway of at least ten feet.

Where possible, the sanitary sewer service pipes in residential districts shall have a minimum depth at the curb line of seven feet below the established grade of the curb, and in the business district at such depth as may be ordered by the Village BPA Engineer. Where the depth of the main sewer will not permit a minimum depth of seven feet below the established grade of the curb, then the service pipes shall be laid from the main to the curb line with a minimum inclination of one-eighth of an inch to each lineal foot of service.

Each new sanitary service lateral shall have an exterior clean out within five feet of the foundation. The clean out shall be constructed to the satisfaction of the BPA

Engineer. The clean out shall be constructed of the same materials as the sanitary sewer service lateral and shall have a removable watertight plug to prevent the infiltration of clean water. The clean out shall be of such design to allow sewer cleaning equipment access to the sanitary sewer service lateral, outside of the structure serviced by same.

Each connection at its junction with the main sewer shall be solidly supported by stone aggregate so that the weight of the backfilling will not settle the pipe, causing the sockets to break and destroy the tightness of the joints. Each length of pipe shall be laid on a firm bed of stone aggregate. The bottom of the trench under each bell shall be excavated so as to give the body of the pipe a solid bearing on the trench bottom of its entire length and permit the making of the joint. However, all pipe shall be installed in accordance with the manufacturer's specifications.

**D. METHOD OF MAKING CONNECTIONS**

In making connections in all pipe sewers when lateral wye branches have not been inserted at the time of the building of the sewer, a wye branch shall be inserted. The breaking of the shell of a pipe sewer and the insertion of a house connection (sometimes termed "break-in") shall not be permitted. Where a tap-in is to be made, an approved watertight saddle shall be used which shall properly fit the curvature of the outside diameter of the sewer main to be tapped. The saddle shall be installed in accordance with the manufacturer's specifications. The saddle shall be banded to the existing sewer main using stainless steel or galvanized banding straps and thoroughly encased in concrete having a nominal compressive strength of 4,000-pounds per square inch a minimum of three inches around the saddle, existing sewer main and all joints. Where a tap is made, care shall be taken to insure that no broken pipe, brick or concrete enters the existing sewer. Should the existing sewer pipe being tapped for a connection be broken in the wrong fashion, or in such a way that the structural integrity of the pipe is damaged, that section shall be removed in its entirety and replaced in the presence of the BPA's appointed inspector.

**XVII. GENERAL DISCHARGE PROHIBITIONS**

- A. Pollutants which create a fire or explosion hazard in the POTW including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or sixty degrees Centigrade using the test method specified in 40 CFR 261.21.
- B. No person shall discharge, or cause to be discharged, any of the following described water or wastes to any public sewer: pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.



- C. Any solids, greases, slurries or viscous material of such character or in such quantity that may cause an obstruction to the flow in the sewer or otherwise interfere with the proper functioning of the sewage disposal works.
- D. Any toxic substances, chemical elements or compounds in quantities sufficient to impair the operation or efficiency of the sewage treatment plant or that will pass through the sewage treatment plant and cause the effluent thereof to exceed NPDES permit limits, or otherwise interfere with the effective and final disposal of sludge removed or separated by the sewage treatment plant. This includes but is not necessarily limited to the substances and respective limitations listed in Section XVIII.
- E. Any liquids having a pH lower than 6.0 or higher than 9.0, or having any corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage disposal works.
- F. Any wastewater having a temperature which will inhibit biological activity at the sewage treatment plant resulting in interference; but in no case, wastewater with a temperature at the introduction into the treatment plant which exceeds forty degrees Centigrade (104 degrees Fahrenheit).
- G. Any slug release, which will mean any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in such volume or strength as to cause interference to the sewage treatment plant.
- H. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration which exceeds limits established by the Village in compliance with applicable state or federal regulations.
- I. Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- J. Discharge of petroleum oil, non-biodegradable cutting oil or products of mineral oil origin are prohibited in amounts that can pass through or cause interference

