

ORDINANCE # 287

VILLAGE OF NORTH LEWISBURG

RULES AND REGULATIONS

Established By:

VILLAGE COUNCIL

VILLAGE OF NORTH LEWISBURG, OHIO
CHAMPAIGN

Adopted Ordinance dated 3-12-2024

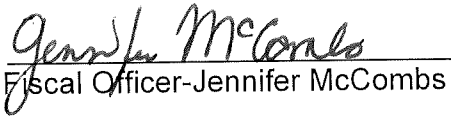
ORDINANCE # 287

This ordinance shall repeal and replace the Villages rules and regulations Division 800 – Design Criteria for Water Distribution Systems and Division 900 – Design Criteria for Sanitary Sewers and Appurtenances. This ordinance shall supersede any prior conflicting design standards ordinance or design standards resolution.

Vote 5-0

Date 3/12/24


Mayor-Ted Murphy Jr.


Fiscal Officer-Jennifer McCombs

1st Reading 1-9-2024

2nd Reading 2-13-2024

3rd Reading 3-12-2024

TABLE OF CONTENTS

	PAGE NO.
REVISION PAGE.....	ii
TABLE OF CONTENTS.....	iii
<u>VILLAGE OF NORTH LEWISBURG RULES AND REGULATIONS</u>	
CHAPTER I: GENERAL PROVISIONS	1.1
CHAPTER II: SEWER SYSTEM USE.....	2.1
CHAPTER III: WATER SYSTEM USE.....	3.1
CHAPTER IV: CONNECTIONS, FEES, PERMITS AND BILLINGS	4.1
CHAPTER V: SEWER/WATER DESIGN CRITERIA	5.1
CHAPTER VI: SANITARY SEWER/WATER CONSTRUCTION PROCEDURES.....	6.1
CHAPTER VII: CONTRACTOR'S LICENSE, CONTRACTOR'S INSURANCE AND INDEMNIFICATION	7.1
CHAPTER VIII: SEPTAGE HAULER REQUIREMENTS AND PROCEDURES	8.1-8.3

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER I

GENERAL PROVISIONS

101	VILLAGE ORGANIZATION PURPOSE	109	GENERAL TERMS
102	PURPOSE OF REGULATIONS	110	MALICIOUS MISCHIEF
103	GOVERNING REGULATIONS	111	CHARGES FOR DAMAGES TO SEWER SYSTEMS
104	DEFINITIONS	112	DISCONTINUED SERVICE
105	PROVISION OF SEWER SERVICE BY OTHERS	113	RESTORING SERVICE
106	CONSTRUCTION AND TRANSFER OF SYSTEM COMPONENTS	114	AMENDMENTS, CHANGES
		115	NOTICE
		116-198	RESERVED
		199	PENALTY
107	SEPARATION OF SYSTEMS		
108	ACCESS TO PROPERTY		

101 VILLAGE ORGANIZATION PURPOSE: The Village is organized in accordance with the Ohio Revised Code to:

101.01 Supply water to users within and without the Village.

101.02 Provide for the collection, treatment, and disposal of wastewater within and outside the Village.

102 PURPOSE OF REGULATIONS: To regulate water and sewer service within the jurisdiction of the Village of North Lewisburg.

103 GOVERNING REGULATIONS: In the event of any conflict between these Regulations and the requirements of the Ohio EPA, the documents providing the highest or most stringent requirement, criteria, standard or rule shall govern.

104 DEFINITIONS: Unless the context specifically indicates otherwise, the following words and phrases when used in these Regulations shall have the meaning defined below:

- 104.01 Biodegradable: Any material that is easily amenable to breakdown to less complex compounds by biologic process present in the Village Sewer Systems. The Village shall determine whether a material is biodegradable if such determination is required.
- 104.02 Biochemical Oxygen Demand B.O.D.: The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in parts per million (ppm) or milligrams per liter (mg/l) by weight.
- 104.03 Building: Any structure or part of a building or structure, whether or not constructed for human habitation.
- 104.04 Connection or Tap: The installation of a service line from private property to the Village water lines or sanitary sewers.
- 104.05 Cooling Water: The water discharged from a condensation, air conditioning, cooling, refrigeration, or other system, but free from odor or oil, and containing no polluting substances which could produce B.O.D. or suspended solids each in excess of ten milligrams per liter (10 mg/l).
- 104.06 Cost: The expenditures made by the Village for labor, material, engineering, supervision, motor vehicles, tools, and any other expenditures incident thereto, required in any project undertaken by the Village, including cost of land, land rights and other personal and real property owned by the Village necessary for construction, maintenance, repair, and operation of the water and sewer systems.
- 104.07 Developer. Any person, firm or corporation that presumes to excavate or fill, build structures, or otherwise improve (See 104.14) a specific parcel or tract of land.
- 104.08 Development. The improvements (See 104.14) of a tract or parcel of land.
- 104.09 Distribution Lines and Mains: The waterlines owned by the Village for distributing potable water to service lines for use by the owner property.
- 104.10 Village. The Village of North Lewisburg as established by the ORC.
- 104.11 Village System: Water lines, sewers, treatment facilities and associated equipment and materials which is owned by the Village.

- 104.12 Domestic Use: The use of water and sewer services in connection with normal household activities only.
- 104.13 Easement: An acquired legal right for the specific use of land owned by others.
- 104.14 Improvements: Any addition to the natural state of land which increases its value or utility, including buildings, street pavements with or without curbs and gutters, sidewalks, crosswalks, water mains, sanitary sewers, storm sewers, landscaping, street lighting, public utilities, paved parking areas, and other appropriate items.
- (a) Site Improvements: Improvements made to the land outside the exterior limits of a structure or structures.
- (b) Public Improvements: Improvements financed entirely or in part by public funds or which are dedicated to public use after completion thereof.
- 104.15 Industrial Wastes: The liquid, gaseous or solid wastes resulting from any process of industry, manufacturer, trade, or business, or from the development, processing, or recovery of any natural resource which will pollute any water it enters. As distinct from domestic or sanitary wastes.
- 104.16 May: "May" is permissive (see "shall")
- 104.17 Natural Outlet: Any outlet in a watercourse, pond, ditch, lake or other body of surface or ground water.
- 104.18 Non-Domestic Use: All uses other than Domestic Use.
- 104.19 Oils and Greases: Those materials extractable from an acidified sample by "freon" or other acceptable solvent in accordance with approved laboratory procedures.
- 104.20 Organic: Containing carbon compounds or produced in living organisms.
- 104.21 Owner: All individuals, partnerships, associations, corporations or political subdivisions holding any title or interest in any property rights, easements and interest in any real property served or which may be served by a Village System.
- 104.22 Parcel: A specific part of a larger acreage of land.

- 104.23 Person: Any individual, firm, company, association, partnership, society, corporation or group, whether a property owner or a contractor.
- 104.24 pH: The reciprocal of the logarithm of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven and hydrogen-ion concentration of 10^{-7} .
- 104.25 Plat: A plan of a tract or parcel of land made by a surveyor registered in the State of Ohio showing public dedications, property lines, lot lines, and such other information as is required by law.
- 104.26 Pollution: The placing of any noxious or deleterious substances in any waters within the Village or affecting the properties of any waters within the Village in a manner which renders such waters harmful or inimical to the public health, or to animal or aquatic life, or to the use of such waters for domestic water supply, industrial or agricultural purposes, or recreation.
- 104.27 Potable Water: Water treated for human consumption. Non-potable water is not meant for human consumption.
- 104.28 Premises: A tract of land, platted or unplatted.
- 104.29 Pretreatment: The treatment of waste waters prior to introduction into a Village Sewer System.
- 104.30 Sanitary Sewer: A sewer which collects and carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, and to which storm, surface and ground waters are not legally admitted.
- 104.31 Service: Providing a property owner potable water as well as disposal of waste water without regard to the extent of use made thereof. The availability of potable water is called "water service". The availability of waste water disposal is called "sewer service."
- 104.32 Service Line: The line owned by the lot or parcel owner that extends from a Village System over the owner's premises or lot.
- 104.33 Sewage: Any substance that contains waste products, excrement or other discharge from the bodies of human beings or animals, which will pollute any water it enters. The standard strength for sewage shall be 200 ppm BOD and 200 ppm Suspended Solids.

- 104.34 Sewer System: The Waste Water facilities or system. A Village Sewer System shall be that part of the Waste Water System owned, operated, and maintained by the Village.
- 104.35 Sewer: A pipe or conduit for conveying storm water, ground water, non-polluted water, sewage or industrial waste water.
- 104.36 Shall: "Shall" is mandatory (see "may").
- 104.37 Storm Sewer or Storm Drain: A sewer which carries storm and surface waters or drainage, but that excludes sewage and polluted industrial wastes.
- 104.38 Storm Drainage System or Drainage System: All facilities, structures, natural water courses, outlets, waterways or streams, swales or ditches, and sewers which carry storm water, ground water, surface water, subsurface drainage water, cooling water or unpolluted industrial process water.
- 104.39 Suspended Solids: Solids that either float on the surface of, or are suspended in, water, sewage or other liquid, and which are removable by laboratory filtering.
- 104.40 System Components: All water lines, sewer lines, service lines, valves, manholes, pipes, fittings, fixtures, vaults, pits, treatment equipment and machinery, buildings, lift stations and appurtenances thereto which are a part of or connect to the water or sewer system.
- 104.41 Toxic: Being capable of adversely affecting any organism upon assimilation or exposure.
- 104.42 Tract: A continuous expanse of land.
- 104.43 Waste: Useless, unneeded or superfluous matter which is discarded such as ashes, garbage, process by-produce, or sewage.
- 104.44 Waste Water Facilities or System: The facilities for the purpose of treating, neutralizing, disposing of, stabilizing, cooling, segregating, or holding waste water, including without limiting the generality of the foregoing, facilities for the treatment and disposal of sewage or industrial waste and the residue thereof, facilities for the temporary or permanent impoundment of waste water, both surface and underground, and sanitary sewers and other systems, whether on the surface or underground, designed to transport waste water, together with the equipment and furnishing thereof and their appurtenances and

systems, whether on the surface or underground, including force mains and pumping facilities.

