

CODIFIED ORDINANCES OF BETHESDA

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE ONE - Street and Sidewalk Areas

Chap. 905. Streets.

Chap. 909. Sidewalks.

TITLE THREE - Utilities

Chap. 921. Sewers.

Chap. 925. Water.

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Chap. 905. Streets.

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CHAPTER 905

Streets

905.01 Compliance required.

905.99 Penalty.

905.02 Conditions precedent to improving streets.

CROSS REFERENCES

Power to establish and care for streets - see Ohio R.C. 715.19, 717.01, 723.01

Dedication and acceptance - see Ohio R.C. 723.03

905.01 COMPLIANCE REQUIRED.

No person shall cut, block or in any other manner cause damage to a Village street, unless such person complies with Section 905.02.

(Ord. 1112. Passed 9-27-79.)

905.02 CONDITIONS PRECEDENT TO IMPROVED STREETS.

(a) Upon application to Council, a person may obtain a permit from the Village Clerk granting such person permission to cut or otherwise effect a Village Street when Council finds that such action is necessary. No permit shall issue until Council has received a bond, either in the form of cash or any other form of security, sufficient to insure proper repair and restoration of said public street. Council may make any limitation or restrictions on said permit which it may deem necessary. (Ord. 1112. Passed 9-27-79.)

(b) This chapter shall not apply to Public Utilities which have an existing franchise agreement with the Village. Nor shall this chapter apply in circumstances leading a reasonable person to believe that serious harm could befall person or property if immediate action involving damage to public street or alley was not undertaken.
(Ord. 1112A. Passed 10-25-79.)

905.99 PENALTY.

Whoever violates this chapter shall be guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate offense.

CHAPTER 909
Sidewalks

909.01 Construction and repair.

909.02 Street grades; curb cuts.

CROSS REFERENCES

Construction or repair at owner's expense - see Ohio R.C. 729.01 et seq.
Notice to construct or repair sidewalks - see Ohio R.C. 729.03 et seq.

909.01 CONSTRUCTION AND REPAIR.

(a) Every owner of property bounding and abutting on any street shall construct the sidewalk in front of and adjacent to such property and shall keep it and existing sidewalks so constructed in repair.

- (b) (1) After passage by Council of a resolution pursuant to Ohio R.C. 729.02, the Clerk shall notify any property owner to construct or repair the sidewalk along the street and immediately in front of his property, in accordance with the plans and specifications on file in the office of the Clerk. If such sidewalks are not constructed or repaired within thirty days after receipt of such notice by the property owner or completion of publication of same, Council shall have the same constructed or repaired at the expense of the property owner. All expenses shall be assessed against the property according to law and such assessment certified by the Clerk to the County Auditor for collection as other taxes area collected.
- (2) The Mayor and Clerk on behalf of the Municipality are hereby authorized to execute contracts for such construction or repair in the manner provided by law.
- (3) The expense of such improvement, when made by the Municipality, may be paid out of the Street Repair Fund, which Fund shall be reimbursed for such expenditures upon collection of assessment levied for such improvement, or may be paid by issuance of notes or bonds for that purpose.
- (c) (1) The Street Department shall prepare plans, specifications and a cost estimate for construction and repair of sidewalks, curbs and gutters, under Ohio R.C. 729.01.

- (2) Whenever Council requests such plans, specifications and cost estimate, they will be prepared within a reasonable time by the Street Department in accordance with suggested specifications as Council may from time to time approve by motion and file with the Clerk.
- (3) No sidewalk shall be constructed which is less than four feet in width, is not made of concrete or does not meet the specifications proposed by the Street Commissioner, unless Council specifically allows a variance to these requirements for good cause.

(d) Whoever violates any provision of this section shall be guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall constitute a separate offense.

909.02 STREET GRADES; CURB CUTS.

(a) Street grades for sidewalks and curbs to be built or replaced are to be established by the Street and Alley Committee. If it is necessary to employ the services of a Registered Engineer or surveyor, the cost of such grades are to be paid by the person requesting this establishment of grades.