**XVIII. SPECIFIC POLLUTANT LIMITATIONS**

- A. Toxic Pollutant Limitations: No person shall discharge or cause to be discharged into a public sewer, wastes which contain any of the pollutants contained in the following list of toxic pollutants unless the person is issued orders by the Superintendent which allow the discharge of such pollutants. In the absence of such specific orders, no person shall discharge any of the following toxic pollutants except as such pollutants may occur and only in the concentrations such pollutants may occur in the water supply to their premises. Discharge of such pollutants allowed by orders shall not exceed the following maximum daily or monthly average concentrations:

<b>Pollutant</b>	<b>Daily Maximum (Mg/l)</b>	<b>Month (Mg/l)</b>
Cadmium (total)	1.9500	0.4950
Chromium (total)	1.5000	1.4400
Chromium (hex)	1.4000	0.090
Copper	0.7050	0.180
Lead	1.0000	0.1870
Mercury	0.0035	
Nickel	1.8000	1.184
Silver	1.2000	
Zinc	1.3960	0.504
Antimony	0.3290	
Cyanide (free)	0.3350	0.205
Cyanide (total)	7.200	
Selenium	0.9320	
Arsenic	0.200	
Molybdenum	0.699	

If and when the Ohio Environmental Protection Agency gives final approval to the following maximum daily concentrations, the following maximum daily concentrations shall then apply and be in effect and shall then replace the maximum daily or monthly average concentrations discussed in the preceding paragraph:

<b>Pollutant</b>	<b>Daily Max (Mg/l)</b>
Cadmium (total)	1.9500
Chromium (total)	1.5000
Chromium (hex)	1.4000
Copper	0.830
Lead	0.890
Mercury	0.0035
Nickle	1.8000
Zinc	1.2100
Antimony	0.3290
Cyanide (free)	0.3350
Selenium	1.4700
Arsenic	0.200
Molybdenum	0.699

- B. Compatible Pollutant Limitation: No wastewater shall be discharged which exceeds the maximum daily concentration established for the following compatible pollutants without the permission from the Superintendent and payment for the appropriate surcharge:

<b>Pollutant</b>	<b>Maximum Daily Concentration (Mg/l)</b>
BOD	200
COD	600
Ammonia Nitrogen	35
Oil and grease (Freon Soluble)	100
Phosphate (as P)	15
Solids (total suspended)	250
Solids (total dissolved)	1,500
pH	Within the range of 6-9 at all times, unitless

**XIX. DILLUTION**

No discharger shall increase the use of potable or process water for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this chapter.

**XX. NATIONAL CATEGORICAL PRETREATMENT STANDARDS**

National Categorical Pretreatment Standards as promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all dischargers of the regulated industrial categories. In any instances in which the categorical pretreatment standards are more stringent than limitations established in this chapter, the categorical pretreatment standards shall apply.

When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the Water and Sewer Department may convert the limits to equivalent limitations express either as mass or pollutant discharged per day of effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users per 40 CFR 403.6 (C) (2).

An application for modification of the National Categorical Pretreatment Standards prepared in accordance with 40 CFR 403.7 may be considered for submittal to the Regional Administrator by the Village BPA, when the sewage treatment plant achieves consistent removal of the pollutants. "Consistent removal" means the reduction in the amount of a pollutant or alteration of the nature of the pollutant by the sewage treatment plant to a less toxic or harmless state in the effluent provided that the plant meets the NPDES permit limits established for that pollutant and the sludge meets all applicable requirements for the preferred method of disposal.

**XXI. RIGHT OF REVISION**

The Village BPA reserves the right to amend this chapter to provide for more or less stringent limitations or requirements on discharges to the POTW where deemed necessary to comply with the objectives set forth in Section II and III.

**XXII. ACCIDENTAL DISCHARGE**

Dischargers shall immediately notify the Water and Sewer Superintendent upon the accidental discharge of wastes in violation of this chapter, including slug release and other discharges which could cause problems to the POTW, treatment processes and the receiving waters. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume and corrective actions. This notification shall be followed, within five days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence.