- 104.45 Wastewater: Any water containing sewage or industrial waste or other pollutants or contaminants derived from the prior use of such water.
- 104.46 Water System: All of the facilities acquired for supplying, treating, pumping, and distributing water. A Village Water system shall be that part of the Water System owned, operated and maintained by the Village.
- 104.47 Watercourse: A channel in which a flow of water occurs, either continuously or intermittently.
- 104.48 Waterline: A pipe or conduit used to distribute water to the customer's premises.
- 104.49 Water Treatment Plant: Any arrangement of devices and structures used for treating water to a potable condition.
- 104.50 Well Head Protection: The means and efforts put forward by the Village to secure its water source from potential sources of contamination.
- 105 PROVISION OF WATER OR SEWER SERVICE BY OTHERS: Except for private lines serving only a single residence or parcel of land, water lines, sewer lines, plants, fixtures and all appurtenances thereto and located in the Village of North Lewisburg shall be installed and constructed, only in accordance with plans and specifications, by such contractors, suppliers and materialmen, as are approved by the Village of North Lewisburg, and no person, public or private organization, or political subdivision shall have authority to approve, construct or install such lines without the express written consent and approval of the Village of North Lewisburg.
- 106 CONSTRUCTION AND TRANSFER OF SYSTEM COMPONENTS:
- 106.01 Owner to Bear the Cost: Any property owner or Developer wishing to develop a lot, tract or parcel of ground and wishing to connect improvements constructed thereon to the Village Systems shall bear all the costs incidental to the construction and installation of the sewer system components. Said construction and installation shall be done in accordance with these regulations.
- 106.02 Provision for Extension of Systems: Any property owner or Developer wishing to develop a lot, tract, or parcel of ground and wishing to connect said improvements constructed thereon to the Village

Systems, shall be required to construct as part of said improvements such Systems Components as the Village shall direct at the Owner's or Developer's expense.

106.03 Offsite Construction of Village Systems: The Village does not guarantee that it will have sewer system Components available to any parcel or tract of ground within the Village. In the event that an Owner or Developer constructs or installs Systems Components outside the area being so developed, said installation and construction shall nonetheless be done in accordance with these regulations. Further, all said installation and construction shall be at the expense of the Owner or Developer.

106.04 Conveyance of systems Components By Owner or Developer

- (a) Prior to the time that the Village begins to render sanitary sewer service to any Owner or Developer of property, the Owner shall convey to the Village, without additional consideration from the Village, all of the system components and easements which are or are caused to be acquired, installed or constructed by the Owner and which are reasonably required in order for the Village to provide sanitary sewer service to the Owner's property, except that the Owner shall not convey any part of the service lines connecting the individual dwellings or buildings with the sanitary sewer mains or lines.
- (b) All personal property conveyed pursuant to this Regulation for sanitary sewer service shall be conveyed by duly executed Bill of Sale conveying all rights, title and interest of Owner and all easements and land rights-of-way shall be conveyed by duly executed Deed of Easement or recorded plat. Such conveyances of personal property shall convey ownership free of liens. Such conveyances shall grant to the Village good title to the easements, free and clear of all rights of dower and all liens, easements, restrictions, conditions, covenants and encroachments, except the liens of real estate taxes and assessments and any easements, restrictions, conditions, covenants and encroachments which would not prohibit or unreasonably interfere with the installation, operation, maintenance and repair of one or more sanitary sewer lines or mains or water lines and those defects which Village is willing to waive.
- (c) At the time of conveyance described in this Regulation, Owner shall assign to Village all obligations or warranties whether express or implied, created by law or by contract, by

manufacturers, contractors and vendors of the personal property comprising the sanitary sewer system within the Owner's property, to the extent the same may be assignable. Owner agrees that it will fully cooperate with Village in enforcing any warranties given by or claimed against all manufacturers, contractors and vendors of the personal property so conveyed, provided that any costs or expenses in connection therewith shall be borne by the Village. Owner will not knowingly waive any such warranties which it obtains.

- 107 SEPARATION OF SYSTEMS: All water, drainage and sewer systems are separate and distinct systems. No person shall connect any two systems together in any manner that could cause waste water to enter the water or drainage systems. All water systems shall be protected in all locations and all times from the siphoning, back flow, gravity flow, or pressure flow of waste water or in drainage water into any part of the water system, regardless of whether any portion of the water system has a positive or negative pressure applied to it.
- 108 ACCESS TO PROPERTY: Any duly authorized representative of the Village bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspecting, reading, and maintaining meters, or for the purpose of measuring, sampling or testing in accordance with the provision of these Regulations.
- 109 GENERAL TERMS:
- 109.01 In the interest of public health and for the protection of its property, the Village will not permit use of its water or sewer systems or any systems components, for anything other than Village approved uses.
- 109.02 The Village undertakes to use reasonable care and diligence to provide adequate sewer service. The Village shall not be liable for a deficiency or failure, regardless of cause, in the supply of sewer service or for any damage therefrom, or for the bursting or breaking of any main or service lines or for any damage caused thereby, or for failure of electrical power supply, or equipment failures, or failure of other facilities used by Village or for any damage caused thereby, if the Village is without willful default or negligence on its part.
- 109.03 When application is made to the Village for sewer service, or for the reinstatement of sewer service, the Village shall be entitled to assume that the piping and fixtures to which the service will be supplied are in good order, will be maintained in good order, and will be operated properly. The Village will not be liable for any accidents, breaks, leakage or other harmful events resulting in any way from the

supplying of sewer service to faulty piping or fixtures, or improperly operated piping or fixtures.

- 109.04 The Village shall have the sole right to determine the size, type, construction materials and methods, and location of service lines and connections necessary to give the service for which application has been made.
- 109.05 Operating control of all Village Water and Sewer Systems and the connections thereto is vested in and shall at all times remain with the Village, and shall not be trespassed on or interfered with in any manner.
- 109.06 The Village shall be notified by the owner of any change of ownership for any premise being served by the Village. Such notice shall contain the date such change is to become effective.
- 109.07 At such times as the Village is notified of a change in ownership, the Village shall render a final billing. The new owner shall submit an application within ten (10) days of becoming the owner.
- 109.08 The liabilities and responsibilities for proper use of, and payment for, the sewer service is the obligation of the owner of the premises being served unless approved otherwise by the Village in writing.
- 110 MALICIOUS MISCHIEF: No person shall maliciously, willfully, or negligently break, damage, destroy, deface, cover, or tamper with any part of the sewer system.
- 111 CHARGES FOR DAMAGES TO WATER OR SEWER SYSTEMS: When any person causes an obstruction of, or damage to, or any other impairment to any part of a Village water or Sewer System or the treatment process, a charge shall be levied by the Village against the Owner from whose premises the damage originated or, if no premise is involved, the responsible person. The charges shall be for the cost of the work required to clear and/or repair the part of the water or sewer system or reestablish the treatment process affected by said damage. The Village shall add such charge to the usual service charges, surcharges, and fees, or bill the responsible person. Failure to pay the bill within 30 days of its receipt shall subject the person to the provisions of Section 199.
- 112 DISCONTINUED SERVICE: The Village may discontinue all or any part of its service to any customer for any of the following reasons:

- 112.01 For use of water or sewer service for any premise or purpose other than as permitted by these Regulations.
- 112.02 For willful misrepresentation in the application as to the premises to be supplied or the use to be made of water or sewer service supplied or as to any other material fact.
- 112.03 For tampering with or molesting any plant, main, sewer, line, connection, or service line under the control of, or belongs to the Village, or connecting into a Village System.
- 112.04 For non-payment of any charges owed by the Owner to the Village when due.
- 112.05 For connecting a sewer, water line, service line, or any line or pipe directly or indirectly with any other source of waste water or use of water than that which results from the normal activities of the premises served, or with any apparatus which may, in the opinion of the Village, endanger the quality of the Village water or sewer service.
- 112.06 For denial to the Village of reasonable access to the premises.
- 112.07 For any violation of, or failure to comply with, these Regulations.
- 113 RESTORING SERVICE: If an Owner whose service has been discontinued for non-payment of bills or for violation of, or failure to comply with these Regulations desires service to be restored, such restoration may be made only after the Owner:
 - 113.01 has paid all unpaid bills and charges owing to the Village.
 - 113.02 has corrected any condition found contravening these Regulations, and
 - 113.03 has paid a Reconnection Fee as established by the Village, plus the cost of renewing service.
- 114 AMENDMENTS, CHANGES: The Village reserves the right at any time to alter, amend or add to these Regulations.
- 115 NOTICE: A notice of violation of any provision of these Regulations shall be deemed served by the Village with issuance of a written citation stating the nature of the violation, signed by the authorized representative of the Village, and mailed by U.S. mail to the last known address of the person causing the violation.
- 116-198 RESERVED

199 PENALTY

- (a) Any person who violates any provision of these Regulations or Village directives pursuant to these Regulations shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person who continues any violation beyond the time limit provided for herein shall be fined not more than One Hundred Dollars (\$100.00) for each violation. A separate offense shall be deemed committed each day during or on which an offense occurs or continues.
- (b) Any person who violates any of the provisions of these Regulations or Village directives pursuant to these Regulations shall become liable to the Village for any expense, loss or damage occasioned by the Village of such violation.
- (c) Any person who violates any of the provisions of these Regulations or Village directives pursuant to these Regulations may be denied future permits to connect to Village service lines, for so long as the violation continues.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER II

SEWER SYSTEM USE

201	PURPOSE	209	GREASE, OIL AND SAND
202	SCOPE		INTERCEPTORS
203	GOVERNING REGULATIONS	210	MONITORING AND FLOW
204	DEFINITIONS		MEASUREMENT FACILITIES
205	PROHIBITED DISCHARGES	211	DISCHARGE REPORTS
205	STORM WATER AND	212	PUBLIC RECORD
	OBSTRUCTIONS PROHIBITED IN	213	PROTECTION FROM
	SANITARY SEWERS		ACCIDENTAL DISCHARGE
206	CONNECTION WITH DISTRICTS'	214-298	RESERVED
	SEWER REQUIRED		
208	DETERMINATION OF ACCEPT-	299	PENALTY
	ABILITY OR UNACCEPTABILITY OF		
	DISCHARGE		

201 PURPOSE: To regulate the use of the sewer system owned and operated by the Village.

202 SCOPE: This chapter establishes the discharge criteria for the sewer systems, and the procedures for handling discharges which fail to meet the established criteria.

