TITLE THREE - Utilities

Chap. 921. Sewer Regulations.
Chap. 925. Sewer Rates, Extensions and Fees.
Chap. 929. Water Regulations.
Chap. 933. Water Rates, Extensions and Fees.
Chap. 935. Stormwater Management Policy.
Chap. 939. Stormwater Utility Rates, Extensions and Fees.

CHAPTER 921

Sewer Regulations

EDITOR'S NOTE: ~~Pursuant to Ordinance 37-90, passed May 21, 1990, the City has adopted new sewer regulations in accordance with its contract with the City of Columbus which supplement this chapter.~~ Please ~~see~~ contact the Administrator for a copy of the~~se~~ current sewer regulations.

921.01 Sewer district established.
921.02 Definitions.
921.03 Permits required.
921.04 Building sewers.
921.05 Private sewage disposal systems prohibited.
921.06 Water meters required.
921.99 Penalty.

CROSS REFERENCES

Power to regulate water closets and privies - see Ohio R.C. 715.40 Power to construct sewerage systems - see Ohio R.C. 715.40, 717.01 Compulsory sewer connections - see Ohio R.C. 729.06
Regulations to control house sewers and connections - see Ohio R.C. 729.51 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.
Household sewage disposal systems - see OAC Ch. 3701-29

921.01 SEWER DISTRICT ESTABLISHED.

There is hereby established within the County of Franklin a sewer district which shall include all of the territory within the City, and outside the City where sewer services are provided by the City to one or more property owners pursuant to contract. (Ord. 16-022. Passed 5-23-16.)

921.02 DEFINITIONS.

The following definitions are applicable specifically to Chapters 921 and 925 of the City Ordinances:

(a) "Administrator" means the Administrator of Groveport or ~~his~~ their authorized agent. Specific reference is made herein to the Contract executed between the City of Groveport and the City of Columbus for sewer service and the specific authorities vested therein to the Director of Public Service of the City of Columbus. Authorized Agent shall include the Director of Public Service of the City of Columbus.

(b) "Building sewer" means that part of the sanitary sewer system which connects the plumbing of the house or building to a common or public sewer. The building sewer begins three feet from the foundation wall and shall comply with the requirements of Section 921.04(b).

(c) "City" means the City of Groveport, the Administrator or ~~his~~ their authorized agent.

(d) "Clean waste waters" means those liquid wastes discharged from industrial plants and from commercial or public buildings which, upon analysis, are found to be of such character as to have no harmful polluting effect upon any stream or other body of water into which they may discharge either directly or indirectly.

(e) "Condensing water" means water used in closed systems for condensers of refrigeration and air conditioning units. Such water shall not be discharged into sanitary sewers.

(f) "Domestic sewage or sanitary sewage" means sewage derived principally from dwellings, business buildings, institutions and the like, which originates within the buildings, including the wastes from kitchens, water closets, lavatories, bathrooms, showers and laundries.

(g) "Foundation drains" means subsurface drains laid around the foundation of a building, either within or outside of the building foundation for the purpose of carrying ground or subsurface water to some point of disposal.

(h) "Industrial sewage" means the liquid wastes from industrial processes as distinct from domestic sewage.

(i) "Sanitary sewers" means a pipe or conduit designed for the purpose of carrying domestic sewage and industrial sewage from the point of origin to a sewage treatment or disposal works or to a place of disposal but which is not intended to carry storm, surface, ground or subsurface waters.

(j) "Sewage" means the liquid or water carried wastes from residences, business buildings and institutions, together with those from industrial establishments and with such ground water, surface water and storm water which may be present.

(k) "Sewerage system" means all of the facilities for collecting, pumping, treating and disposing of sanitary sewage. (Ord. 16-022. Passed 5-23-16.)

921.03 PERMITS REQUIRED.

(a) Before any building sewer is repaired or altered, a permit shall be obtained from the Administrator. Such permit shall be issued only to a licensed sewer tapper who can satisfy the Administrator that ~~he is~~ they are competent to do such work. An inspection charge of one hundred dollars ($100.00) shall be paid to the Administrator at the time the permit is obtained. The sewer tapper applying for a permit shall furnish the street address of the building to be connected and the number of the lot as determined by the Franklin County Auditor's Office. All permits herein provided shall become null and void ninety days from the date of issuance. No refund of the inspection charge

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shall be made unless a request is made and the permit returned within the above mentioned ninety days.

(b) The sewer tapper to whom a permit is issued shall be held responsible for the proper installation of the building sewer in accordance with the rules and regulations contained herein. (Ord. 16-022. Passed 5-23-16.)

921.04 BUILDING SEWERS.

(a) Inspections. All building sewers shall be inspected and approved by the Administrator after the pipe has been laid but before being covered with backfill. The sewer tapper to whom the permit has been issued shall call the Administrator, requesting the inspection, at least one half day before the inspection is desired.

(b) Separate Sewers Required. A separate and independent building sewer shall be provided for each residence or building; except where on building stands at the rear of another on an interior lot and separate building sewers cannot be made available to each building, then one building sewer may be extended to serve both buildings. A permit shall be obtained, as required in Section 921.03, for each building connected to the building sewer.

(c) Materials.

(1) The building sewer shall be constructed of a size not less than six inches, internal diameter, and shall be of extra strength vitrified clay pipe, ductal iron pipe, concrete pipe, PVC pipe (ASTMD3034), or asbestos cement pipe, and with water tight joints using proper curves for all changes in alignment or grade. The Administrator may require the sewer tapper to demonstrate the water tightness of the joints by such tests as may be necessary.