Such notification shall not relieve dischargers of liability for any fines provided for in Section XLI, or for any expense, loss or damage to the sewer system, treatment plant or treatment process, or for any fines imposed on the Village on account thereof.

In order that employees of dischargers be informed of Village requirements, dischargers shall make available to their employees copies of this chapter together with such other wastewater information and notices which may be furnished by the Village from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the discharger's bulletin board advising employees whom to call in case of an accidental discharge in violation of this chapter.

**XXIII. ACCIDENTAL DISCHARGE PREVENTATIVE MEASURES**

Each discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this chapter. Any direct or indirect connection or entry point for persistent or deleterious wastes to the discharger's plumbing or drainage system shall be eliminated. Where such action is impractical or unreasonable, the discharger shall appropriately label such entry points to warn against discharge or such wastes in violation of this chapter. Where necessary, facilities to prevent accidental discharge of prohibited material shall be provided and maintained at the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Water and Sewer Superintendent for review and shall be approved by the Water and Sewer Superintendent before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the discharger from the responsibility to modify the facility as necessary to meet the requirements of this chapter.

**XXIV. OPERATING UPSETS**

Any discharger which experiences an upset in operations which places the discharger in a temporary state of noncompliance with this chapter shall inform the Water and Sewer Superintendent thereof within twenty-four hours of first awareness of the commencement of the upset, Where such information is given orally, a written follow-up report thereof shall be filed by the discharger with the Water and Sewer Superintendent within five days. The report shall specify:

- A. Description of the upset, the cause thereof and the upset's impact on a discharger's compliance status.

- B. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.
- C. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such upset or other conditions of noncompliance.

A documented and verified bona-fide operating upset shall be an affirmative defense to any enforcement action brought by the Village against a discharger for any noncompliance with the chapter which arises out of violations alleged to have occurred during the period of the upset.

**XXV. CONTROL OF ADMISSABLE WASTE**

- A. No person shall discharge sewage or industrial wastes to any sewer within the jurisdiction of the Village and/or to the sewage treatment plant without having first complied with the terms of this chapter, including any subsequent compliance schedules that may be required should additional pretreatment and/or operation and maintenance be necessary.
- B. Within ninety days after passage of this chapter, existing dischargers of industrial wastes to a public sewer who have not previously done so shall prepare and file with the Village BPA a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the sewage disposal works. Should a discharger desire to expand or change his operations which will increase or change the amount or nature of pollutants in the discharge at any time, or after filing such report, he shall be responsible for preparing and filing another report which reflects these changes prior to changing his operations.
- C. Similarly, each person moving into an existing location connected to a public sewer or each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Village BPA a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged. Such report shall be filed prior to moving into an existing location or prior to making any connection to the public sewer.
- D. Such report shall be made on written forms provided by the Village BPA and shall include:
  - i. Disclosure of name, address and location of the discharger;
  - ii. Disclosure of Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended
  - iii. Disclosure of wastewater constituents and characteristics including but not limited to those mentioned in this chapter, as determined by bona-fide chemical and biological analyses;

- iv. Disclosure of time and duration of discharges;
- v. Disclosure of average daily flow rates, in gallons per day, including seasonal variations. All flows shall be measured unless other verifiable techniques are approved by the Superintendent due to cost or non-feasibility;
- vi. Disclosure of site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location and elevation;
- vii. Description of activities, facilities and plant processes on the premises including all material which are or may be discharged to the sewage disposal works;
- viii. Disclosure of the nature and concentration of any pollutants or materials prohibited by this chapter in the discharge, together with a statement regarding whether or not compliance is being achieved with this chapter on a consistent basis and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the discharger to comply with this chapter;
- ix. Where additional pretreatment and/or operation and maintenance (O and M) activities will be required to comply with this chapter, the discharger shall provide a declaration of the shortest schedule by which the discharger will provide such additional pretreatment or O and M according to the conditions in Section XXVII;
- x. Disclosure of each product produced by type, amount, process and rate of production;
- xi. Disclosure of type and amount of raw materials utilized;
- xii. Signatory requirements: This report shall include the following certification statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Additionally, this report shall be signed by:

- A. A president, secretary, treasurer or vice president of a corporation, or;
- B. A general partner or proprietor if the industrial user is a partnership or sole proprietorship respectively, or;

- C. A duly authorized representative of the above if the authorization is previously made in writing to the Water and Sewer Superintendent.