203 GOVERNING REGULATIONS: Where there appears to be, or there is in fact, a conflict between this chapter and CHAPTER I, GENERAL PROVISIONS, the chapter providing the more stringent requirement, standard, or procedure shall govern.

204 DEFINITIONS: The definitions of CHAPTER I shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

205 PROHIBITED DISCHARGES:

205.01 No person shall discharge any material deleterious to any part of a Village sewer system. Such deleterious materials include, but are not limited to any solid, liquid, vapor, substance, or waste which:

- (a) is capable of causing obstruction to the flow in sewers or otherwise interferes with the proper operation of the waste water system, i.e. straw, shavings, metal, glass, rags, feather, tar, plastic, wood, fur, wax or grease, etc.
- (b) is flammable or explosive such as gasoline, kerosene, benzene, naphtha, or any other chemical compound capable of causing flammable or explosive conditions.
- (c) would cause the sewage temperature in a Village sewer to be higher than 100 degrees F. (38 degrees Celsius).
- (d) is acid or alkaline in reaction, has corrosive properties, or is capable of causing damage or hazard to structures. Alkalinity of all wastes must be neutralized to within 5.0 to 9.5 pH.
- (e) contains readily releasable Cyanide (cyanide released at a temperature of 150 degrees F, 66 degrees C, and pH = 2.5) in excess of 2 mg/l or total cyanide in excess of 5 mg/l.
- (f) contains over 100 mg/l of readily biodegradable oils and grease which may become solid or viscous within the sewer system, or over 25 mg/l of mineral or other non-degradable oils and greases, regardless of physical characteristics.
- (g) is toxic or poisonous in sufficient quantities or rate of flow to be injurious to or interfere with any treatment process; to constitute a hazard to life and limb of personnel engaged in inspection, maintenance and operation of the system; or constitutes a hazard in the receiving waters. [Maximum limits for such materials may be established by the Village but the maximum so established should not be conclusive as to the civil liability of the offender].
- (h) is of such volume or contains such organic or other material load as to cause the waste water treatment facility's design capacity to be exceeded or cause the Village to incur additional expense in the handling or treating thereof.
- (i) is incompatible with the waste water treatment process or inhibits the performance of the treatment process at the Village waste water treatment facility.
- (j) can cause the waste water treatment system's effluent to fail to meet the State and Federal regulatory agency's effluent

requirements; or cause any other product of the treatment process such as residues, sludges, or scums, to be unsuitable for disposal, reclamation and reuse; or interferes with the reclamation process.

- (k) can cause a nuisance, cause air pollution, or prevent the effective maintenance or operation of the sewer system by the release of toxic or malodorous gases, or toxic or malodorous gas producing substances.
- (l) contains sewage in a strength in excess of 200 ppm BOD and/or 200 ppm suspended solids unless approved by the Village.
- (m) is in excess of the State and Federal regulatory agency's limitations or the following listed concentrations; whichever is the most stringent.

<u>Substance or Material</u>	<u>Allowable Discharge Mg/l</u>
Arsenic	0.5
Barium	8.0
Cadmium	0.3
Chromium - Hexavalent	1.0
- Total	6.0
Copper	0.5
Iron	50.0
Lead	0.5
Manganese	5.0
Mercury	0.01
Nickel	10.0
Selenium	0.1
Silver	0.05
Zinc	2.0
Chloride	1000.0
Phenol	1.0

205.02 No person shall discharge or cause to be discharged to any natural outlet, storm sewer or drainage system any waste water or any of the materials listed in 205.01 above.

206 STORM WATER AND OBSTRUCTIONS PROHIBITED IN SANITARY SEWERS:

All property owners are prohibited from:

- 206.01 Discharging, causing to be discharged or permitting to be discharged any storm water, ground water, surface water, roof water runoff, subsurface drainage water, cooling water or unpolluted industrial process waters into a sanitary sewer of the Village.
- 206.02 Installing, causing to be installed or with knowledge thereof, permitting to exist a sewer tap pipe or other obstruction which protrudes into or otherwise obstructs a sanitary sewer line of the Village.
- 206.03 With knowledge thereof, causing or permitting to exist, whether from a tree or other vegetation on such property, a root obstruction in a sanitary sewer or service line of the Village.
- 206.04 As used herein, knowledge shall be presumed upon service of written notice as stipulated in Section 115.
- 207 CONNECTION WITH VILLAGE' SEWER REQUIRED: The Owner of any real property located within the Village of North Lewisburg is required to connect to the Village Sewer Systems as stated herein, pursuant to O.R.C. so as to prevent or abate pollution and protect the health and property of persons in the Village.
- 207.01 New Construction: To construct any structure on said property including, but not limited to, the construction of single family residences, multi-family residences, office, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure, the owner shall, prior to the commencement of any construction or grading activities on said property, notify in writing the Village of such intents, and provide to the Village Administrator or other representative of the Village a copy of the building plan therefore. Thereafter, providing that said structure is designed with plumbing fixtures to provide sanitary waste removal, and provided that the Village determines that Owner's property is accessible to a Village sewer line, Owner shall be required to pay to the Village the appropriate tap fee, and any other applicable fees, prior to the commencement of said construction or grading activities. Thereupon, Owner shall be required to, simultaneously with the construction of said structure or structures, construct and pay for any lines, equipment or machinery necessary to connect into the Village's sewer line in compliance with these Regulations, and, upon completion of said construction shall forthwith be required to connect into the Village said sewer line pursuant to these Regulations.
- 207.02 Existing Buildings: The Owner of any real property containing existing structures, including, but not limited to, single family and

multi-family residences, offices, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure which contains plumbing fixtures to provide sewage or waste removal, and provided the Village determines that the Owner's property is accessible to a Village sewer line, shall pay the appropriate connection and other fees and connect said structure or building directly into the Village sewer in accordance with these Regulations within 90 days after the date of mailing of official notice to do so.

208 DETERMINATION OF ACCEPTABILITY OR UNACCEPTABILITY OF DISCHARGE: The Village shall determine the acceptability or unacceptability of any discharges to the sewer system. Such determination shall be made on the basis of sound engineering and operational evaluations taking into consideration the nature and concentration of the discharge, its point of entry into the system, its compatibility with the treatment facility receiving it, and all other factors pertinent to the effect of the discharge on any part of the system or treatment process.

208.01 Upon determination that an existing or proposed discharge is unacceptable, the Village may:

- (a) refuse sewer service to the owner whose premises is discharging or who is proposing to discharge unacceptable waste and furthermore may order the removal of such discharges from the sewer system, including the physical removal of connection to the system; or
- (b) require pretreatment of the unacceptable discharge by equipment or procedures acceptable to the Village; and/or
- (c) require payment in an amount determined by the Village, to compensate for added costs of handling, treating or disposing of the wastes.

208.02 When pretreatment is to be used, the Village shall:

- (a) require the submission of detailed plans, specifications, and sufficient design information to allow proper evaluation of proposed pretreatment facilities for approval prior to construction. Such approval by the Village shall signify that best engineering judgment indicates that the proposed facilities will be capable of providing satisfactory pretreatment. Such approval does not in any way certify, warrant or guarantee that the facilities will function satisfactorily, or that it

will not be necessary to enlarge or otherwise modify the facilities to make them capable of providing satisfactory pretreatment. It remains the responsibility of the person submitting or causing the submission of the information to assure compliance with all discharge limitations.

- (b) require evidence that the pretreatment facilities will be operated and maintained to provide an acceptable discharge into the Village Sewer System.
- (c) require that such records be maintained and such tests be performed as required by the Village to adequately reflect the character of the influent and effluent of the pretreatment process.

208.03 The Village may order removal of the unacceptable discharge from the sewer system and assess costs at any time prior to pretreatment implementation, during pretreatment implementation, if unsatisfactory progress or operation is evidence, or if necessary to protect the sewer system from damage.

209 GREASE, OIL AND SAND INTERCEPTORS:

209.01 Grease, oil and sand interceptors shall be provided when, in the opinion of the Village, they are necessary for the proper handling of liquid wastes containing grease in excess amounts, or any flammable wastes, sand and other harmful ingredients. Such installations shall include but may not be limited to food service operations, hospitals, schools, etc. All interceptors shall be of a type and capacity approved by the Village and shall be located as to be readily and easily accessible for cleaning and inspection.

209.02 Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously effective operation at all times.

210 MONITORING AND FLOW MEASUREMENT FACILITIES: Installation of waste water monitoring and/or flow measurement facilities necessary to inspect, monitor, sample and test the amounts and characteristics of the waste water discharges may be required of any owner by the Village. A plan for proposed monitoring and flow measurement facilities shall be submitted to the Village for approval within 60 days of receipt of request for installation. The installation shall be completed within 90 days of the Village approval.

- 210.01 (a) Monitoring facilities and/or flow measurement facilities required by the Village shall be constructed, operated, and maintained at no cost to the Village .
- (b) The entire facility shall be maintained at all times in a safe and proper operating condition by the person installing the facility and/or causing the discharge that is being monitored and/or measured.
- (c) Access to the monitoring and/or flow measurement facilities shall be made available immediately to authorized representatives of the Village at any time.
- (d) Authorized representatives of the Village shall have the right to and shall be provided with adequate space necessary to set up and operate additional monitoring equipment at such facilities.

210.02 The monitoring facility shall be located as to be readily accessible at all times to representatives of the Village. Access shall not be obstructed by parked vehicles, supplies or equipment or any other object or person which might prevent accessibility.

211 DISCHARGE REPORTS: The Village may require any person discharging or proposing to discharge waste water into a sewer system to file discharge reports, on forms supplied by the Village. The discharge reports shall include, but not be limited to, the nature of process, volume and rates of flow, production quantities or other information that relates to the generation of waste including substances and concentrations in the waste water discharge. Such reports as required by the Village may also include the chemical constituents and/or quantity of liquid or gaseous materials stored on site even though they may not normally be discharged. Discharge reports may be required at such intervals as determined by the Village to be adequate to define changes in waste water discharge characteristics. In addition to discharge reports, the Village may require information relating to permit applications and self-monitoring reports.