(b) All three members of the Street and Alley Committee shall be present when such grades are established.

(c) A permit will be required for the building of public sidewalks and curbs, of the cutting of curbs for the driveway or other purposes; the cost for such a permit shall be one dollar (\$1.00).

(d) Failure to obtain a permit for cutting of curbs and/or the building of public walks and curbs will be deemed a violation of this section.
(Ord. 1068. Passed 6-26-75.)

(e) Any person who violates this section shall be guilty of a minor misdemeanor.

TITLE THREE - Utilities
 Chap. 921. Sewers.
 Chap. 925. Water.

CHAPTER 921
Sanitary Sewers

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| <p>921.01 Definitions.</p> <p>921.02 Nonacceptable wastewater and industrial pretreatment.</p> <p>921.03 Use of public sewers.</p> <p>921.04 Wastewater monitoring and inspections.</p> | <p>921.05 Protection from accidental discharge.</p> <p>921.06 Violations; right of appeal.</p> <p>921.99 Penalty.</p> |
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CROSS REFERENCES

- Power to license sewer tappers and vault cleaners - see Ohio R.C. 715.27
- Power to regulate water closets and privies - see Ohio R.C. 715.40
- Power to construct sewerage system - see Ohio R.C. 715.40, 717.01
- Compulsory sewer connections - see Ohio R.C. 729.06
- Management and control of sewerage system - see Ohio R.C. 729.50
- Regulations to control house sewers and connections - see Ohio R.C. 729.51
- Weekly deposit of sewer rentals collected - see Ohio R.C. 729.52
- Untreated sewage - see Ohio R.C. 3701.59
- Interference with sewage flow - see Ohio R.C. 4933.24
- Sewerage districts - see Ohio R.C. 727.44 et seq.
- Assessments - see Ohio R.C. 729.07 et seq.
- Water pollution control - see Ohio R.C. Ch. 6111

921.01 DEFINITIONS.

As used in this chapter, **the** following words and phrases shall have the meanings set forth herein.

- (a) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer beginning three feet outside the building wall.

- (b) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.
- (c) "Combined sewer" means a sewer intended to receive both wastewater and storm or surface water.
- (d) "Commercial" means retail or wholesale business establishments that discharge wastewater, as defined in wastewater definition, into the public wastewater treatment system, works, and facility.
- (e) "Foundation drains" means subsurface drains laid around the foundation of a building, either within or outside the building foundation for the purpose of carrying ground or subsurface water to some point of disposal.
- (f) "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.
- (g) "Industrial" includes users discharging waste resulting from manufacturing activities involving the mechanical of them at transformation of materials or substance into other products. These activities occur in establishments usually described as plants, factors or mills and characteristically use power-driven machines and material handling equipment.
- (h) "Institutional/Government" means hospitals, nursing homes, schools, city, county, state or federal buildings or facilities that discharge wastewater into the public wastewater treatment system, works, and facility.
- (I) "May" is permissive; "shall" is mandatory.
- (j) "Natural outlet" means an outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- (k) "Nonsanitary flow" means storm water originating from downspouts, storm and groundwater drains, and foundation drains.
- (l) "NPDES Permit" means a permit issued under the National Pollutant Discharge Elimination System for the discharge of wastewaters to navigable waters of the United States pursuant to Section 402 of PL 92-500.
- (m) "Person" means any individual, firm, company, association, society, corporation, partnership or group.
- (n) "Public sewer" means any sewer owned by the Village, including storm, sanitary or combined sewers.
- (o) "Residential" means a principal family residence or habitation classified as a single family, multifamily, or apartment dwelling that discharges domestic sanitary wastewater having characteristics of 250 milligrams per liter biochemical oxygen demand and 200 milligrams per liter suspended solids into the public wastewater treatment system, works, and facility.
- (p) "Sanitary sewer" means a sewer which carries sanitary and industrial wastes, and to which storm, surface and groundwater are not intentionally admitted.
- (q) "Sewage" means the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, including polluted cooling water.
- (r) "Sewage system" means the structures, equipment and process required to collect, transport and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids and shall be synonymous with "wastewater treatment system".