The Water and Sewer Superintendent shall evaluate the complete report and data furnished by the discharger and may require additional information. Within thirty days after full evaluation and acceptance of the data furnished, the Water and Sewer Superintendent shall notify the discharger of the Village's acceptance thereof should the industrial user fall under a categorical pretreatment standard, the discharger shall be classified as an existing or new source. If the facility is classified as a new source, they shall install and start up pretreatment technology prior to discharge and achieve compliance with the shortest time feasible, not to exceed ninety days after commencement of discharge.

**XXVI. STANDARD MODIFICATION**

The Village BPA reserves the right to amend this chapter and the terms and conditions hereof in order to assure compliance with applicable laws and regulations. Within nine months of the promulgation of a National Categorical Pretreatment Standard, this chapter shall be amended to require compliance by dischargers with such standards within the time frame prescribed by such standards. All National Categorical Pretreatment Standards adopted after the promulgation of this chapter shall be adopted by the Village as part of this chapter. Any discharger subject to a National Categorical Pretreatment Standard shall submit to the Village BPA within 180 days after the promulgation of an applicable National Categorical Pretreatment Standard, the additional information required by Section XXV.D.viii and ix. The discharger shall be informed of any proposed changes in the chapter at least thirty days prior to the effective date of the change. Any changes or new conditions in the chapter shall include a reasonable time schedule for compliance.

**XXVII. ISSUANCE OF ORDERS**

The Water and Sewer Superintendent may issue orders to any industrial user to insure compliance with any requirements under this chapter including applicable National Categorical Pretreatment Standards, other discharge limits and reporting requirements. Such orders shall be in the form of a directive signed by the Water and Sewer Superintendent and may include but shall not be limited to a list of pollutants to be monitored, location of sampling points, type of sample, frequency of sampling and compliance schedules to meet discharge limits.

- A. Compliance Schedules. When in the opinion of the Water and Sewer Superintendent, it becomes necessary for industrial users to install technology or provide additional operation and maintenance (O and M) to meet any condition of this chapter or applicable administrative order, the Water and Sewer Superintendent shall require the development of the shortest schedule by which the industrial user will provide this additional technology or O and M.

- B. Periodic Compliance Reports. All industrial users shall submit periodic compliance reports indicating the nature and concentration of pollutants in their discharge.
- C. The frequency of reporting shall be as prescribed in the industrial user's administrative orders.
- D. Results of sampling above the minimum required shall also be reported if analyses were conducted according to the methodology in Section XXX Where the results of self-monitoring indicates a violation of pretreatment standards, the industrial user shall notify the Water and Sewer Superintendent within twenty-four hours of becoming aware of the violation. The user shall also resample for the pollutant(s) in violation and report the results of resampling within thirty days of becoming aware of the initial violation.
- E. These parts shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in Section XXV.D.xii.

**XXVIII. MONITORING FACILITIES**

Each discharger shall provide and operate at the discharger's own expense a monitoring facility to allow inspection, sampling and flow measurement of each sewer discharge to the sewage disposal works. Each monitoring facility shall be situated on the discharger's premises, except where such a location would be impractical or cause undue hardship on the discharger, the Village may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the discharger.

All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications.

**XXIX. INSPECTION AND SAMPLING**

The Water and Sewer Department may inspect the monitoring facilities of any discharger to determine compliance with the requirements of this chapter. The discharger shall allow the Water and Sewer Superintendent or its representatives, upon presentation of credentials of identification, to enter upon the premises of the discharger at all reasonable hours, for the purposes of inspection, sampling or records examination. The Water and Sewer Department shall have the right to set up on the discharger's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations.