(2) Where the building sewer shall cross unstable soil or close to a tree or trees where roots may enter the joints, extra heavy cast iron pipe, solidly caulked with lead, may be required.

(d) Grade and Construction.

(1) The building sewer shall have a minimum fall of one fourth inch per linear foot from the building to the public sewer. The Administrator may, by special permission in each case, authorize the building sewer to be constructed with a fall as little as one eighth inch per linear foot if he determines such procedure to be desirable.

(2) The interior of each length of pipe shall be made perfectly clean and free from offsets, fins and projections before the next length is connected thereto. All building sewers shall be graded by line and pole, the line being first leveled from the building to the lateral or public sewer and then lowered at the lateral end to obtain the required fall.

(3) The junction between the building sewer and the house drain or house plumbing shall be made water tight.

(e) Location and Depth. Building sewers shall not be constructed closer than three feet to any exterior wall, cellar, basement or cistern nor shall they have less than two feet of earth or stone cover.

(f) Excavations. All excavation shall be by open cut from the surface. The sides of the trench shall be substantially vertical, using such sheeting and bracing as may be necessary to accomplish this result. The bottom of the excavation shall be shaped as nearly as possible to fit the lower half of the sewer so that the pipe will have uniform bearing from end to end, In the event the trench is excavated below the required grade of the pipe, the excess space shall be filled with pea gravel grits or stone not over three quarter inch in diameter. The width of the trench at the top of the pipe shall not exceed two feet plus the outside diameter of the pipe, nor shall the width be less than one foot plus the outside diameter of the pipe.

(g) Backfilling.

(1) The building sewer shall be backfilled to an elevation at least six inches over the top of the pipe by tamping in six inch layers. Soil containing stones larger than six inches in the greatest dimension shall not be used for this portion of the backfill.

(2) The balance of the backfill may be deposited in any manner which shall not damage the pipe or disturb the alignment or grade of the sewer; except that the balance of the backfilling shall be done in such manner and with such material as may be required by the permit referred to in Section 921.02.

(h) Work In Streets, Roads and Alleys. The sewer tapper to whom a permit is issued shall be responsible for obtaining any required permits to open cut any street, road or alley, from the appropriate political body or official having authority or jurisdiction over such work.

(i) Connections to the Lateral or Public Sewer.

(1) If the connection is to be made to an existing Y branch, the cap or plug shall be broken out with care so as to avoid damage to the bell of the branch or to the lateral sewer.

(2) If a six inch connection is to be made to a lateral or public sewer at a point where no Y branch has been provided, the pipe layer shall insert a new Y branch in the main line when such main line is not over ten inches internal diameter. Where six inch connections are to be made in laterals or public sewers of twelve inches or over, internal diameter, an opening may be cut in the lateral of sufficient size to insert a properly shaped saddle connection. The saddle shall not be cemented in place or covered except in the presence of the inspector from the City.

(j) Existing Storm Sewers and Curb Drains.

(1) The permit holder shall be required to repair or restore any drains or service lines damaged or disturbed by him during the construction of the building sewer.

(2) Old or existing building sewers may be used in connection with new building or alterations only when it can be demonstrated that they conform in all respects to the requirements contained herein for new building sewers.

(k) Basement Excavations Not to Discharge Into Building Sewers. Surface water which collects in basement or foundation excavations shall not be discharged at any time into the building sewer. If the building sewer is completed before the plumbing can be connected thereto, the builder or sewer tapper shall keep the end of the building sewer tightly closed at all times with a plumbers plug or other water tight plug in order to prevent surface or ground water from entering the building sewer.

(l) Foundation Drains. Foundation drains shall not be connected, either directly or indirectly, to the building sewer or sewage system. If such drains are installed they shall be so constructed that the surface or subsurface water shall be carried to the street or to some other place of disposal.

(m) Water and Gas Services. Water and gas services shall not be laid in the same trench as the building sewer.

(n) Ground or Surface Water. Down spouts, surface inlets and subsurface drains, shall not be connected to or discharged into any part of the sanitary sewerage system.

(o) Deleterious Wastes. No person, firm or corporation shall discharge or permit the discharge of any deleterious wastes into the

sewerage system. Such wastes are defined as oils, acids, cyanides, explosive or inflammable compounds, industrial chemicals, poisons and any other substance, gas or liquid which may in any way damage or interfere with the use of operation of the sanitary sewers or sewage treatment plant or which may create a hazard to life or property. (Ord. 16-022. Passed 5-23-16.)

921.05 PRIVATE SEWAGE DISPOSAL SYSTEMS PROHIBITED.

No person, firm or corporation shall construct or maintain any privy, privy vault, septic tank or cesspool ("private sewage system") on any lot or parcel which can be served by the sewerage system referred to herein. Upon order of the Franklin County Sanitarian, the owner of a nonperforming and /or polluting private sewage system shall connect to the City sewage system within ninety days after receipt of a final unappealable order.
(Ord. 16-022. Passed 5-23-16.)

921.06 WATER METERS REQUIRED.

A water meter shall be required for every premises having a connection to the sewerage system regardless of whether or not such premises are served by the Groveport Water System or the City of Columbus Water System. Water meters for users of the Groveport Water System shall be purchased from the City and shall be installed and maintained by the City. The cost of water meters and the installation and maintenance thereof shall be at the property owner's expense. (Ord. 16-022. Passed 5-23-16.)

921.99 PENALTY.

In addition to the civil penalties prescribed in this Chapter and Chapter 925, whoever violates any provision of this chapter and Chapter 925 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.
(Ord. 16-022. Passed 5-23-16.)