- (s) "Storm sewer" means a pipe or conduit designed for the purpose of carrying storm, surface, cooling and drainage water from the point of origin to some point of disposal, but which is not intended to carry domestic or industrial sewage.
- (t) "Shall" is mandatory, "may" is permissive.
- (u) "Slug" means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four hour concentration of flows during normal operation.
- (v) "User" means any person who discharges, causes or permits the discharge of wastewater into the wastewater treatment system.
- (w) "Village" means the Village of Bethesda, Ohio, acting through duly authorized officials and employees.
- (x) "Wastewater" means the liquid and water-carried waste from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water or storm water that may be present, whether treated or untreated, which is discharged or permitted to enter the wastewater treatment system.
- (y) "Wastewater treatment system" means the structures, equipment and process required to collect, transport and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids and is synonymous with "sewage system".
(Ord. 1192. Passed 10-25-90.)

921.02 NONACCEPTABLE WASTEWATER AND INDUSTRIAL PRETREATMENT.

(a) The Village shall make and enforce rules and regulations establishing the types and characteristics of sewage, industrial wastes and other matter which shall be discharged into the sanitary sewage system, the types and characteristics of sewage and industrial wastes admissible to the system only after pretreatment, requisites for pretreatment, and otherwise governing the discharge of sewage, industrial wastes and other matter into the system in the interest of safety and efficient operation of the wastewater treatment plant. Applicable industrial pretreatment conditions and industrial pretreatment regulations, as promulgated under Section 307(b) of the Clean Water Act, are hereby incorporated in this ordinance and made a part thereof.

(b) An industry must, upon application for sewer service, present to the Village, a tabulation of the chemical analysis of the wastes to be discharged to the sewerage system and the volume of such waste, or if this is not available, the expected waste analysis based upon similar processes now in operation.

(c) In cases where the character of sewage or industrial waste from any manufacturing or industrial plant, building or premises is such that it will damage the sewerage system or cannot be treated satisfactorily at the wastewater treatment plant, the Village shall compel such users to dispose of such waste and prevent it from entering the sewerage system.

(d) In cases where the character of the sewage or industrial waste from any manufacturing or industrial plant, building or premises is such that it imposes an unreasonable burden upon the sewage collection, plumbing or treatment works greater than that imposed by the average sewage entering the sewerage system, the Village may: compel such manufacturing or industrial plant, building or premises to pretreat such sewage in such manner as specified by the Village before discharging it into the sewerage system; require the construction, installation and maintenance of grease traps; require flow control or equalization of such wastes so as to avoid any slug loads or excessive loads that may be harmful to the treatment works; or require payment of a surcharge on any excessive flows or loadings discharged to the treatment works to cover the additional costs of having capacity for and treating such wastes.

(e) The discharge of nonacceptable industrial wastewater into the sewerage system, whether directly or indirectly, is prohibited. Wastewater shall be deemed nonacceptable when the concentration of harmful or toxic substances in the wastewater exceeds certain prescribed tolerable limits. Toxic or harmful substances include, but are not necessarily limited to the following:

<u>Toxic or Harmful Substances</u>	<u>Tolerable Limits</u>
Arsenic	0.2 mg/l
Barium	1.0 mg/l
Boron	5.0 mg/l
Cadmium	0.1 mg/l
Chromium ⁺³	0.5 mg/l
Chromium ⁺⁶	0.5 mg/l
Cobalt	1.0 mg/l
Copper	0.5 mg/l
Cyanide (HCN)	0.5 mg/l
Fluoride	5.0 mg/l
Iron	5.0 mg/l
Lead	0.5 mg/l
Mercury	0.02mg/l
Molybdenum	5.0 mg/l
Nickel	2.0 mg/l
Phenols	5.0 mg/l
Selenium	0.10 mg/l