212 PUBLIC RECORD: All information and data obtained from reports, questionnaires, permit applications, permits and monitoring programs, and from inspections on any person or on the quantity or character of any waste shall be available to the public only to the extent required by law.

213 PROTECTION FROM ACCIDENTAL DISCHARGE: Each property owner and resident of the Village shall provide protection from accidental discharge to a sewer system of any wastes prohibited by these Regulations. Such required protection shall include, but not limited to, walls or dikes, separate storage,

removal of drain lines from locations where significant quantities of prohibited materials are maintained or other appropriate procedures to assure the prevention of discharge into a sewer system.

213.01 Plans for installation of such control facilities or operating procedures shall be submitted to the Village for approval prior to construction or at the time such control facilities are found to be necessary by either the property owner or the Village. The review and approval of such plans and operating procedures shall not relieve any person of responsibility for preventing the discharge of unacceptable materials to a sewer system. Any person in charge of or responsible for the process, activity or function that causes, generates or produces a prohibited waste shall notify the Village immediately upon the accidental loss or discharge into a sewer system of prohibited materials, substances or waste in order to enable countermeasures to be taken to minimize damage to the sewer system and/or the receiving waters. Such notification will not relieve the responsible person of liability for any consequential expense, loss or damage to the sewer system or the receiving waters ecology. Failure to immediately notify the Village upon knowledge of such prohibited discharge shall subject the responsible person to the remedies allowed by law.

214-298 RESERVED

299 PENALTY: Whoever violates any provision of this Chapter or Village directives pursuant to this chapter shall be subject to the remedies of Section 199 PENALTY of these Regulations.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER III

WATER SYSTEM USE

301	PURPOSE	308	WATER METERS
302	SCOPE	309	OBSTRUCTIONS PROHIBITED IN WATERLINES
303	GOVERNING REGULATIONS	310	CONNECTION WITH VILLAGE'S WATERLINE REQUIRED
304	DEFINITIONS	311-398	RESERVED
305	PROHIBITED USE	399	PENALTY
306	PROTECTION FROM ACCIDENTAL CONTAMINATION OR DAMAGE		
307	UNAUTHORIZED ACTIVITIES		

*

301 PURPOSE: To regulate the use of the water system owned and operated by the Village.

302 SCOPE: To establish the criteria for the use of the water system.

303 GOVERNING REGULATIONS: Where there appears to be, or there is in fact, a conflict between this chapter and CHAPTER 1, GENERAL PROVISIONS, the chapter providing the more stringent requirements, standard, or procedure shall govern.

304 DEFINITIONS: The definitions of CHAPTER I shall be used in this chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.

305 PROHIBITED USE: No person shall connect any pipe line or conduit which directly or indirectly connects the Village Water System to:

305.01 Any pipe, waterline or conduit containing, or intended to contain any liquid or material that would be or could be injurious to the owner's or any person's health or welfare, injurious to the water system, or contaminate the water provided by the Village.

305.02 Any private well system or other private source of water, or any system of liquid conveyance such as sewers, drains or tiles.

305.03 Any pond, lake, pool, or any devices therein, without Village approved backflow protection.

- 305.04 Any system that serves buildings other than the buildings for which the service was obtained.
- 306 PROTECTION FROM ACCIDENTAL CONTAMINATION OR DAMAGE: Each person shall protect the portion of a water system on their premises or that which they are using from damage or contamination. Any person in charge of or responsible for a process, use or activity that causes or produces damage, or adds compounds, elements, or materials to the water, or otherwise contaminates the water in the Village Water System shall immediately notify the Village. Such notification shall not relieve the responsible person of liability for any consequential expense, loss or damage to the water system, or injury or disease to person(s) using the water service.
- 307 UNAUTHORIZED ACTIVITIES: No person shall cause, permit or add any material additives or compounds to the water provided by the Village without obtaining prior Village approval.
- 308 WATER METERS: The water meters are the property of the Village and may be changed, maintained and altered solely at Village discretion. Upon notification by a customer of a suspected faulty or inaccurate meter the Village shall replace the meter with a tested meter. If the replaced meter is accurate within the manufacturer's limits the Village may assess a replacement charge. A suspected inaccuracy or faulty meter is not grounds for non-payment of a bill.
- 309 OBSTRUCTIONS PROHIBITED IN WATERLINES: All property owners are prohibited from installing, causing to be installed, or with knowledge thereof, permitting to exist a tap pipe or different line or other obstruction which protrudes into or otherwise obstructs a waterline of the Village. As used herein, knowledge shall be presumed upon service of written notice as stipulated in Section 115.
- 310 CONNECTION WITH VILLAGE'S WATERLINE REQUIRED: The owner of any real property located within the Village of North Lewisburg is required to connect to the Village Water System as stated herein pursuant to O.R.C. so as to prevent or abate pollution and protect the health and property of persons in the Village.
- 310.01 New Construction: To construct any structure on said property including, but not limited to, the construction of single family residences, multi-family residences, offices, commercial, manufacturing or industrial buildings, recreational facilities or any other kind of building or structure, shall prior to the commencement of any construction or grading activities on said property, notify in writing the Village of such intents, and provide to the Village's Administrator or other representatives of the Village a copy of the building plan thereof. Thereafter, providing that said structure is designed to provide potable water, and provided that the Village determines that Owner's property is accessible to a Village water line, Owner shall be required to pay to the Village the appropriate tap fee, and any other applicable fee, prior to the commencement of said construction or grading activities. Thereupon, Owner shall be required

to, simultaneously with the construction of said structure or structures, construct and pay for any lines, equipment or machinery necessary to connect into the Village's water line in compliance with these Regulations, and, upon completion of said construction shall forthwith be required to connect into the Village said water line pursuant to these Regulations.

310.02 Existing Building: The Owner of any real property containing existing structures, including, but not limited to, single family and multi-family residences, offices, commercial, manufacturing or industrial buildings, recreational facilities, or any other kind of building or structure which is designed to provide potable water, and provide the Village determines that the Owner's property is accessible to a Village waterline shall pay the connection and other fees, and connect said structure or building directly into the Village water line in accordance with these Regulations within 90 days after the date of mailing of official notice to do so.

311-398 RESERVED

399 PENALTY: Whoever violates any provision of this Chapter or Village directives pursuant to this chapter shall be subject to the remedies of Section 199 PENALTY of these Regulations.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER IV

CONNECTIONS, FEES, PERMITS AND BILLINGS

401	PURPOSE	411	WATER METER INSTALLATION
402	GOVERNING REGULATIONS	412	TEMPORARY WATER SERVICE
403	DEFINITIONS	413	INSPECTION
404	APPLICATION FOR WATER AND SEWER SERVICE	414	REPAIR OF SERVICE LINES
405	DEPOSITS, FEES & CHARGES	415	SERVICES CHARGES
406	CONNECTION TO WATER AND SEWER SYSTEMS	416	BILL AND PAYMENT FOR SERVICES; REMEDIES FOR NON-PAYMENT
407	OWNER TO BEAR COST AND BE RESPONSIBLE FOR SERVICE LINES	417	CHANGE OF OWNERSHIP, LIABILITY OF UNPAID BILLS
		418	RESTORING SERVICES
		419-498	RESERVED
408	WATER AND SEWER CONNECTIONS, FEES AND DEPOSITS	499	PENALTY
409	WATER CONNECTION (TAP)		
410	WATERLINE FEE		

-
- 401 PURPOSE: To establish the procedures, requirements, and costs for connecting to and making use of the Village sewer systems.
- 402 GOVERNING REGULATIONS: Where there appears to be, or there is in fact, a conflict between this chapter and other chapters of these Regulations, the chapter providing the more stringent requirement, standard, or procedure shall govern.
- 403 DEFINITIONS: The definitions in CHAPTER I shall be used in this Chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.
- 404 APPLICATION FOR WATER AND SEWER SERVICE: All applications for water and sewer service shall be made on forms provided by the Village. Each application shall state truly and fully the uses to be made of the water and sewer service. A separate application for service may be required for each premise.

Each application must be signed by the owner of the premises to be supplied water and sewer service. In case of a change of ownership, the new owner of an existing property shall notify the Village (within seven (7) days from the transfer date of the property) of the change of ownership and provide the pertinent information necessary to assume responsibility of the account of the said property.

405 DEPOSITS, FEES AND CHARGES: The Council of the Village of North Lewisburg shall establish the deposits, fees and charges for the connection to and use of the Water and Sewer Systems. These deposits, fees and charges shall be listed in a schedule that shall be approved by the Council of the Village of North Lewisburg. The approved schedule in force on the date a deposit, fee or charge is required shall govern the amount of deposit, fee or charge.

406 CONNECTION TO THE WATER SEWER SYSTEM:

406.01 All connections shall be made and maintained in accordance with Village specifications and standards. No person shall:

- (a) Construct or connect a service line to a Village System until a permit has been issued by the Village.
- (b) Connect a service line to more than one building or facility without the prior approval of the Village.
- (c) Install, cause to be installed or, with knowledge thereof, permit to exist a connection, tap pipe, or other obstruction which protrudes into or otherwise obstructs a water or sewer line.
- (d) Connect any source of storm, surface or ground water into a Village System or a service line.

406.02 All floor drains, sink traps, stand pipes or other openings into the sanitary sewer service line which are in the basement level or, if there is no basement, on the found floor level, shall be plugged or sealed to eliminate storm, surface or ground water entering the service line. No pumps shall be discharged into the service line.

406.03 No permits shall be issued nor shall any such connections be made unless and until the fees and deposits herein imposed, along with all other charges and fees that pertain to that Village System, have been paid. The payment of the fees and deposits enumerated in these Regulations does not relieve any person from the responsibilities enumerated in these Regulations.

406.04 Unless authorized otherwise by the Village, all permits shall become null and void if not used within ninety (90) days from the date of issuance. Upon application by the Owner, fifty percent of the connection or tap fee and all inspection shall be refunded after a permit becomes null and void. If not requested by the Owner within one year of the date of issuance, no refund shall be made and the funds so collected shall be used by the Village as if the connection of tap was made.