CHAPTER 925

Sewer Rates, Extensions and Fees

925.01 Definitions.
925.02 Charges within corporate limits.
925.03 Sewerage ~~system~~ capacity charges.
925.04 Sewer front foot connection charge.
925.05 Rates outside City.
925.06 Billing, meter reading, terms of payment.
925.07 Sewer extension.
925.08 Charge for extension of sewers within the City.
925.09 ~~Sewer rates for users on Columbus sewer line~~Sanitary sewer surcharge and fund.
925.99 Penalty.

CROSS REFERENCES

Sewerage rates - see Ohio R.C. 729.49
Weekly deposit of sewer rentals collected - see Ohio R.C. 729.52
Assessments - see Ohio R.C. Ch. 729

925.01 DEFINITIONS.

In addition to the definitions which are provided in Section 921.02, the following definitions shall pertain:

(a) "Administrator" means the Administrator of Groveport or their authorized agent.~~Available frontage" means the frontage for all parcels which abut on the water main or public sewer, as applicable. On corner parcels the frontage shall be the shortest frontage which abuts on a street right of way. Parcels which already abut on a sewer shall not be considered as part of the available frontage.~~

(b) "City" means the City of Groveport, Ohio, the Administrator, or their authorized agent.~~Corner parcel" means a lot or parcel abutting on two or more intersecting streets.~~

(c) "Front Foot" or "Front Footage" means the lot length abutting and closest to parallel with the public sewer sought to be tapped, whether installed in an adjacent road right-of-way or utility easement, determined as follows:

~~(1) Lots or parcels of ground having the same width at the front and rear and the same depth on each side shall be charged for on the basis of the actual frontage; provided however that in the event the depth of such lot or parcel of ground abuts on a street or other public way and the owner elects to construct a building fronting on the street or public way abutting such depth, the front foot shall be determined by that lot length.~~

~~(2) For lots or parcels of ground which are of irregular shape, "Front Foot" shall be determined on the basis of the width of such property as measured on the building setback line parallel to the centerline of the street upon which such property is to face, except that for lots or parcels of ground having curved frontage the width to be charged for shall be measured on a line parallel to and forty feet distant from a line tangent to such curved frontage at a point midway between the sides of the lots or parcels of ground.~~

~~(3)~~(1) When a parcel is to be served by a sewer running through an adjacent parcel, but not along an adjacent road ~~frontage~~right-of-way, then Front Foot for that parcel shall be determined in accordance herewith as if the sewer was installed in the road right-of-way upon which the parcel ~~does front~~is addressed.

~~(4)~~(2) "Front Foot" or "Front Footage" shall be determined by the use of an engineer's scale applied to either the record drawings of the sewer~~s~~ sought to be tapped on file in the office or on the basis of the Franklin County GIS maps in the Auditor's office in the event of irregular lots. The ~~widths~~ Front Foot calculations as~~so~~ determined by the City issuing the permit shall be final.

~~(5) Notwithstanding the foregoing, whenever the depth of a parcel exceeds the front footage by more than 150%, then an "Adjusted Front Foot" shall be used which shall be based on the following equation, provided, however, that if the owner of a parcel agrees to limit the parcel to only one connection to the sewer, then the Front Foot shall be determined by subsection (a) or (b) as otherwise applicable. "Adjusted Front Foot" shall be computed as follows:~~

~~ADFF = Total Parcel Square Footage / ____ X AFF~~

~~AFF X (AFF X 250%)~~
~~Where,~~

~~ADFF = Adjusted Front Foot width~~

~~AFF = Actual Front Foot width at building set back line~~

(d) "House sewer" means that part of the sanitary sewer system which connects the plumbing of the house or building to a common, public sewer, main or lateral.

(e) "Industrial wastes" means the liquid waste resulting from any commercial, manufacturing or industrial operation process.

(f) "Permit" means a legal~~,~~ instrument requiring execution prior to approving a new sewer tap and connection or transfer of accounts.

(g) "Private sewer" means a sewer, other than a building sewer, not less than eight inches in diameter, connecting with and discharging directly into the sewerage system of the City, or indirectly into such system, through an authorized extension thereof, the construction of which is financed entirely or in part with other than public funds and which is designed to provide local service for property abutting the sewer or which may in the future abut an extension thereof.

(h) "Reimbursable Costs" for Privately Built, Publicly Owned Sewers means, subject to the review and approval of the Administrator for reasonableness compared to like costs in the central Ohio area, the sum of the direct costs of construction of the sanitary sewer and related improvements (excluding any charges for costs of damaged materials or construction damage to adjacent properties), the costs of acquisition of any and all rights of way necessitated due to the line of said sewer being outside the existing public right of way, costs of restoration of the surface whether paved or not paved, costs of reconnection of all existing service laterals, all inspection and monitoring fees, all design and engineering fees and associated legal and appraisal fees directly attributable to construction of the sewer (including reimbursement of fees by City officials or its agents for provision of
such services), all construction and maintenance bond fees necessary to secure assurance for project completion, and such other costs as the Administrator, in ~~his~~ their sole discretion, shall deem appropriate to be included as Reimbursable Costs. Reimbursable Costs shall not include any developer overhead or similar indirect charges. Upon submission of a list of final Reimbursable Costs and supporting documentation verified by the developer, and upon approval thereof by the Administrator, Reimbursable Costs be certified by the Administrator within sixty (60) days of completion of construction as evidenced by the Administrator's issuance of a Certificate of Completion following the final inspection of the project. Reimbursable Costs shall not include amounts to be paid by the City as set forth in sections 925.08 for the costs of over sizing the sewer for future expansion.

