

# RECORD OF ORDINANCES

2005-01

Ordinance No. \_\_\_\_\_

Passed February 15th, 2005

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES PART 9, TITLE 3, SECTIONS 935.02(c), 935.09(a) AND (b), 935.10, 935.13(f), 935.14(c)(1), 935.15(a) AND 935.99(a)(b)(c) OF THE CITY OF BROOKVILLE, OHIO.**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT;

**SECTION I:** Section 935.02(c) of the Code of Ordinances is hereby amended to read as follows:

(c) No connection with any sewer, or repair or removal thereof, shall be made without a permit from the Municipal Manager.

**SECTION II:** Section 935.09(a) and (b) of the Code of Ordinances is hereby amended to read as follows:

(a) The standards and specifications for the construction of water mains and sanitary sewer lines shall be according to the Municipality of Brookville Subdivision Regulations, Construction Standards and Drawings, and Design Criteria adopted in April 1999.

(b) The standard drawing of streets, sewers and water mains shall be according to the Municipality of Brookville Subdivision Regulations, Construction Standards, and Drawings, and Design Criteria adopted in April 1999, on file with the Clerk, is adopted as if fully contained herein.

**SECTION III:** Section 935.10 of the Code of Ordinances is hereby amended to read as follows:

All sanitary sewer systems shall conform to the Municipality of Brookville Subdivision Regulations, Construction Standards, and Drawings, and Design Criteria adopted in April 1999.

**SECTION IV:** Section 935.13(f) of the Code of Ordinances is hereby amended to read as follows:

(f) "National Pollutant Discharge Elimination System (NPDES) permit" means a legally binding document issued by the Ohio EPA to the owner/operator of a wastewater treatment plant. The document contains a schedule of compliance requiring the permit holder to achieve specific effluent limitations by a specified date. It also specifies monitoring and reporting requirements. The final effluent limits established by Ohio EPA for the discharge of treated wastewater by the Municipality to South Wolf Creek are currently as follows:

<u>Parameter</u>	<u>Effluent Limitations</u>	
	<u>30-Day</u>	<u>7-Day</u>
CBOD <sub>5</sub> , mg/l	15	10
Suspended Solids, mg/l	18	12
NH <sub>3</sub> -N - summer, mg/l	1.5	2.3
winter, mg/l	2.5	3.8
Dissolved Oxygen, mg/l	5.0 minimum	
Chlorine Residual, mg/l	0.5 maximum	
Fecal Coliform, ct/100 ml	1,000	2,000
Oil and Grease, mg/l	10.0 maximum	
pH, S.U.	6.5	to 9.0

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**SECTION V:** Section 935.14(c)(1) of the Code of Ordinances is hereby amended to read as follows:

(c) The following shall be the quarterly rates charged by the City for services to be rendered by its sanitary sewage system to it and to its inhabitants and others, based on water consumption. The rate schedule shall apply effective on the April 2005 billing for sewer usage as follows on:

(1) Domestic strength wastewater.

- A. First: Minimum charge for 1,000 cubic feet or less per quarter: Twenty dollars and eighty cents (\$20.80).
- B. Second: Charge for each 100 cubic feet or any part thereof, in excess of 1,000 cubic feet, but less than 10,000 cubic feet: Two dollars and eight cents (\$2.08).
- C. Third: Charge for each 100 cubic feet, or any part thereof in excess of 10,000 cubic feet: One dollar and sixty-one cents (\$1.61).
- D. Fourth: There will be a twenty-five percent (25%) additional fee for consumers living outside of the municipal corporation limits.

**SECTION VI:** Section 935.15(a) of the Code of Ordinances is hereby amended to read as follows:

(a) For all connections to the sanitary sewer system, the fee shall be in the amount for the respective uses shown below, but in no case less than seven hundred and fifty dollars (\$750.00)

<u>Residential</u>	<u>Fee</u>
Single-family residence	\$ 750.00 per residence
Two-family residence	\$1,000.00 per double
Multi-family apartments	\$ 750.00 plus \$250.00 for each additional unit

<u>Nonresidential</u>	<u>Fee</u>
Commercial, Industrial, Institutional, Schools, Government	\$ 750.00 plus \$.20 per sq. ft.

The tapping permit fee, per the above schedule, will be in effect thirty (30) days from date of passage.

**SECTION VII:** Section 935.99(a)(b)(c) of the Code of Ordinances is hereby amended to read as follows:

(a) Whoever violates any provision of Sections 935.01 through 935.08 shall be fined not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00) for each offense, and a separate offense shall be deemed to have been committed each period of twenty-four hours such violation shall continue after a period of thirty days following the original conviction.

(b) Whoever constructs storm sewers, sanitary sewers, water mains, or other related structures which fail to comply with the provisions of Sections 935.09 and 935.10 shall be guilty of a first degree misdemeanor, and shall be fined not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00) and costs; and each day the violation continues shall constitute a separate offense.

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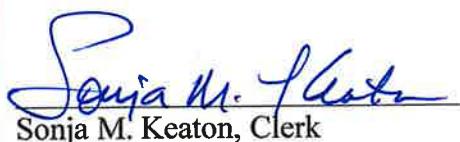
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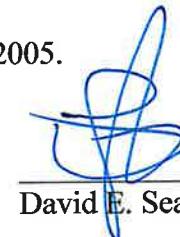
Passed February 15th, 2005

(c) Whoever violates any provisions of Section 935.15 shall be fined not more than one hundred (\$100.00), and each thirty-day period shall constitute a new violation and separate offense.

**SECTION VIII:** This Ordinance shall revoke and rescind all Ordinances, and parts of Ordinances and Resolutions, and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earliest period allowed by law.

PASSED this 15th day of February, 2005.

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2005-01, passed by the Council of the City of Brookville, Ohio, on the 15th day of February, 2005.

  
Sonja M. Keaton, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2005-01 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 16th day of February, 2005 to the 16th day of March, 2005, both days inclusive.

  
Sonja M. Keaton, Clerk