407 OWNER TO BEAR COST AND BE RESPONSIBLE FOR SERVICES LINES:

407.01 All costs and expenses incidental to the installation and connection of service lines shall be borne by the owner of the property being connected to the Village System. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of any service line.

407.02 The owner shall be responsible for all leaks or blockage in a service line and shall, at his or her expense, construct, maintain and keep it in good repair. When leaks or other defects in a service line are discovered, the Village may disconnect the service line. Except in cases of emergency, however, the Village shall give the owner notice of such difficulty and shall allow the owner reasonable time in which to have repairs made or other maintenance work accomplished.

408 WATER AND SEWER CONNECTIONS, FEES AND DEPOSITS:

408.01 The owner of any lot or plot of ground who is required by law or who wishes to connect into a water or sewer system of the Village, shall first pay a connection fee as established by the Village based on the gallons of standard strength sewage discharged in one average day. The average day gallonage shall be determined from Table 4-1, unless approved otherwise by the Village for commercial or industrial uses, or uses which are in existence at the time the connection is made. Any metered or recorded gallonage used in lieu of what is shown on Table 4-1 shall be increased by one third (1/3) before being multiplied by the connection fee rate. The Village shall determine the average day gallonage for those uses not listed in Table 4-1.

408.02 TABLE 4-1 SCHEDULE OF AVERAGE DAILY GALLONS PER USE:
 (See accompanying notes)

Place or Use	Gallons Per Day
Apartments (Condominiums)	250 one bedroom 300 two bedroom 350 three bedroom
Assembly halls (including theaters, auditoriums and assembly halls not otherwise shown herein; no food service)	2 per seat
Beauty Shop, Styling Salon	200 per basin
Bowling alleys; no food service	75 per lane
Churches, small; no food service	3-5 per sanctuary seat
Churches, large with kitchen - no garbage grinders	5-7 per sanctuary seat
County Clubs *Note (a) and (b)	50 per member or

	35 per seat
Dance Hall; no food service	2 per person
Doctors/Dentists	75 Per doctor 20 per employee 10 per patient
Drive-in theaters	5 per car space
Factories and warehouses, no showers	25 per employee
Factories and warehouses, w/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 (Note A does not apply)	100 per seat
Hospitals, no resident personnel, with food service and no garbage grinders	300 per bed
Institutions, residents	100 per person
Laundries, coin-operated	400 per standard size machine
Laundry wastes, commercial and Industrial	Requires special consideration; Consult District
Marinas (restrooms and showers only)	15 per boat mooring/slip/dock
Migrant Labor camps	50 per person
Mobile Home Parks	300 per mobile home space
Motels	100 per unit

Place or Use	Gallons Per Day
Nursing and rest homes (food service included but no garbage grinders)	150 per patient 100 per resident employee 50 per non-resident employee
Office Buildings	20 per employee or 0.2 per sq. ft. of floor space
Recreational Vehicle Dumping Station	Consult District
Recreational Vehicle Parks and Camps	125 per trailer or tent space
Residential Units except apartments Single-Family house Two and three-family building	400 per family 300 per family
Retail Store	20 per employee
Schools: elementary high and middle (food service included with no garbage grinders)	15 per pupil 20 per pupil
Service Stations	1,000 per first bay or pump island 500 per each additional bay or pump island
Shopping Centers without food service or laundries	0.2 per sq. Ft. of floor space
Swimming pool, average With hot water shower	3-5 per swimmer (design load) 5-7 per swimmer (design load)
Vacation Cottage	50 per person
Veterinarians and Animal Hospitals	10 per run 10 per cage 20 per employee
Youth and Recreation camps	50 per person

* Note (a): Connection fees for all food service operations including the food service portion of other operations such as Churches and Country Clubs shall be doubled to provide for the 400 ppm B.O.D.s loading from these sources.

*Note (b): The gallons per day that requires the largest treatment capacity shall be used to compute the connection fee.

*Note (c): The connection fee for a building with more than one of the listed uses (places) shall be computed based on the total gallons per day derived from adding together the gallons per day for each use of that building. Sewer connections for which fees have been paid in the amount required at the time the permit to connect or tap was issued, shall be permitted without additional fees being charged, except when an existing connection will service a use that contributes more sewage than the use designated on the permit, in which case, the difference between the current connection fees based on the original use and the proposed use shall be paid to the Village.

408.03 The builder of any building which requires water or sewer service shall, prior to beginning construction of the building, deposit with the Village an amount established by the Village to help insure the protection of the water or sewer system during the construction of the building. The deposit shall be administered as described on the Deposit, Fee and Charge Schedule.

408.04 In addition to the connection fee the owner of any lot or plot of ground connecting into a water or sewer system of the Village shall pay such other fees and charges as are established by the Village and described in the Deposit Fee and Charge Schedule.

408.05 All pretreatment or other extra costs as required to comply with these regulations are additional to the deposits, fees and charges established by the Village.

409 WATER CONNECTION (TAP):

409.01 The owner of any lot or plot of ground who wishes to connect to a Village water system shall first pay a connection fee and meter fee as established by the Village.

409.02 When a service line is used for fire protection, the water connection fees shall be reduced as stated in the Village adopted Fee Schedule in force on the date fees are due. The service line for fire protection shall be separate from all other service lines. There shall not be any connection between a fire protection system and water system for domestic use.

409.03 When a meter, larger than a 2" meter, is to be installed between the Village water system and a water system which is owned and operated by a public utility or local government, the meter shall be called a "master meter". The connection fees for such a master

meter shall be as stated in the Village adopted Fee Schedule in force on the date fees are due.

- 410 WATERLINE FEE: In addition to the connection fee the owner of any lot or plot of ground connecting into a water system of the Village shall pay such other fees and charges as are established by the Village and described in the Deposit Fee and Charge Schedule.
- 411 WATER METERS, INSTALLATION: The Village will provide all meters upon payment of the meter fee. All meter installations shall be made by the Village unless authorized otherwise by the Village. When someone other than Village personnel or agents install the meter, the installation shall be inspected and approved prior to turning on the water. The meter installation shall conform to the Standard Drawings of the Village. At least a three (3) day notice shall be given to the Village for system inspection.
- 412 TEMPORARY WATER SERVICE:
- 412.01 When temporary water service is requested for any purpose, the Village shall make an estimate of the cost of installing and removing the facilities required for such service and the applicant for the service shall deposit with the Village the amount of such estimate. When such temporary service is no longer desired and is discontinued, all facilities not thereafter usable shall be removed and the actual installation and removal costs shall be determined. The customer shall then be reimbursed for the amount of his deposit less the "in and out" cost determined as above. During the period of the temporary service, the customer shall also be liable for a service charge calculated in accordance with this Chapter IV.
- 412.02 In lieu of the deposit as described in 412.01, a fee as stated in the Fee Schedule adopted by the Village, shall be paid for the installation of a ¾" meter on a service line for use by a contractor during the construction of a building. The fee shall cover the cost of the first 10,000 gallons of water use.
- 412.03 The contractor shall provide adequate support for the meter in a protected place. Failure of the contractor to provide proper care for the meter, a misuse of or damage to the meter may constitute grounds for removal of the meter and terminating the temporary service.
- 413 INSPECTION:
- 413.01 All connections to a Village system and the installation of all service lines shall be inspected by the Village.

- 413.02 The connection fees includes the cost of an initial inspection and one repeat inspection or two hours of inspection by the Village for each permit issued. Should more than the initial and one repeat inspection or more than two hours of inspection time be required because of failure of the owner, his contractor or authorized representative to install, maintain, repair, alter, or perform other works necessary to install the connection and service line in accordance with these Regulations, an additional fee as established by the Village shall be charged for the time required to insure compliance with these Regulations. Such additional fees shall be paid prior to the final approval of the service line for which the permit was issued.
- 413.03 There shall be a final inspection of the interior plumbing prior to the enclosure of the plumbing or the hanging of the fixture.
- 413.04 The Village shall be given 48 hours notice when an inspection is required.
- 414 REPAIR OF SERVICE LINES: The owner of any lot or plot of ground which has a service line that has been tapped or connected to a Village System but which requires maintenance, repair, alteration or other work to either eliminate the service line or to cause the service line to conform to these Regulations shall perform or cause the performance of the necessary work. The owner of such property or his authorized representative shall notify the Village prior to any such work being performed.
- 415 SERVICE CHARGES: There shall be a Water or Sewer Service Charge established by the Village.
- 415.01 The owner of the property which is served by a Village Water or Sewer System shall be liable for all charges for the service rendered that property.
- 415.02 Unless provided otherwise by agreement between a property owner and the Village, Water or Sewer Service charges will begin on the dates, stated herein, and continue to be charged thereafter unless the property is disconnected from the Village Systems for which service charges have been rendered. Charges will commence on the date service line installation has been completed and approval thereof has been given by the Village. Water Service charges will commence on the date the water meter installation has been completed.
- 415.03 The sewer service charge for any property which has a Village owned water meter installed shall be determined as described in the

Deposit, Fee and Charge Schedule using the amount of water recorded on the water meter as the amount of sewage entering the Village Sewer System. If approved by the Village, the property owner may install a meter for the flows which do not enter the sewer system. In this case the sewer charge shall be computed by deducting the amount shown on the meter from the amount shown on the water meter to establish the amount by which the sewer service charge is multiplied.

415.04 If, "in the judgment of the Village", the sewer service charge for any property which does not have a water meter should be based on a metered flow, the Village will notify the property owner of this determination. The sewer meter and its installation shall be at the owner's expense and shall be approved by the Village prior to its use for determining the amount of sewer service charge owed the Village.

415.05 Regardless of the method used to determine the sewer service charge, the sewer service charge shall be increased in proportion to the amount the sanitary sewage concentrations exceed 200 ppm BOD and 200 ppm Suspended Solids.

416 BILL AND PAYMENT FOR SERVICES; REMEDIES FOR NON-PAYMENT:

416.01 All bills shall be due and payable on the date shown on the bill. When service to any premises is established or there is a change of ownership on a date between the billing dates the bill shall be prorated based on the times of service.