(i) "Sewer service outside city" means sewer service furnished to consumers outside the corporate limits of the City. No new sewer service shall be extended outside the City limits without the express permission of the ~~Director of Public Service of~~ City of Columbus Director of Public Utilities.

(j) "Tap" means the connection from the building sewer to the sewer main or lateral.

(Ord. 16-022. Passed 5-23-16.)

925.02 CHARGES WITHIN CORPORATE LIMITS.

(a) There is hereby charged to each lot, parcel of land, building or premises situated within the corporate limits of the City having any active sewer connection with the sewerage system of such City or otherwise discharging sewage, industrial, wastes, water or other liquids, either directly or indirectly into the City's sewerage system, a sewer charge, payable as hereinbefore provided and in the amount determinable as provided in subsection (b) hereof.

(b) For any such lot, parcel of land, building or premises having any connection with the City's sewerage system or otherwise discharging sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly into the City's sewerage system, such charge shall be based upon the quantity of water used thereon or therein as the same is measured by a water meter or meters there in use, as hereinafter described, and there shall be charged:

For each thousand gallons of water used per billing cycle, the rate per thousand gallon as shown on a chart maintained by the Administrator reflecting the latest charges applicable as a result of the City's contract with the City of Columbus for sewage treatment and related services.

(c) In addition to the charges set forth above, the City may charge an additional rate for industrial wastes as required by the most current version of the sewage treatment contract with the City of Columbus, or subsequent replacement thereof, or amounts necessary to provide additional maintenance for the sewer system arising from the nature of such industrial discharges. Such additional charges shall be developed in concert with the City of Columbus and pursuant to applicable regulations by the Ohio Environmental Protection Agency.

(Ord. 16-022. Passed 5-23-16.)

925.03 SEWERAGE ~~SYSTEM~~ CAPACITY CHARGES.

(a) For the purpose of providing revenue to help finance and to more equitably distribute the cost of the construction of necessary additions to both the sewer system and the sewerage treatment facilities, it is hereby determined and declared necessary to provide for the establishment, exaction and regulation of a sanitary sewer ~~system~~ capacity charge as hereinafter determined with such charge to be in addition to any and all other fees which may be imposed with respect to the said sewer system.

(b) That the funds received from the collection of such charge, as it is herein authorized, shall be deposited daily with the Director of Finance who shall credit them to a special fund from which Council may take appropriations for the payment of the cost and expense of the construction, operation, maintenance, management and repair of the sanitary sewerage systems; regulator chambers, storm standby tanks, ~~,~~pumping stations and sewage treatment works and for the payment of the cost and expense and replacement, extensions to or the enlargement of same and for the payment of principal and interest on any debt incurred for the construction of such sewerage system, regulator chambers, storm standby tanks, pumping stations and sewage treatment works and for the creation of a sinking fund for the payment of such debt.

(c) That the Administrator shall be and ~~he~~ is hereby authorized and directed to exact a sanitary sewer ~~system~~ capacity charge whenever application is made for the issuance of a sewer permit to provide sanitary sewer service to a structure, wherever such property is or shall be tributary directly or indirectly, to any trunk sanitary sewer built by the City either inside or outside the corporate limits of the City. In the event a tap is subsequently enlarged, the difference between the charges for the two sizes shall be paid.

~~(c)~~ Sewer Capacity (Tapping) ~~Fees~~Charges:

~~Size~~ Diameter of Water Tap (inches)	Sewer ~~Tap~~ Capacity Charge
3/4"	$5,594.00

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1"	9,458.00
1-1/2"	18,817.00
2"	32,034.00
3"	69,714.00
4"	123,455.00
6"	262,769.00
8"	451,630.00
10"	782,922.00
12"	1,494,042.00
16"	2,595,244.00

(d) Notwithstanding the foregoing charges, in the event that an entity contracting with the City for collection and or treatment services for sanitary or industrial sewage imposes upon the City additional capacity or like kind charges as a condition of continuing to provide such collection and or treatment services or for new sewer connections, then the City shall pass on those charges plus a five percent (5%) administrative fee to those parcels or users otherwise obligated to pay such fees in accordance with the terms of the revised contract with the contracting entity. (Ord. 16-022. Passed 5-23-16.)

925.04 SEWER FRONT FOOT CONNECTION CHARGE.

(a) Upon application being made to tap any main trunk or lateral sewer built and owned by the City for the purpose of draining the house sewer of any property directly into such main trunk or lateral sewer the Administrator shall cause a fee of ~~f~~Fifty ~~D~~dollars ($50.00) per Front Foot ~~or Adjusted Front Foot as the case may be,~~ if located within the City to be exacted for the privilege of making such a direct connection from the house sewer to such main or lateral sewer before a permit is issued therefore; provided that this charge shall not be imposed if the owner of the property concerned can show that he or ~~his~~ their predecessor in title paid or is paying a special assessment for the construction of the main trunk or lateral sewer sought to be tapped or at ~~his~~ their own expense constructed all or a part of such main trunk or lateral sewer sought to be tapped.

(b) Connection Charges for parcels outside the City limits served by contract with the City shall be charged in accordance with Section 925.05.

(c) Connection Charges to Privately Built, Publicly Owned Sewers ("PBPOS"), whether inside or outside the City limits, shall be as set forth in Section 925.08. For any PBPOS, the Reimbursable Costs shall be divided by ~~the combination of~~ Front Foot ~~or Adjusted Front Foot~~ to establish the per Front Foot cost associated with providing sewer service to each individual tract served by the sewer as constructed. The Front Foot charge for each parcel served shall be certified by the Administrator within 90 days of issuance of the Certificate of Completion to the Franklin County Auditor.