Toxic or Harmful Substance (Cont.)	Tolerable Limits (Cont.)
Silver	0.03 mg/l
Sulfides	50.0 mg/l
Total Dissolved Solids	1,500.00 mg/l
Tungsten	5.0 mg/l
Zinc	2.0 mg/l
Radioactive Substances	Gross Beta activity (in the known absence of strontium and Alpha emitters) - 1,000 micro curies per liter

The preceding list of toxic or harmful substances is subject to revisions as required to meet current water quality standards or effluent standards imposed by State or Federal agencies. In special cases, such as low volume users, the concentration of toxic or harmful substances in the wastewater may be exceeded if it is determined by the Village that the total pounds of toxic or harmful substances discharged to the sewage system are not harmful to or will not interfere with the sewage treatment process or will not violate water quality or effluent standards or categorized pretreatment standards.

(f) No person shall discharge or cause to be discharged, either directly or indirectly to the sewerage system, any of the following described substances, materials, waters or wastes:

- (1) Any liquid or vapor having a temperature higher than 150° Fahrenheit.
- (2) Any gasoline, benzene, naphtha, fuel oil, mineral oil, or other volatile flammable or explosive liquid, solid or gas.
- (3) Any noxious or malodorous gas or substance which, either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance and repair.
- (4) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewerage system.
- (5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair and fleshings, entrails, lime slurry, lime or chemical or paint residues, cannery wastes, bulk solids or any other solid objects or viscous substance capable of causing obstruction to the flow operation of the sewerage system.
- (6) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewerage system.
- (7) Any water or wastes containing emulsified oil or grease exceeding, on analysis, an average of fifty milligrams of oil and grease per liter determined as total ether-soluble matter.

- (8) Any garbage that has not been properly shredded to a degree that all particles will be carried freely under the flow conditions of the sewer and with no particle greater than one-half inch in any dimension.
- (9) Any water or wastes containing suspended solids of such character or quality that unusual attention or expense is required to handle such materials at the sewage treatment plant, or having a chlorine demand greater than twenty-five parts per million.
- (10) Any waste containing substances that would result in a violation of the NPDES permit.

The above list is subject to revisions as required to meet current water quality standards imposed by the State or Federal agencies.

(g) No statement contained in this section shall be interpreted as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment. In all such cases, the provisions set forth in the Codified Ordinances establishing sewer service charges will be governing factors in any contracts entered into.

- (h) (1) Grease, oil, and sand interceptors shall be provided where in the opinion of the Village, they are necessary for proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection.
- (2) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and water watertight. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner at his expense, in continuous efficient operation at all times.
(Ord. 1192. Passed 10-25-90.)

921.03 USE OF PUBLIC SEWERS.

(a) No person shall discharge into any natural outlet within the Village, or in any area under the jurisdiction of the Village, any wastewater or other polluted waters.

(b) No person shall construct or maintain any privy, privy vault, septic tank cesspool, or other facility intended or used for the disposal of wastewater without first obtaining the required permits from the Village, County, EPA,.

(c) No person, firm, or corporation shall discharge any storm water, ground water, roof run off, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

(d) No person shall discharge into the building sanitary sewer the surface water which collects in basement or foundation excavations. If the building sanitary sewer is complete before the plumbing can be connected thereto, the builder or sewer tapper shall keep the end of the building sanitary sewer tightly closed with a plumber's plug or other watertight plug.

(e) The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the Village and abutting on any street, alley, or right of way in which there is now located or may in the future be located a public sanitary sewer of the Village, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly to the proper public sanitary sewer in accordance with the rules and regulations within thirty days after date of official notice to do so, unless the owner obtains a certificate from the water/sewer committee of Village Council specifically exempting the owner's compliance with the provisions of this paragraph at a specifically stated site.

(f) The Village shall determine the adequacy of the treatment works to receive loadings from new service connections and may refuse such new connection if it is determined that such additional loading will be detrimental to the operation or efficiency of the treatment works. (Ord. 1323. Passed 5-13-14.)

921.04 WASTEWATER MONITORING AND INSPECTION.

(a) All industrial or commercial users who discharge or propose to discharge wastewaters subject to a surcharge to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts and concentrations of such pollutants that are necessary to demonstrate compliance with the requirements of this chapter and any applicable state or federal pretreatment standards or requirements.