416.02 Bills will be mailed to the Owner at the address of the premises serviced unless the Owner requests, in writing, that the bill be sent to some other address specified by him. The changing of the address does not relieve the owner of the responsibility for all charges for services rendered to the property.

416.03 The failure to receive a bill shall not relieve the Owner of the obligation to pay the same when due.

416.04 Bills unpaid after the date shown on the bill shall be considered delinquent and shall subject the premises to a 10% delinquency charge, to discontinuance of service, and other remedies of the law.

417 CHANGE OF OWNERSHIP, LIABILITY OF UNPAID BILLS: When a property which receives service from the Village changes ownership, the person who will become the new owner shall, within seven (7) days of change of ownership, notify the Village of the change in ownership, receive the pro-rated billing amounts and make application for service. Failure to notify the Village of the

change in ownership within said time limits of the change in ownership will subject the new owner to be liable for all past due amounts for that property, having the property disconnected from the Village System, and any other remedies allowed by law at the discretion of the Village.

419-498 RESERVED

499 PENALTY: Whoever violates any provision of this Chapter or Village directives pursuant to this Chapter shall be subject to the remedies of Section 199, PENALTY, of these Regulations.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER V

WATER AND SEWER DESIGN CRITERIA

501	PURPOSE	505	SANITARY SEWER DESIGN
502	REFERENCE PUBLICATIONS	506	WATERLINE DESIGN
503	DEFINITIONS	507-598	RESERVED
504	GENERAL REQUIREMENTS	599	PENALTY

501 PURPOSE: This chapter establishes the design criteria for water and sewer systems. This criteria is intended to supplement rather than replace sound engineering design practice.

502 REFERENCE PUBLICATIONS: The design of the components of the water or sanitary system shall conform with the provisions of the following publications, except as such provisions are modified or amended herein. When there appears to be, or there is in fact, a conflict between the provisions of the reference publications, the one providing the highest or most stringent requirement shall govern.

502.01 Recommended Standards for Waste Water Facilities, Great Lakes Upper Mississippi River, the most recent Edition.

502.02 Recommended Standards for Water Works, Great Lakes Upper Mississippi River, the most recent Edition.

502.03 Ohio Environmental Protection Agency Requirements.

502.04 Village of North Lewisburg Construction and Material Specifications.

502.05 Village of North Lewisburg Standard Drawings.

503 DEFINITIONS: The definitions of CHAPTER I shall be used in this Chapter, unless the context of any section of this Chapter specifically indicates that definitions are not applicable.

504 GENERAL REQUIREMENTS:

- 504.01 All easements granted to or reserved by the Village shall be at least twenty feet wide except that an easement may be ten feet wide when it borders another easement or a public right-of-way, part of which can be used for the purpose of the easement. Notwithstanding the above, all easements and easement right-of-way combinations shall be wide enough to insure that the easement limit is five feet away from all Village utilities within the easement.
- 504.02 The water and/or sewer design shall use pipe that is, in conjunction with the specified bedding, strong enough to withstand the trench loading and line loadings imposed now or in the known future.
- 504.03 The design of the water and/or sanitary systems, and their components, shall be based on generally accepted engineering practices which are compatible with the reference publications and these Regulations. When required by the Village, the Engineer shall submit design calculations sheets.
- 504.04 Construction drawings shall be prepared in accordance with generally accepted practices for all water and/or sanitary sewers which are proposed to be owned or operated by the Village. The drawings shall be signed and sealed by a Professional Engineer, licensed in the State of Ohio.
- (a) All drawings shall be made on reproducible material (linen or mylar) sized 24 inches by 36 inches, with a one-inch border on the left and one-half inch border around the balance of the sheet. The proposed work shall be shown in both plan and profile on the same sheet and in sufficient detail to clearly show all work to be done. The drawing shall also show existing and proposed rights-of-way, property lines and easements, as well as the existing or other proposed improvements to or features of, the land in the area of the improvement. In general, the horizontal scale shall be one inch equals fifty feet or one inch equals twenty feet, and the vertical scale shall be one inch equals five feet or one inch equals ten feet, except when larger scales are necessary to show details or special work. The drawings shall contain general notes and a summary of estimated quantities. All drawings shall be made in ink and a title block shall be included in the lower right hand corner of each sheet except on the title sheet. Spaces shall be provided on the first sheet for the approval signatures of the Village and other apparent Officials. Water and/or Sewer improvements may be included on the construction drawing for other improvements, provided

that the construction drawings provide the information as required herein.

- (b) The general notes shall include a reference to the Village specifications.
- (c) Supplemental specifications may be submitted as separate documents typewritten or printed on eight and one-half by eleven inch paper or may be part of the construction drawings.
- (d) All sets of plans shall include a location map, a 200 scale drawing of the development, the development title, required signature spaces, a standard drawing list, and an index.

504.05 Except for applications for service to one and two family dwellings, site plans or utility plans will be required for the installation of service lines. The site or utility plan shall conform to the following:

- (a) Contain the name and location of the lot or project, the scale, a north arrow, and a reference to the Village Regulations.
- (b) Be signed and sealed by a Professional Engineer licensed in the State of Ohio.
- (c) Show the proposed work in plan and, when required for clarity, in profile, and in sufficient detail to clearly show all work to be done. The drawing shall also show existing and proposed rights-of-way, property lines and easements, as well as the existing or other proposed improvements to or features of, the land in the area of the improvement. In general, the horizontal scale shall be one inch equals fifty feet or one inch equals twenty feet, and the vertical scale shall be one inch equals five feet or one inch equals ten feet, except when larger scales are necessary to show details or special work.

504.06 A Grading Plan shall be prepared for all development covered under this regulation. The Grading Plan may be combined with other plans, if such a combination is neat and the information easily read. The Grading Plan shall show:

- (a) The development title, sheet scale, north arrow, and location map unless it is made a part of other drawings. The scale shall be no less than one inch equals fifty feet.
- (b) The floor elevations for first floor of proposal structures.

(c) The proposed elevations, slopes, and grade of the site in the area of the improvements.

504.07 When the proper Village Officials have affixed their signatures to the construction drawings, such drawings become the property of the Village as a record of the Village Systems; however, the Owner shall cause the drawings to be corrected to conform to the "Record Drawings" conditions. Public improvements will not be accepted by the Village until reproducible "Record Drawings" construction drawings are delivered to the Village together with four (4) prints thereof. As used herein reproducible drawings shall be mylar which will accept ink, will produce clear, sharp prints, and will not fade, darken or become brittle with age.

504.08 The "Record Drawings" shall show changes in the construction as shown in the Contractor's records and observed in the field. The "Record Drawings" shall also show dimensions to the water and sewer taps from two permanent landmarks such as manholes, fire hydrants, catch basins, top of curb or edge of pavement.

504.09 Prior to the filing of any plat or deed of easement which contains an easement or right-of-way in which Village owned water or sewer system components are to be or have been installed, said plat or deed of easement shall be accepted/approved by the Village.

505 SANITARY SEWER DESIGN:

505.01 Sanitary sewers shall be designed to maintain a minimum velocity of two feet per second at the design flow. The minimum pipe diameter shall be eight inches. The minimum cover over the sewer pipe shall be thirty-six inches. The sewer pipe shall be designed to carry peak flows based on the Ohio EPA design criteria.

505.02 Wye Branches shall be installed during the construction of the collector sewers. If the sewer is located in a street, service extensions shall be made to within one foot of the street right-of-way lines. Where the sewer is more than twelve feet deep, risers shall be included as part of the construction work. Such risers shall be brought to between ten and twelve feet below ground.

505.03 Sewer service lines shall have a minimum internal diameter of six inches and be laid with a minimum fall of one eighth inch per lineal foot unless approved otherwise by the Village.

505.04 A 2" x 2" Y pole shall be placed at the end of each service line installed with the sewer so as to stick out 3' above the ground.

506 WATERLINE DESIGN:

- 506.01 Waterlines shall be designed using a "C" = 140 or less. The minimum size water line with one fire hydrant shall be six inches and with two or more fire hydrants shall be eight inches. All other waterlines shall be no less than two inches. All water lines shall have a minimum cover of four feet.
- 506.02 The maximum head loss permitted at the design velocity shall be five feet per thousand feet of pipe.
- 506.03 The minimum residual pressure at the design flow (fire and/or domestic flows as appropriate) at the highest inhabited floor of any building shall be 20 psi.
- 506.04 Fire hydrants shall be spaced so that any point of inhabited building can be reached by less than 500 feet of fire hose from the first hydrant and 500 feet of hose from the second hydrant. All fire hydrants shall conform to the Village Standard Drawings.

507-598 RESERVED:

- 599 PENALTY: Whoever violates any provision of this Chapter or Village directives pursuant to this Chapter shall be subject to the remedies of Section 199, PENALTY, of these Regulations.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER VI

WATER AND SANITARY SEWER CONSTRUCTION PROCEDURES

601	PURPOSE	607	PLAN REVIEW FEES AND DEPOSITS
602	DEFINITIONS	608	NOTIFICATION OF THE VILLAGE
603	PROCEDURES	609	CONDITIONAL ACCEPTANCE
604	PLAN APPROVAL	610	MAINTENANCE GUARANTEE FOR IMPROVEMENTS; BOND
605	OBLIGATIONS OF THE OWNER, CONSTRUCTION GUARANTEES, VIOLATIONS OF PROVISIONS	611	FINAL ACCEPTANCE
		612	OFFICIAL NOTICES
606	INSPECTION	613-698	RESERVED
		699	PENALTY

-
- 601 PURPOSE: This Chapter establishes the procedures to be followed during the construction of components of water and/or sanitary systems that are or will be owned by the Village.
- 602 DEFINITIONS: The definitions of CHAPTER I shall be used in this Chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.
- 603 PROCEDURES: All portions of a water and/or sanitary system which make use of a system that is or will be owned or operated by the Village shall be designed and constructed in accordance with the requirements of the Village in force on the date of the beginning of construction as such requirements are stipulated in the following:
- 603.01 Village of North Lewisburg Rules and Regulations.
 - 603.02 Village of North Lewisburg Construction and Material Specifications.
 - 603.03 Village of North Lewisburg Standard Drawings.
 - 603.04 Construction Drawings approved by the appropriate Village Officials.
- 604 PLAN APPROVAL: Prior to the commencement of construction on any Water and/or Sewer System or System Components, which said System or System Components will

be owned or operated by the Village, construction drawings shall be prepared in accordance with CHAPTER V of these Regulations and approved by the Village. Failure to obtain said approval may result in rejection by the Village of any construction performed prior to obtaining said approval.