(Ord. 16-022. Passed 5-23-16.)

925.05 RATES OUTSIDE CITY.

Sewer rates and other charges for outside the City shall be the inside City rates plus ~~seventy~~ seventy-five percent (75%). (Ord. 16-022. Passed 5-23-16.)

925.06 BILLING, METER READING, TERMS OF PAYMENT.

(a) Billing. The City will render bills for sewer service on a quarterly basis to users of the Groveport Water System. Payment of sewer bills shall be the responsibility of the property owner. Payment for sewer service shall be on the basis of water use determined by periodic reading of water meters.

(1) In cases where a sewer customer uses ground water as a source of supply, to meet all or any portion of ~~his~~ their needs, the City retains the right to insist that such water use be measured for payment of sewer charges as long as any or all of said use is discharged to the sewer system. Exception to this practice is permitted in cases where the ground water supply is used only for fire~~-~~fighter's purposes. In these cases where the ground water source is used for fire~~-~~fighter's purposes only, no charge shall be made provided that the owner files information regarding the system capacity, water quality, nature of use together with any additional information as from time to time might be requested by the Administrator.

(2) In addition to the provision for shutting off water service, if a sewer rental charge is not paid within thirty days after it becomes due, a penalty of ten percent (10%) of the amount shall be added thereto. A "door tag" shall serve as the only final notice prior to disconnection. If the charge plus penalty is not paid within ninety days from date of billing, said charges shall constitute a lien on the property served and the Administrator may assess and collect said charges as provided in Ohio Revised Code section 729.49. In addition, see 925.99.

(b) Terms of Payment. Because sewer services to residents of the City are supplied by the City of Columbus terms of payment as contained hereinafter are established for the practice as it is now established.

(c) Services derived from Groveport's water supply system. The sewer rates prescribed in Sections 925.02 and 925.05 are net. If accounts are not paid within one calendar month from the date of billing, a gross rate, which is the net rate plus ten percent (10%) shall apply. The bills on overdue accounts shall be prepared and transmitted to all overdue accounts based on gross rates: If the rebilled gross rate is not paid within fifteen days from the rebilled date, the City shall have the right to shut off water services without notice; Please refer to Section 933.10 (b) Hardship Arrangement;

(d) Change of Ownership. It shall be the responsibility of property owners to whom the last or most recent bill has been sent, to notify the Administrator when any change in ownership occurs and to pay any accrued charges up to the date when such change is recorded. Failure to conform to this section shall not relieve the new owner from the payment of any unpaid current or delinquent charges, or from any penalties or procedures specified in Section 921.05. (Ord. 16-022. Passed 5-23-16.)

925.07 SEWER EXTENSION.

The Administrator is authorized to provide sewer service to new consumers when he determines that the sewer line extension is feasible both economically and from an engineering point of view and shall not be detrimental to the best interest of the City having given consideration to the overall effect on the total sewer system and to the ~~long term~~long-term plans and probable future growth of the sewer system of the City.

(Ord. 16-022. Passed 5-23-16.)

925.08 CHARGE FOR EXTENSION OF SEWERS WITHIN THE CITY.

(a) Privately Built Sewers. Unless undertaken unilaterally by the City as set forth in subsection (b) below, all sewer extensions within or without the City shall be paid for and constructed by the applicants or developer requesting such extension. Upon acceptance by the Administrator, the completed sewer extensions shall be dedicated to the City of Groveport and become public property. Privately Built Sewer projects shall be undertaken with the approval of the Administrator, and in accordance with sealed plans prepared by an engineering firm acceptable to the Administrator, a private developer may undertake construction of the sanitary sewer project as follows:

(1) No sewers shall be installed unless authorized by a Developer's Agreement entered into between the City and the developer or applicants. Where sewers are installed by a developer or applicants and abut on parcels not owned by the developer or applicants not included in the agreement, the developer or applicants shall be entitled to recover Reimbursable Costs when such parcels are connected to the sewer within ten years after the completion of the sewer from the funds collected by the City for such connections pursuant to Section 925.05. The amount of the reimbursement shall be determined by multiplying the Front Footage or Adjusted Front Footage for each parcel as determined by Section 925.01(c) times the per foot Reimbursable Cost as determined by Section 925.01(h).

(2) To be eligible for this reimbursement, the developer or applicants shall file with the Administrator within ~~forty five~~forty-five days after issuance of the Certificate of Completion the verified summary of Reimbursable Costs as defined in Section 925.01(h), unless such time frame is extended by the Administrator upon timely request of the developer.

(3) In the event that an owner of a developed parcel does not connect to the constructed sewer within twelve months of the date of issuance of the Certificate of Completion, or if ordered to connect a developed parcel to the sewer by the County Sanitarian but does not timely pay for such connection as provided herein, then annual interest at the rate of ~~Two~~ two ~~Percent~~ percent (2%) in excess of the blended interest rate otherwise paid by the City on its outstanding bonded indebtedness at the time of completion of the sewer shall be collected from the person connecting from the date of completion until the connection charges are paid in full, which time shall not be more than ~~Four~~ four (4) ~~Years~~ years from the date of connection. The interest shall be paid over to the developer on the Reimbursable Costs then still outstanding. In the event that timely payment is not received at the time of connection, then the City shall certify the uncollected amount to the Franklin County Auditor for collection within the ~~F~~four ~~-y~~-year period as provided for in Ohio Revised Code Chapter 729. When undeveloped parcels are connected to the sewer upon their development, the owner shall pay its share of Reimbursable Costs plus interest from the date of completion of the sewer.