(b) Such records shall be made available upon request by the Village. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand.

(c) If so ordered by the Village, the owner or operator of any premises or facility discharging industrial or commercial wastes subject to a surcharge into the system shall install at his own cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.

(d) The monitoring equipment shall be located and maintained on the industrial or commercial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Village may allow such facility to be constructed in the public right of way, with the approval of the public agency having jurisdiction of such right of way, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.

(e) When more than one user can discharge into a common sewer, the Village may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Village may require that separate monitoring facilities be installed for each discharge.

(f) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Village requirements and all applicable construction standards and specifications.

(g) Compliance determinations with respect to the prohibitions and limitations stated in Section 921.02 may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four hour period or over a longer or shorter time span, as determined necessary by the Village in order to meet the needs of specific circumstances.

(h) Laboratory analysis of industrial or commercial wastewater samples shall be performed in accordance with the current edition of "Standard Methods", "Methods of Chemical Analysis of Water and Waste" published by the U.S. Environmental Protection Agency or the "Annual Book Standards, Part 23, Water, Atmospheric Analysis" published by the American Society for Testing and Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the Ohio Environmental Protection Agency. In addition, all measurements, tests, and analysis of the characteristics of wastewater shall also be made in conformance with the October 16, 1975 Federal Register (40 CFR Part 136) entitled "Guidelines for Establishing Test Procedures for the Analysis of Pollutants".

(I) Sampling of industrial or commercial wastewater for the purpose of compliance determination with respect to the prohibitions and limitations stated in Section 921.02 will be done at such intervals as designated by the Village.

(j) Duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.

- (k) (1) Duly authorized representatives of the Village are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system unless the Discharger specifically requests and is able to demonstrate to the satisfaction of the Village that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets or proprietary information of the Discharger.
- (2) When requested by a Discharger furnishing a report, the portions of a report which may disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the NPDES permit, state disposal system permit, and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the Discharger furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

- (3) Information accepted by the Village as confidential, shall not be transmitted to any governmental agency or to the general public by the Village until and unless a 10-day notification is given to the Discharger.

(l) While performing necessary work for private properties referred to in subsection (j) hereof, the Village or duly authorized employees of the Village shall observe all safety rules applicable to the premises.
(Ord. 1192. Passed 10-25-90.)

921.05 PROTECTION FROM ACCIDENTAL DISCHARGE.

(a) Each industrial or commercial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Village for review, and shall be approved by the Village before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial users from the responsibility to modify his facility as necessary to meet the requirements of this chapter.

(b) If, for any reason, a facility does not comply with or will be unable to comply with any prohibitions or limitations in this section, the facility responsible for such discharge shall immediately notify the Village so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the Village detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility within five days of the occurrence of the noncomplying discharge.
(Ord. 1192. Passed 10-25-90.)

921.06 VIOLATIONS; RIGHT OF APPEAL.

(a) Whenever the Village finds that any person has violated or is violating any prohibition, limitation or provision of this chapter, they may serve upon such person a written notice stating the nature of the violation and providing a reasonable time for a satisfactory correction thereof. Such notice shall also state that any person in violation of this chapter shall be liable for any resulting damages or applicable fines.

(b) If the violation is not corrected by timely compliance, the Village may order any person who causes or allows any unauthorized discharge to show cause before Council why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by Council regarding the violation, and directing the offending party to show cause before the Council why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least thirty days before the hearing. Service may be made on any agent or officer of a corporation.

(c) The Council may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Village to:

- (1) Issue in the name of Council notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.
- (2) Take the evidence.
- (3) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to Council for action thereon.

(d) At any public hearing, testimony taken before Council or any person designated by it must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any part to the hearing upon payment of the usual charges therefor.

(e) After Council has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives are as necessary and appropriate.

(f) Any discharge in violation of the substantive provisions of this chapter or an order of Council shall be considered a public nuisance. If any person discharges sewage, industrial wastes or other wastes into the Village treatment system contrary to the substantive provisions of this chapter, or any order of Council, the Council shall commence an action for appropriate legal and/or equitable relief.