605 OBLIGATIONS OF THE OWNER, CONSTRUCTION GUARANTEES, VIOLATIONS OF PROVISIONS: In consideration of the approval of the Construction Plans, the Owner of the parcel or tract of land being developed shall be subject to the following.

605.01 The Owner shall hold the Village and its employees and agents free and harmless from any and all claims which might originate by virtue of the development of the subject land or the conduct of the Owner, its agents or employees relative to said development including, but not limited to, any and all claims or damages of every nature whatsoever or for injunctive relief emanating from the construction and improvements or resulting from the construction and improvements of said developed area; and the Owner shall defend, at his own cost and expense, any suit or action brought against the Village or its employees or agents by reason thereof excluding, however, any such liability that might result from the sole negligence of the Village or its employees or agents. The Owner acknowledges that Owner and its agents or employees are knowledgeable developers who will utilize said knowledge and skill in developing the subject land and though conforming to Village requirements, Owner is relying solely on his own expertise or the expertise of his agents in developing the subject premises; and the Owner is not relying on any skill or expertise of the Village, its agents or employees in preparing the developed area in accordance with sound engineering and development practices.

605.02 Upon filing of the plat or easements for the improvement to the Village System, the construction of these improvements shall be guaranteed by filing with the Village evidence satisfactory to the Village of one of the following:

- (a) A performance bond equal to one hundred percent (100%) of the estimated construction cost of the improvements, with the provision that the bond proceeds shall be used to cover the cost of contractors, subcontractors, materialmen, laborers, and other costs to the Village to complete the project upon default by the Owner;
- (b) A certified check equal to one hundred percent (100%) of the estimated construction cost of the improvements; or
- (c) Subject to the approval of the Village of North Lewisburg Solicitor, a Certificate of Deposit or an irrevocable Letter of Credit made out to the Village, equal to one hundred percent (100%) of the estimated construction cost of the improvements.

- 605.03 All permits and approvals shall be obtained and all fees and deposits paid prior to the commencement of any construction by any owner or developer.
- 605.04 During construction and prior to acceptance of any improvement, the Owner shall remove or cause to be removed such dirt and debris and foreign matter from all public rights-of-way, improvements and/or easements as were deposited, left or resulted from the construction of improvements of any nature to the Village Systems within twenty-four (24) hours after being notified by the Village that such removal is required. Such removal shall be done to the satisfaction of the Village.
- 606 INSPECTION: The Construction of all water and/or sewer systems that are or will be owned or operated by the Village shall be inspected as described in the Village of North Lewisburg Construction and Material Specifications.
- 607 PLAN REVIEW FEES AND DEPOSITS: Prior to submitting construction drawings for review, a plan review fee shall be deposited with the Village. Prior to beginning any construction, an inspection fee shall be deposited to cover the cost of the inspection described in Section 606 of these Regulations. The fees shall be paid by depositing with the Village an amount estimated to be sufficient to cover the cost to the Village of plan review, administration, inspection, testing, recording the construction on Village's records, and costs incidental thereto.
- 608 NOTIFICATION OF THE VILLAGE:
- 608.01 The Village shall be notified three (3) working days prior to when construction work is scheduled to begin. Throughout the duration of construction, the Village shall be kept informed of the construction schedule. Any breaks in the construction work which are longer than five (5) working days shall require three (3) working days notice.
- 608.02 Upon receipt of the initial notice of when construction is to begin, the Village shall determine what remains to be done before construction starts and notify the developer thereof or give permission to begin construction. No construction shall begin without the permission of the Village.
- 609 CONDITIONAL ACCEPTANCE: Upon substantial completion of the construction as shown on the drawings, the Village may conditionally accept the Village System portion of the System Components constructed by the owner or developer. This acceptance is conditioned upon:
- 609.01 The posting of a maintenance guarantee;
- 609.02 The submission of a set of "Record Drawings";

- 609.03 All major components of the Village System being completed to the extent that does not present undue health or safety hazards to the current or potential user of the Village Systems; and
- 609.04 A guarantee being made that is satisfactory to the Village for the completion of the unfinished work. This guarantee is in addition to the maintenance guarantee.
- 610 MAINTENANCE GUARANTEE FOR IMPROVEMENTS; BOND:
- 610.01 The Owner shall guarantee all improvements to the Village Systems for a period of at least one year from the date such improvements are conditionally accepted by the Village. This guarantee shall include any and all defects and deficiencies in workmanship and materials. The Owner shall be responsible for the cost of all labor, materials, equipment and other incidentals required to maintain, repair and replace any or all of such improvements and to maintain them in good and proper condition, excluding ordinary wear and tear, but including filling trenches and restoring lawns, sidewalks, yards, streets, sewers, waterlines, pipelines, etc., during the one year guarantee period. In the event the Owner fails to make such maintenance, repairs or replacements within a reasonable time after notice in writing by the Village or in the event of an emergency which may endanger life or property, the Village may make or cause to be made, such repairs or replacements at the expense of such Owner. In order to indemnify the Village for the expense of any such repairs or replacements made by or at the direction of the Village, a guarantee shall be made by filing with the Village evidence satisfactory to the Village Attorney one of the following in an amount equal to ten percent of the cost of the improvements.
- (a) A maintenance bond,
 - (b) A certified check, or
 - (c) A Certificate of Deposit or an irrevocable Letter of Credit made out to the Village.
- 610.02 The Maintenance Guarantee will be released upon final acceptance of the improvements by the Village.
- 611 FINAL ACCEPTANCE: Final acceptance and release of the Maintenance Guarantee shall be given after all the improvements to the Village Systems have been satisfactorily maintained, all defects or deficiencies have been corrected and all expenses incurred by the Village pursuant to the development have been paid in full.
- 612 OFFICIAL NOTICES: All official notices to be sent to the Village shall be sent to the address shown on the current Deposit, Fee and Charge Schedule. The Village will

send all notices to the last known address of the developer or owner who initially contacted the Village concerning the proposed construction, unless notified in writing to do otherwise.

613-698 RESERVED

699 PENALTY: Whoever violates any provision of this Chapter or Village directives pursuant to this Chapter shall be subject to:

- 699.01 The remedies of Section 199, PENALTY, of these Regulations.
- 699.02 The Village stopping all work on the Village Systems forthwith upon the Village having posted a notice to stop work at the site of the improvements.
- 699.03 The Village continuing any unfinished work or replacing any unaccepted work to a point that the improvements to the Village System do not appear to create a health or safety hazard or create maintenance or repair expense to the Village because of their state of completion by:
 - (a) Holding the bonding company responsible for all actual expenses incurred, including engineering, legal and construction expenses, plus interest, from the date of default by the Owner and/or his Contractor or representatives, to the date the Village receives reimbursement for all expenses incurred, or
 - (b) Using the certified check, or proceeds thereof, or proceeds of the Certificate of Deposit or the Letter of Credit.
- 699.04 The Village refusing to accept the improvements.
- 699.05 The Village refusing to provide water and/or sewer service which requires the use of the improvements which are found to violate this Chapter.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

CHAPTER VII

CONTRACTOR'S LICENSE, CONTRACTOR'S INSURANCE
AND INDEMNIFICATION

701	PURPOSE	705	CONTRACTOR'S LICENSE
702	DEFINITIONS	706	LICENSE RENEWAL
703	LICENSE REQUIRED	707	NONRENEWAL, REVOCATION OF LICENSE
704	CRITERIA FOR GRANTING LICENSE	708 – 798	RESERVED
		799	PENALTY

-
- 701 PURPOSE: To regulate the installation of water/or sewer service lines and their connection into the Village sewer system(s).
- 702 DEFINITIONS: The definitions of CHAPTER I shall be used in this Chapter unless the context of any section of this Chapter specifically indicates that such definitions are not applicable.
- 703 LICENSE REQUIRED: Any person, business or corporation which desires to install, maintain or repair water or sewer service lines or make connections to the Village water or sewer system must be first licensed by the Village. Said license shall permit only the licensee to perform said activities, and said person, business or corporation that has been so licensed shall be responsible for all work performed pursuant thereto. The licenses issued to corporations shall list a member, employee or officer of that corporation who is the responsible representative of that license for all work performed. It shall be the responsibility of the licensee to notify the Village in the event that they identity of any such representative is changed.
- 704 CRITERIA FOR GRANTING LICENSE: The licensee shall be given to any person, business or corporation who has a valid license from any municipality within Champaign County on the date the Village issues its license, or has otherwise given the Village information from which it can be concluded that the applicant can perform the work in accordance with these Village Regulations. Further, in order to obtain a license, Contractor must first comply with the requirements of Section 705 Contractor's License of these Regulations.

705 CONTRACTOR'S INSURANCE: The contractor shall present to the Village at the time of applying for a license a certificate of insurance as required herein and a license shall not be issued until said certification has been received by the Village. It is the contractor's responsibility to obtain such certificates as are required herein for all work performed by Subcontractor of the Contractor prior to the time that said Subcontractors commence work. Such certificate must be accompanied by a statement that at least ten (10) days prior to notice shall be furnished to the Village if the policies of insurance referenced in the certificates are to be terminated or changed in any way while Contractor's license is in effect.

705.01 Compensation Insurance: The Contractor and/or Subcontractor shall maintain in full force and effect all necessary Worker's Compensation Insurance coverage for all of their employees employed within the Village in compliance with Ohio law.