(4) Oversizing of Sewers:

A. Where a sewer extension or portion thereof to a residential customer(s) is required by the City to be installed larger than twelve inches in nominal diameter, the City shall pay one hundred and ten percent (110%) of the difference in the material cost of the pipe, fittings, and manholes between the installation of a twelve inch diameter sewer and the sewers actually installed.

B. Where a sewer extension or portion thereof is required by the City to be oversized to serve industrial or commercial customer(s) or through an industrial or commercial customer's property to serve tributary properties, the City shall pay one hundred and ten percent (110%) of the difference in material cost of the pipe, fittings, and manholes between the sewers installed, sized as required by the City and the size determined by the Administrator as the size necessary to serve the industrial or commercial property. In no case, shall the size determined be less than twelve inches in diameter.

(b) City Built Sewers.

(1) For each sewer extension installed by the City, the Administrator shall make an estimate of the total costs involved as set forth in Reimbursable Costs above, which Costs shall include the reasonable costs of securing bond financing.

(2) When sewer extensions are installed by the City for residential use the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the sewer is required by the City to be larger than twelve inches. When the sewer is required by the City to be installed larger than twelve inches, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings and manholes between the installation of a twelve inch sewer and the sewer main installed. The cost shall be determined as prescribed in subsection (b) hereof.

(3) When sewer extensions are installed by the City for industrial or commercial use, the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the Administrator requires over sizing of the sewer line. When over sizing of the sewer is required by the City, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings and manholes between the sewers installed and the size sewers determined necessary to serve the industrial or commercial property but in no case less than twelve inches.

(4) When the cost of sewer extensions are to be assessed against the abutting property owners, the City shall follow the procedures set forth in Ohio Revised Code Chapter 729.

(c) Common Procedures for Publicly and Privately Built projects.

(1) The Administrator shall have sole authority to authorize sewer extensions to be installed by a qualified developer and qualified contractor, or he shall determine that the sewer shall be installed by the City. The Administrator shall have sole authority to determine the appropriate size of each sewer or portion thereof. The size of all sewers shall be determined by the Administrator and shall be large enough not only to serve the areas under immediate

consideration but also to serve areas which are likely to be developed and which should be served by the sewer under consideration. Unless otherwise required by the Administrator no sewer shall be smaller than eight inches nominal diameter. The specifications and standards of construction for all sewer extensions shall be prepared by the Administrator. All extensions of sewers shall include the installation of fittings and manholes. The number and location of all wyes shall be as required by the Administrator. Plans and installation shall be subject to approval of the Administrator.

(2) All sewers and appurtenances shall be owned, operated and maintained by the City, with title to be vested in the City upon completion of the sewer.

(Ord. 16-022. Passed 5-23-16.)

925.09 SANITARY SEWER ~~RATES FOR USERS ON COLUMBUS WATER LINE~~SURCHARGE AND FUND.

(A) The City of Columbus is hereby authorized to directly bill those users who are on the Columbus water system and within the City of Groveport, Ohio, including any extensions of said city, a sanitary sewer surcharge. Said surcharge shall be an amount equal to fifteen percent (15%) of the sanitary sewer charges billed by the City of Columbus and will be in addition to the regular sanitary sewer rate charged by the City of Columbus. Such surcharge shall apply to all bills rendered for billing periods beginning on and after January 1, 2025.

(B) That all money derived from said surcharge shall be credited to the sanitary sewer surcharge fund, established by Ordinance No. 2024-039~~XXX~~. Said fund shall be used for the payment of the cost of management, maintenance, operation and repair of the sanitary sewerage system of this city, or for the enlargement or replacement of said system, for construction and reconstruction of main and interceptor sanitary sewers and for the payment of the interest on any debt incurred for the construction thereof.

~~The City of Columbus is hereby authorized to directly bill those users within the City who are on the Columbus water system at the regular Columbus rate plus a ten percent (10%) surcharge.~~ (Ord. 16-022. Passed 5-23-16.)

925.99 PENALTY.

In addition to the civil penalties prescribed in this chapter and Chapter 921, whoever violates any provision of this chapter and Chapter 921 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.

(Ord. 16-022. Passed 5-23-16.)

CHAPTER 929

Water Regulations

929.01 ~~Improper~~ Tap requirements and improper connections.
929.02 Automatic reading water meters.
929.03 Replacement of water meters.
929.04 Backflow regulations.
929.05 Auxiliary meters.
929.99 Penalty.

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
Compulsory water connections - see Ohio R.C. 729.06, 743.23
Management and control of water works - see Ohio R.C. 735.28 et seq.
Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22
Fluoridation - see Ohio R.C. 6111.13
Water supply - see OAC 4101:2-51-37
Backflow - see OAC 4101:2-51-38

929.01 TAP REQUIREMENTS AND IMPROPER CONNECTIONS.

(a) All water taps in subdivisions or developments shall be installed at the time the water mains are installed.

(b) When ordered by the Administrator, every property owner shall be required to install a tap for each lot or parcel immediately prior to the paving of any street.

(c) Taps shall be installed by a contractor upon approval of the Administrator. Such installation shall conform to the Standards and Specifications of the City and shall be approved by the City.

~~(a)~~(d) No firm, person, 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 Groveport, Ohio may enter the supply or distributing system of such 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.