- A. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events. Under no circumstances shall any increment exceed nine months.



- i. Not later than fourteen days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the Water and Sewer Superintendent including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay and the steps being taken by the industrial user to return to the schedule established.
  
- B. Final Compliance Report. Any industrial user subject to categorical pretreatment standards shall submit a report indicating whether the user has achieved compliance. This report is to be submitted to the Water and Sewer Superintendent within ninety days following the date for final compliance with applicable categorical pretreatment standards or in the case of a new source discharger, following commencement of the introduction of wastewater into the sewage disposal works and ultimately into the POTW. The following information shall be included in this report:
  - i. Measured average daily and maximum flows of regulated process streams and other nonregulated streams.
  - ii. Results of sampling and analysis regulated pollutants from each regulated process. For pH, cyanide, total phenols, oil and grease, sulfide and volatile organics a minimum of four grab samples shall be analyzed, for all other pollutants, a minimum of one twenty-four hour flow proportional composite sample shall be obtained. Samples shall be taken immediately downstream of pretreatment facilities if such exist or immediately downstream of regulated processes if no pretreatment facilities exist. The samples shall be representative of daily operations.
  - iii. For industrial users subject to equivalent mass or concentration limits established by the Water and Sewer Superintendent, this report shall include a reasonable measure of the user's long-term production rate. For industrial users subject to production-based standards, this report shall include the user's actual production during the appropriate sampling period.
  - iv. A statement indicating whether pretreatment standards are being met on a consistent basis, and if not, a statement indicating whether additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards in accordance with Section XXVII.

**XXX. ANALYSES OF WASTE**

Laboratory procedures used in the examination of industrial wastes shall be those set forth in the Code of Federal Regulations (CFR), specifically, 40 CFR Part 136. However, alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Village BPA and the discharger.

Determination of the character and concentration of the industrial wastes performed by a discharger in compliance with his self-monitoring obligations shall be made by a qualified person or testing laboratory acceptable to the Village BPA.

The discharger whose wastes are being tested by the Water and Sewer Department shall promptly reimburse the Water and Sewer for the taking of samples at the per diem rate in effect at that time for each day, or part thereof, that such samples are taken. The fee for analyzing such samples shall be reimbursed in accordance with the fee schedule in effect at the time

**XXXI. CONFIDENTIAL INFORMATION**

All information and data acquired by any means authorized in this chapter shall be available to the public or any other governmental agency without restriction except as hereinafter provided for.

Information and data may be deemed confidential by the Village BPA upon written request by any person for confidentiality, provided, however, the person is able to demonstrate to the satisfaction of the Water and Sewer Superintendent that the release or publication of such information would divulge information, methods, processes or other trade secrets which may jeopardize the applicant's competitive position.

Information, data or material deemed confidential shall not be available for public inspection but shall be available to any governmental agency for studies and/or judicial review provided that such confidential information shall not be provided to anyone until and unless adequate notification is given to the applicant.

Wastewater characteristics and constituents shall not be considered as confidential information.

**XXXII. RECORD RETENTION**

All dischargers subject to this chapter shall retain and preserve for no less than three years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or in behalf of a discharger in connection with its discharge. All records which pertain to matters that are the subject of enforcement or litigation activities brought by the Village pursuant hereto shall be retained and preserved by the discharger until all enforcement activities have been concluded and all periods of limitation with respect to any and all appeals have expired.