705.02 Contractor's Liability Insurance: The Contractor agrees to maintain Comprehensive General and Automobile Liability Insurance covering all operations directly or indirectly incident to any work covered by the license issued by the Village whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by either of them. Such insurance coverage shall be maintained while the license is in effect, with such coverage as specified herein. Such Comprehensive General and Automobile Liability Insurance shall include coverage for:

- (a) Claims arising after the Contractor and Subcontractors have completed their work (completed operations and products liability coverage), and
- (b) Claims for property damage and personal injury arising from excavation or tunneling operations, and
- (c) Claims for property damage and personal injury arising from operations directly or indirectly incident to moving, shoring underpinning, scaffolding, hoisting, razing, blasting or demolition of any building or structure, and
- (d) Claims for property damage to any property below, on or above the surface of the ground, and off-site property, and
- (e) Claims for property damage or personal injury arising from operations directly or indirectly incident to welding, cutting, sandblasting, grinding, use of other abrasive, materials, or painting, however caused, and

- (f) Claims for property damage or personal injury arising from operations directly or indirectly incident to blasting or explosions, however caused, and
- (g) If watercraft and/or aircraft are used claims arising from their use or operation, however caused, and
- (h) Claims arising from the liability assumed by the Contractor under this Contract including third party beneficiary liability coverage.

The limits of liability of the insurance required herein shall not be less than Three Hundred Thousand Dollars (\$300,000) inclusive for each person, each occurrence for bodily injury and each occurrence for property damage. In addition, the contractor agrees to obtain a Bond in the amount of Five Thousand Dollars (\$5,000) as a condition precedent to the granting of a Contractor's license, for the purpose of providing payment to the VILLAGE for any loss or damage incurred by the VILLAGE occasioned by the Contractor's failure to fulfill the duties and obligations imposed upon him by the VILLAGE's Rules and Regulations.

705.03 Owner's Protective Liability Insurance: The Contractor agrees to provide an Owner's Protective Liability Insurance policy naming the Village as insured, and covering the conditions outlined in 705.02, and with the same limits of liability described therein. In lieu of this requirement, the Contractor shall name the owner and the Village as insured in his Comprehensive, General and Automotive Liability policy, or Umbrella Excess Liability Insurance with the same limits of liability described in 705.02.

705.04 All Risk Builder's Insurance: Further, the Contractor shall procure and maintain during the term of his license all Risk Builder's Insurance (Fire and Extended Coverage) on a 100 percent (100%) completed value basis on the insurable portion of the Project. The Village, shall be the named Insured thereof.

705.05 Accident Prevention: Further, as consideration for obtaining a license, Contractor warrants and agrees that he shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the Project. The Contractor shall take all necessary precaution to prevent damage, injury or loss to:

- (a) All employees on the work covered by the license and all other persons who may be affected thereby; and

- (b) All the work and all materials and equipment to be incorporated therein, whether in storage on or off the site, and
- (c) Other property at the site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures and utilities not designated for removal, relocation or replacement in the course of construction; and
- (d) Special care shall be taken during the entire duration of the work to prevent unauthorized persons from falling into, climbing upon, or entering any of the excavations, equipment, or work areas.

The Contractor shall comply with all applicable laws, ordinances, rules, regulations and orders of any public authority having jurisdiction for the safety of persons or property or to protect them from damage, injury or loss.

705.06 Indemnity Provision: Further, Contractor warrants and agrees that he shall indemnify and hold harmless the Village and its agents and employees from and against all claims, damages, losses, costs and expenses, including attorney fees, arising out of, or resulting from the performance of any work performed by Contractor, Subcontractor, or any agent, assign or employee of Contractor or Subcontractor, provided that any such claim, damage, loss or expense:

- (a) Is attributable to bodily injury, sickness, disease or death or to injury to or destruction of tangible property (other than the work itself) including the loss of use resulting therefrom, and/or
- (b) Is caused in whole or in part by the negligent acts, errors or omissions of the Contractor, Subcontractor, its agents, assigns or employees, or anyone directly or indirectly employed by either Contractor or Subcontractor, regardless of whether or not the loss is caused by the Village.

Further, Contractor warrants and agrees that he is skilled and experienced in the use and interpretation of the Village rules, regulations and requirements. He has carefully reviewed the Village rules, regulations and requirements for the work covered by the license issued by the Village and has found them to be free of ambiguities and sufficient for the purpose of completing the work. Further he has carefully examined the work site, and from his own observations, has satisfied himself as to the nature and location of the work, the character, quality and quantity of the materials; the

difficulties likely to be encountered; and any other items that may affect the execution of the work. He has based his undertaking of work solely on the Village requirements and these observations and has not solely relied in any way other explanation or interpretation, oral or written, from any other source. Further, Contractor agrees to complete the work in accordance with the Village requirements in a good and workmanlike manner.

- 706 LICENSE RENEWAL: Each license is for a period of no more than one year. The annual renewal of said license is required for any license to continue to perform licensed activities within the Village.
- 707 NONRENEWAL, REVOCATION OR SUSPENSION OF LICENSE: The Village retains the right to refuse to renew any license upon its expiration or may suspend or revoke any license at any time for the following reasons.
- 707.01 Failure to request renewal.
 - 707.02 Failure to adhere to the requirements of the Village Regulations.
 - 707.03 Failure to follow the lawful directives and instructions of the Administrator or his authorized representative.
 - 707.04 Any work or service performed by licensee is unacceptable to the Village.
 - 707.05 Failure to correct deficiencies, or unauthorized or unaccepted work.
 - 707.06 Failure to obtain the required permits.
 - 707.07 Having outstanding violations of these Regulations.
 - 707.08 Continuing work after receipt of notice of work rejection.
 - 707.09 Beginning work without notifying the Administrator.
 - 707.10 Continuing work that could endanger the Village's systems or the health, safety or welfare of the users of the Village's systems.
 - 707.11 Any other good cause shown which in the judgment of the Administrator of the Village or the Village Council of the Village justify said nonrenewal or revocation.
- 799 PENALTY: Whoever violates any provision of this Chapter or Village directives pursuant to this Chapter shall be subject to the remedies of Section 199, PENALTY, of these Regulations.

Notwithstanding the provisions of Sections 407.02 and 414, any person who has performed work on any Village service line or connections thereto, where such line or connection is subsequently found defective or to have been constructed in violation of these Rules and Regulations, or where such line develops leaks or blockages, may be held responsible, at his or her expense, for repairing and cleaning such defect and/or for paying the cost of cleaning and repairing such defects.

VILLAGE OF NORTH LEWISBURG
RULES AND REGULATIONS

SEPTAGE HAULER REQUIREMENTS
AND PROCEDURES

CHAPTER VIII

801	PURPOSE	806	LOCATION AND TIME FOR WASTES
802	GOVERNING REGULATIONS	807	SAMPLING AND TESTING
803	DEFINITIONS	808	BILLING AND RATES
804	ACCEPTABLE WASTES	809 – 898	RESERVED
805	LICENSE REQUIRED, REVOCATION, RENEWAL	899	PENALTIES

801 PURPOSE: To regulate the use of Village waste water treatment facilities for disposal of septage.

802 GOVERNING REGULATIONS: Where there appears to be, or there is in fact, a conflict between this chapter and CHAPTER I, GENERAL PROVISIONS or CHAPTER II, SEWER SYSTEM USE, the chapter providing the most stringent requirements standard or procedure shall govern.

803 DEFINITIONS: The definitions of CHAPTER I shall be used in this chapter unless the context of any section of this chapter specifically indicates that such definitions are not applicable.

804 ACCEPTABLE WASTES:

804.01 Only domestic septage, accompanied by a completed manifest for the respective load will be accepted. No toxic, hazardous, chemical or grease trap waste will be accepted.

804.02 The Village Administrator or his designate will be responsible for determining the amount of septage to be accepted at any time.

804.03 The Administrator shall maintain the right to refuse septage at any time, if in his opinion, the waste will cause an upset or interfere with

plant operations, will cause a violation of the plant's discharge permit, or is otherwise in violation of its Regulations.

805 LICENSE REQUIRED, REVOCATION, RENEWAL:

- 805.01 Septage will be accepted only from haulers licensed with North Lewisburg.
- 805.02 License will include owner's name, address, telephone number, billing address and general area served. Registration will also include a signed statement of agreement to abide by all rules and regulations for Septage Haulers that discharge to Village Wastewater Treatment Plant. Said license shall require the execution of the Contract for Discharge by Septage Haulers.
- 805.03 The Administrator or his designated representative may revoke any septage hauler's license at anytime for failure to follow or for violating these Regulations. Upon request by the septage hauler and, the determination by the Administrator that all expenses, fees, and deposits incurred by or due to the Village have been paid, the Administrator may at his discretion issue the septage hauler a new license and contract. By doing so, neither the Administrator or the Village assumes any responsibility or liability for any act whatsoever of the septage hauler.

806 LOCATION AND TIME FOR DISPOSAL:

- 806.01 Septage will be accepted only at the North Lewisburg Treatment Plant. Discharge of septage at any other location, including but not necessarily limited to sewers, manholes or lift stations will be considered an illegal discharge and a violation of the Village Rules and Regulations.
- 806.02 Septage will be accepted on the days and at the times set by the Administrator.
- 806.03 The receiving station shall be maintained in a clean and orderly manner by each respective discharger after dispensing of their load. Failure to comply with this provision can be cause for revocation of the violator's license and privilege to discharge septage at the North Lewisburg Treatment Plant.

807 SAMPLING AND TESTING:

- 807.01 Each load of septage received will be sampled by Village personnel and tested for pH value prior to discharging. Additional analysis will

be performed at the discretion of the Administrator to determine general impact of septage on plant loading and performance.

807.02 Any hauler or his agent may request and receive a split sample for their own testing.

808 BILLING AND RATES:

808.01 Haulers will be billed as a customer of the North Lewisburg Sewer System. Payments for billing will be due upon receipt of bill. If the bill remains unpaid thirty (30) days after the billing date, the haulers license will be revoked.

808.02 The billing charge will be based on the number of gallons discharged and the billing rate established by the Council and shown on the Deposit, Fee and Charge Schedule. A copy of the current rates may be obtained from the Administrator.

808.03 The Septage Hauler shall be required to pay a deposit as shown on the Deposit, Fee and Charge Schedule prior to receiving a license.

899 PENALTIES:

899.01 All septage haulers discharging to the North Lewisburg Wastewater Treatment system will be considered users and will be subject to all applicable Rules and Regulations.