~~(b)~~(e) That it shall be the duty of the Administrator to cause surveys and investigations to be made of all industrial and other properties served by the public water supply where private, auxiliary or emergency water supplies other than the public water supply are known to exist or where such supplies are likely to exist. Such surveys and investigations shall be made a matter ~~or~~of public record and shall be repeated as often as the Administrator shall deem necessary.

~~(c)~~(f)That the Administrator or ~~his~~ their or its duly authorized representative shall have the right to enter at any time any property served by a connection to the public water supply or distribution system of Groveport, Ohio for the purposes of inspecting the piping system or systems thereof. On demand the owner, lessee, or occupants of any property so served shall furnish to the Administrator any information which he or it may request regarding the piping system or systems and any private, auxiliary or emergency water supply used or useful 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 chapter.

~~(d)~~(g) That the Administrator is hereby authorized and directed to discontinue after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this chapter is known to exist, and to take such other precautionary measures he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains water service to such property shall not be restored until such connection or connections shall have been eliminated or corrected in compliance with the provisions of this chapter. (Ord. 2022-029. Passed 8-22-22.)

929.02 AUTOMATIC READING WATER METERS.

(a) All water services for the Groveport Water System shall have automatic reading "SMART" meters.

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(b) Each meter shall be added at the cost of the automatic reading meter to the property owner. The property owners may pay the above cost over a ~~three month~~three-month period if desired. (Ord. 2022-029. Passed 8-22-22.)

929.03 REPLACEMENT OF WATER METERS.

(a) The City shall replace a water meter, if in the opinion of the Public Service Director:

(1) The meter is not working properly.

(2) The meter is in such a location that there is difficulty in access to it for reading purposes, or

(3) The meter has not been read because of absence of persons from the home for two consecutive billing periods.

(b) That each meter replaced under this chapter shall be at the cost of the automatic reading meter to the property owner, and in accordance with the rules and regulations adopted by Council.

(c) Plumbing alterations required for the proper installation of such meter shall be subject to permit and inspection by the City's Public ~~Works~~ Service Department and shall be performed by a licensed plumber.

(d) Any evidence of deliberate destruction of service connection shall be a violation of this section.
(Ord. 2022-029. Passed 8-22-22.)

929.04 BACKFLOW REGULATIONS

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

(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 City may enter the supply or distributing system of the City, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Public Service Director of the City and by the Ohio Environmental Protection Agency.

(c) It shall be the duty of the Public Service Director to cause surveys and investigations to be made of industrial and 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 Public Service Director shall deem necessary.

(d) The Public Service Director or ~~his~~ their 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 City for the purposes of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Public Service Director 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 Public Service Director be deemed evidence of the presence of improper connections as provided in this section.

(e) The Public Service Director is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this section.
(Ord. 2022-029. Passed 8-22-22.)

929.05 AUXILIARY METERS.

(a) Auxiliary meters may only be installed when it is determined that a portion of the water as measured by the water meter does not, and cannot, enter the sewage system either directly or indirectly.

(b) Application can be made through the Public ~~Works~~ Service Department for permission to obtain and install a water-only auxiliary meter.

(c) Such installation shall be at the owner's expense, and in accordance with the rules and regulations adopted by Council.

(d) Plumbing alterations required for the proper installation of such meter shall be subject to permit and inspection by the City's Public ~~Works~~ Service Department and shall be performed by a licensed plumber.
(Ord. 2022-029. Passed 8-22-22.)

929.99 PENALTY

In addition to the civil penalties prescribed in this chapter and Chapter 933, whoever violates any provision of this chapter and Chapter 933 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.
(Ord. 2022-029. Passed 8-22-22.)

CHAPTER 933

Water Rates, Extensions and Fees

933.01 Definitions.
933.02 Rates established.
933.03 Rates inside City.
933.04 Rates outside City.
933.05 Meter service fee.
~~**933.06 Water tap charge.**~~
~~**933.07**~~**933.06 Special charges.**
~~**933.08**~~**933.07 Private fire protection service.**
~~**933.09 Water main front foot connection charge.**~~
933.08
~~**933.10**~~**933.09 Billing, meter reading, terms of payment.**
933.10 Owner's responsibility.
933.11 Water main extensions.
933.12 Charge for extension of water mains within the City.
933.13 ~~**System**~~ **Water capacity** ~~**rates**~~**charges.**
933.14 Charges for renewal of service.
933.15 ~~**Rates for users on Columbus water line**~~**Water surcharge and fund.**
933.99 Penalty.

CROSS REFERENCES

Power to provide and regulate water system - see Ohio R.C. 715.08, 717.01, 743.01
Compulsory water connections - see Ohio R.C. 729.06, 743.23
Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22
Water supply- see OAC 4101:2-51-37

933.01 DEFINITIONS.

(a) "Administrator" means the Administrator of Groveport or ~~his~~ their authorized agent. Specific reference is made herein to the contract executed between the City and the City of Columbus for water service and the specific authorities vested therein to the Director of Public ~~Service~~ Utilities of the City of Columbus. Authorized agent shall include the Director of Public ~~Service~~ Utilities of the City of Columbus.

(b) "Available frontage" means the frontage for all parcels which abut on the water main. On corner parcels the frontage shall be the shortest frontage which abuts on the street right-of-way. Parcels which already abut on a water main shall not be considered as part of

~~the available frontage.~~

~~(c)~~(b) "City" means the City of Groveport, the Administrator or ~~his~~ their authorized agent.