(Ord. 1192. Passed 10-25-90.)

921.99 PENALTY.

(a) Any person who is found to have violated an order of Council, or has willfully or negligently failed to comply with any provision of this chapter, and the orders, rules and regulations issued hereunder, shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Village may recover reasonable attorney's fees, court costs, court reporters' fees, and other expenses of litigation by appropriate suit as law against the person found to have violated this chapter or the orders, rules and regulations issued hereunder.

(b) Any person found guilty by the mayor of violating any provision of this chapter shall have the right to appeal that decision before the full Village Council. They shall also have all rights of appeal available to them through the court system.

(Ord. 1192. Passed 10-25-90.)

CHAPTER 925
Water

925.01 Backflow protection.
925.02 Rates.

925.03 Collection of water charges.
925.04 Curb box valve.

CROSS REFERENCES

Power to provide and regulate water system - see Ohio R.C. 715.08, 717.01, 743.01
 Water pollution - see Ohio R.C. 715.08, 743.25
 Water works mortgage revenue bonds - see Ohio R.C. 715.09 et seq.
 Compulsory water connections - see Ohio R.C. 729.06, 743.23
 Weekly deposit of water works money collected - see Ohio R.C. 743.06
 Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22
 Fluoridation - see Ohio R.C. 6111.13
 Water pollution control - see Ohio R.C. Ch. 6111
 Water supply - see OAC Ch. 4101:2-51-37
 Backflow - see OAC Ch. 4101:2-51-38

925.01 BACKFLOW PROTECTION.

(a) If, in the judgment of the Village Administrator, an approved backflow prevention device is necessary for the safety of the public water system, the Administrator will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Administrator and shall have inspections and tests made of such approved devices as required by the Administrator.

(b) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village of Bethesda may enter the supply or distributing system of said Municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Administrator and by the Ohio Environmental Protection Agency.

(c) It shall be the duty of the Administrator to cause surveys and investigations to be made of industrial or other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Administrator shall deem necessary.

(d) The Administrator or his or its duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village of Bethesda for the purpose of inspecting the piping system or systems thereof. On demand, the owner, lessees or occupants of any property so served shall furnish to the Administrator any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Administrator, be deemed evidence of the presence of improper connections as provided in this section. (Ord. 1289. Passed 1-25-07.)

925.02 RATES.

EDITOR'S NOTES: The most current water rates are on file at the Village Hall.

925.03 COLLECTION OF WATER CHARGES.

(a) Each water charge charged by the Village of Bethesda is made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the water system of the Village and, if the same is not paid within ninety days after it has become due and payable, it shall be certified to the Auditor of Belmont County, at which time the lien shall vest and the Auditor shall place the same on the tax duplicate of the County with the interest and penalty allowed by law and be collected as other taxes.

(b) The owner of real estate premises installing or maintaining water service shall be liable for all charges incurred for service at said premises.

(c) Tenants of the owners of real estate premises serviced with water may contract with the Village for such water service, but such contract shall in any way be construed as to relieve the owner of the real estate premises of liability for said water service charges.

(d) After certifying to the County Auditor that water charges are unpaid and a lien as provided in subsection (a) hereof, the Village Administrator is authorized and directed to shut off the water service to those real estate premises until such unpaid water charges have been paid.

(e) The owner of real estate premises, by installing or maintaining water service from the Village, is deemed to assent to all rules and regulations of the Division of Water and ordinances of the Village pertaining to water service and distribution.
(Ord. 1144. Passed 9-22-83.)

925.04 CURB BOX VALVE.

(a) No person other than an authorized employee of the Bethesda Water Department shall turn water on or for any reason at the curb box valve or at any other valving device used by said Water Department for the termination of service.

(b) Any person violating the provision of this section shall, upon conviction thereof, pay a fine to the village of not more than one hundred dollars (\$100.00) and costs of prosecution.
(Ord. 1143. Passed 5-26-83.)