**XXXIII. EMERGENCY SUSPENSION OF SERVICES**

The Village BPA may for good cause shown suspend the wastewater treatment service to a discharger, without issuing a notice of violation, when it appears to the Village BPA that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons. Any discharger notified of the suspension of the Village's wastewater treatment service shall immediately cease all discharges. In the event of failure of the discharger to comply voluntarily with the suspension order, the Village BPA shall have the

right to remove or close sewer connections and enter upon the property for accomplishing such purposes. The Water and Sewer Superintendent shall reinstate the wastewater treatment service pending proof by the discharger of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

**XXXIV. NOTIFICATION OF VIOLATION**

Whenever the Village BPA finds that any discharger has engaged in conduct which violates any provision of this chapter except for emergency suspension (Section XXIII) and falsifying information (Section XLI.C) the Village BPA shall serve or cause to be served upon such discharger, a written notice by certified or registered mail, return receipt requested, stating the nature of the alleged violation. Service shall be made on any authorized representative of the discharger. The discharger shall respond personally or in writing to the Village BPA within the time period specified in the notice advising of its position with respect to the allegations. Thereafter, the parties shall meet to ascertain the veracity of the allegations and where necessary, establish a plan for the satisfactory correction thereof.

**XXXV. SHOW CAUSE HEARING**

Where the violation referred to in Section XXXIV is not corrected by timely compliance, the Village may order any discharger which causes or allows conduct prohibited by Section XL to show cause before the Water and Sewer Superintendent or his duly authorized representative why termination of wastewater treatment service should not be taken. A written notice shall be served on the discharger by certified or registered mail, return receipt requested, specifying the time and place of a hearing to be held by the Water and sewer Superintendent or designee regarding the violation, the reasons why the enforcement action is to be taken, the proposed enforcement action and directing the discharger to show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served no less than ten days before the hearing. Service may be made on any agent, officer or authorized representative of a discharger. The proceedings at the hearing shall be considered by the Water and Sewer Superintendent who shall then enter appropriate orders with respect to the alleged improper activities of the discharger

**XXXVI. REVOCATION OF SERVICES**

In accordance with the procedures specified in Sections XXXIV and XXV, the Village BPA shall have the authority to terminate wastewater treatment services to any discharger who fails to correct a violation of this chapter within the time period specified after being issued a notice of violation and given the opportunity to show cause why such termination should not be taken.

**XXXVII. CONTROLLED DISCHARGE OF ANY TRUCKED OR HAULED WASTE**

No person shall access the sewer system or POTW for any activity including discharge of hauled septic or industrial wastes except at locations and at times as designated by the Water and Sewer Superintendent. Any removal of manhole lids, or other access to the sewer system for the purpose of discharging wastes at times and/or locations other than those designated by the

Water and Sewer Superintendent, or without the expressed permission of the Water and Sewer Superintendent, shall be considered a violation and shall be subject to enforcement action including fines and penalties allowed under this chapter.

**XXXVIII. JUDICIAL PROCEEDINGS**

Following the entry of any order by the Village BPA with respect to the conduct of a discharger contrary to the provisions of Section XXXIII, the Village BPA Solicitor may, following the authorization of such action by the Village BPA, commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas.

**XLV. ANNUAL PUBLICATION**

Annually, the Village BPA shall publish in the local newspaper a list of all industrial users which at any time during the previous twelve months were in significant noncompliance with applicable pretreatment standards or requirements.

**XLVI. RIGHT OF APPEAL**

Any discharger or any interested party shall have the right to request in writing an interpretation or ruling by the Village BPA on any matter covered by this chapter and shall be entitled to a prompt written reply. In the event that such inquiry is by a discharger and deals with matters of performance or compliance with this chapter for which enforcement activity relating to an alleged violation is the subject, receipt of a discharger's request shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of the final judicial order entered pursuant to this chapter may be taken in accordance with the applicable local law.

**XLVII. PENALTY**

- A. Civil Penalties: Any discharger who violates an order of the Village BPA or fails to comply with any provision of this chapter shall be subject to the imposition of a civil penalty. The Village BPA may assess these penalties as set by the Board of Public Affairs. Such civil penalties shall be determined by the Village BPA based on the severity of the violation and the number of times the discharger was in violation for the same limit.
- B. Criminal Penalties: A discharger's willful or negligent violation of this chapter will be subject to criminal prosecution when the Village BPA has evidence of noncompliance which shows criminal intent, and such discharger shall be punished by a fine set by the BPA or by imprisonment for not more than six months, or by both. Each day in which any such violation continues shall constitute a separate offense.
- C. Falsifying Information: Any person who knowingly makes false statements, representations or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or wastewater contribution permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring

device or method required under this chapter, shall be punished by a fine set by the BPA or by imprisonment for not more than six months, or by both.

- D. Administrative Penalties: The Village BPA may assess penalties set by the BPA upon any sewer user who fails to comply with the numerical value or administrative orders issued by the Village BPA or other regulatory agencies. Such administrative penalties shall be determined by the Village BPA based on the severity of the violation and the range of response (Tier) called for in the amended pretreatment program, enforcement response program.

Note: In addition to the administrative penalties stated herein, surcharges may be imposed upon violating dischargers intended to recover the additional costs associated with threat strength discharge and are not penalties.

Whoever violates any provision of this chapter for which no penalty is otherwise provided, shall be fined as set by the BPA or imprisoned not more than thirty days or both for each offense.

## XLVIII. PUBLIC PARTICIPATION AT PUBLIC MEETINGS

- A. Public Comment

In order to permit fair and orderly expression of public comment, the BPA shall provide an opportunity at each open meeting of the BPA qualified participants to comment on matters of concern, official action or deliberation before the BPA prior to official action by the BPA.

- B. Qualified Participants

The BPA requires that public participants be residents or taxpayers of the Village of Lordstown, including:

- i. Anyone representing a group in the community of the Public Water System service area;
- ii. Any representative of a firm eligible to bid on materials or service solicited by the BPA;
- iii. Any Water and Sewer Department employee; or
- iv. Any Water and Sewer Department Customer or Consumer.

- C. Duration of Public Comment

The portion of the meeting during which participation of the public is invited shall be limited to thirty (30) minutes. Participants may not yield their time to others.

- D. Registered Participants

All individuals wishing to participate in a public Board of Public Affairs meeting for a period not to exceed five (5) minutes shall register their intent with the Water and Sewer Department Clerk five (5) business days in advance of the meeting and shall include the name and address of the participant, topic to be addressed and group affiliation, if applicable

E. Unregistered Participants

Individuals, who had not previously registered their intent to speak, may make a public comment for a limit of three (3) minutes immediately following the registered participants, providing the total speaker time limit has not elapsed.

F. Disruptive Participants

The presiding officer may:

- i. Interrupt or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant.
- ii. Request any individual to leave the meeting when that person does not observe reasonable decorum.
- iii. Call a recess or adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting.
- iv. Make appropriate safety and logistical arrangements for continuation of the meeting.
- v. Take other such appropriate actions as may be warranted.

G. Electronic Recording Devices

Electronic recording devices and cameras shall be permitted at public meetings.

H. Agendas

The meeting agenda shall be distributed at the meetings.

**XLIX. DEFINITIONS**

The following terms, phrases and words and their derivatives shall have the meaning given herein. When not inconsistent with the context, the words used in the present tense include the future, words used in the plural include the singular, words used in the singular include the plural word and words which are masculine include the feminine. Words, terms and phrases not defined shall have their common meaning associated with the context in which they are used. The definitions are as follows:

- A. **“Board of Public Affairs or Village BPA”** means the Board of Public Affairs of the Village of Lordstown, Ohio.

- B. "**Combined sewer**" means a sewer intended to serve as a sanitary and storm sewer.
- C. "**Commercial**" means any Premises connected to the Public Sewer System used for other than exclusively residential purposes or a group of residential units served by a single connection.
- D. "**Control manhole**" means a manhole or other means of access provided by an industrial user for the purpose of permitting inspection, monitoring and metering of flows generated on the user's premises.
- E. "**Council**" mean the Village of Lordstown Council.
- F. "**Discharger**" means any nonresidential user who discharges an effluent into the Village sewage system by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches and all constructed devices and appliances appurtenant thereto.
- G. "**EPA**" sometimes referred to as U.S. EPA means the Environmental Protection Agency, a national regulatory agency.
- H. "**Engineer or Village Engineer**" means the Village of Lordstown Engineer or consulting engineering firm retained by the Village of Lordstown.
- I. "**Industrial**" means any non-governmental user of the sewer system identified in the Standard Industrial Classifications Manual, Office of Management and Budget, as amended and supplemented.
- J. "**Industrial waste**" means and solid, liquid or gaseous substance discharged to the POTW from any nondomestic source regulated under Section 307(b),(c) or (d) of the Federal Water Pollution Control Act.
- K. "**Mg/l**" means milligrams per liter and is a unit of measure used in measuring pollutant concentration.
- L. "**NPDES Permit**" means any permit or equivalent document or requirement issued by the Ohio EPA to regulate the discharge of pollutants pursuant to the "National Pollutant Discharge Elimination System" (NPDES) as established by the U.S. EPA.
- M. "**Ohio EPA**" means the Ohio Environmental Protection Agency, a State regulatory agency.
- N. "**O & M**" means operations and maintenance activities.
- O. "**Premises**" means the property or area including improvements thereon, to which sewer service is or will be provided, and as used herein shall be taken to designate:

- i. A building under one roof owned or leased by one Customer and occupied as one residence or one place of business, or
  - ii. A group or combination of buildings owned by one Customer, in one common enclosure, occupied by one family, or one organization, corporation or firm, as a residence, or place of business, or for manufacturing or industrial purposes, or as a hospital, church parochial school or similar institution, except as otherwise noted herein, or
  - iii. One side of a double house, one floor of a duplex or a lot.
  - iv. Each apartment, office or suite of offices, and/or place of business located in a building or group of buildings even though such buildings in a group are inter-connected by a tunnel, or passageway, covered areaway, or patio or by some similar means or structure, or
  - v. A public building devoted entirely to public use, such as a town hall, school house, fire engine house, or
  - vi. A single lot, or park or playground, or
  - vii. Each house in a row of houses, or
  - viii. Each Dwelling Unit in a row of houses, or
  - ix. Each individual and separate place of business and/or occupancy located in one building or group of buildings commonly designated as shopping centers, supermarket areas and by such other terms, or
  - x. Each Dwelling Unit in a public housing development owned and operated by the United States of America, a municipal sub-division of the State of Ohio, or an agency, public subdivision or instrumentality of the United States or the State or a political subdivision thereof; by a philanthropic foundation or organization or some such similar body or organization; or operated under private ownership.
- P. **“Publicly Owned Treatment Plant – POTW”** means the city of Warren, Ohio assemblage of devices, structures and equipment for treatment of sewage and industrial waste.
- Q. **“Rates and Fee Schedule”** means the rates and fees adopted by resolution of the Board of Public Affairs, with the approval of the Village of Lordstown Council, which are to be charged to customers for their use of the sewer system.
- R. **“Sanitary sewer”** means a sewer intended to carry only sewage exclusive of storm water.
- S. **“Sewage disposal works”** means all facilities for collection, pumping, treating and disposing of sewage and industrial waste.
- T. **“Sewer”** means a pipe or conduit for carrying sewage.
- U. **“Solicitor or Village Solicitor”** means the Village of Lordstown, Ohio Solicitor or legal counsel retained by the Village.



- V. **“Storm sewer”** means a sewer intended to carry only storm water, surface run-off, street wash waters and drainage.
- W. **“Superintendent or Sewer Department Superintendent”** means the official or his/her authorized representative of the Village of Lordstown, Ohio Water and Sewer Department.
- X. **“U.S. EPA”** means the United States Environmental Protection Agency, a Federal regulatory agency.
- Y. **“Village”** means the Village of Lordstown, Ohio.

L. **EAST SIDE SANITARY SEWER MAP**