~~(d) "Corner parcel" means a lot or parcel abutting on two or more intersecting streets.~~

(c) "Front F~~f~~oot" or "Front Footage" means the lot length abutting and closest to parallel with the water main sought to be tapped, whether installed in an adjacent road right-of-way or utility easement, determined as follows:

(1) When a parcel is to be served by a water main running through an adjacent parcel, but not along an adjacent road right-of-way, then Front Foot for that parcel shall be determined in accordance herewith as if the water main was installed in the road right-of-way upon which the parcel is addressed.

~~(e)~~ (2) "Front Foot" or "Front Footage" shall be determined by the use of an engineer's scale applied to either the record drawings of the water main sought to be tapped on file in the office or on the basis of the Franklin County GIS maps in the Auditor's office in the event of irregular lots. The Front Foot calculations as determined by the City issuing the permit shall be final.~~frontage which abuts on the street right-of-way. On corner parcels it shall be the shortest frontage so abutting. When the property to be served does not abut upon the street right-of-way, front foot shall mean the width of the parcel.~~

~~(f)~~(d) "Permit" means a legal instrument requiring execution prior to approving a new water service connection, a transfer of accounts or a change in meter size.

~~(g)~~(e) "Resident" means property owner within the City corporate limits. The words resident, owner, user, and consumer as used herein have the same meaning for purposes of this chapter.

~~(h)~~(f) "Service connection" means the connection of all or any part of the service line to the tap.

~~(i)~~(g) "Service line" means the line extending from the tap onto the premises to be served and shall include all the necessary pipes, lines and appurtenances from the tap to and including the meter.

~~(j)~~(h) "Tap" means the connection to the water main and the necessary pipes or lines extending from the water main to and including the curb stop or valve and box.

~~(k)~~(i) "Water service outside city" means water service furnished to consumers outside the corporate limits of the City. No new water service shall be extended outside the City limits without the express permission of the City of Columbus Director of Public ~~Service~~Utilities. (Ord. 16-023. Passed 5-23-16.)

933.02 RATES ESTABLISHED.

The rates and charges for water and service furnished by the City to users and consumers and the terms and conditions governing the construction and financing of new mains shall be established and fixed as set forth in this chapter.
(Ord. 16-023. Passed 5-23-16.)

933.03 RATES INSIDE CITY.

The rates for water supplied through meters to consumers within the Groveport Water System shall be determined based on the rates established by Ordinance by Council. The rates for water supplied by the City of Columbus shall be determined based on the rates established by the Columbus City Council.
(Ord. 16-023. Passed 5-23-16.)

933.04 RATES OUTSIDE CITY.

Water rates and other charges for outside the City shall be the inside City rates plus seventy-five percent (75%). Reference is made to Sections 933.03, 933.05, 933.06, 933.07, 933.08, ~~933.09~~ and 933.~~14~~13. (Ord. 16-023. Passed 5-23-16.)

933.05 METER SERVICE FEE.

(a) When a permit is issued for a service connection or a change in meter size, the meter shall be installed by the City, with a meter service fee of the actual cost of the automatic reading meter.

(b) Where the meter is two inches or larger in nominal diameter, the fee shall be equal to the cost of the meter with installation to be made by the applicant under the inspection and approval of the Division of Water.

(c) The meter service fee, as set forth above, shall be reviewed each year by the Administrator who shall determine any needed adjustments based upon actual cost.

(d) All water meters, exclusive of deducting meters, shall be maintained by and remain the property of the City.
(Ord. 16-023. Passed 5-23-16.)

~~**933.06 WATER TAP CHARGE.**~~

~~(a) For taps larger than two inches in nominal diameter, the charges shall be actual cost plus thirty-seven and one-half percent (37.5%). A cash deposit equal to the estimated charge shall be required. Any excess deposit shall be refunded and any deficiency shall be paid.~~

~~(b) The water tap charges, set forth above, shall be reviewed each year by the Administrator, who shall recommend to Council any needed adjustments based upon actual cost.~~

~~(c) All water taps in subdivisions or developments shall be installed at the time the water mains are installed.~~

~~(d) Every property owner shall be required to install a tap for each lot or parcel immediately prior to the paving of any street when ordered by the Administrator.~~

~~(e) Taps shall be installed by a qualified contractor upon approval of the Administrator. Such installation shall conform to the Standards and Specifications of the City and shall be approved by the City.~~
~~(Ord. 16-023. Passed 5-23-16.)~~

~~933.07~~933.06 SPECIAL CHARGES.

The following charges shall be paid for the specified special services furnished by the City:

(a) Trip to turn off service for non-payment of account or as a result of fraud 50.00

(b) Trip to notify of non-payment (door hanger) 25.00

(c) Trip to turn on or off service at curb box at request of consumer

(1) During working hours No Charge

(2) After regular working hours 30.00

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(Ord. 16-023. Passed 5-23-16.)

~~933.08~~933.07 PRIVATE FIRE PROTECTION SERVICE.

(a) For all fire protection service installations made after the effective date of this chapter requiring a separate fire service line the consumer shall install at ~~his~~ their expense, subject to the inspection and approval of the Administrator, all of the piping system necessary to extend from the consumer's system and connect to the City's existing water main.

(b) All separate fire service lines shall have installed, before service is established, an approved meter installation. Such meter and the installation shall meet the specifications and approval of the City and the entire installation shall be at the expense of the consumer. The

applicable rates as prescribed in Section 933.03 and 933.04 shall be paid for metered fire service lines.

(c) The City reserves the right to order installation of a meter on an existing fire protection line upon violation of applicable ordinances and the rules and regulations of the City.

(d) No charge except the minimum charge shall be made for any measured water flow resulting from the use of water for fire-fighting purposes when such fire has been reported to the fire department serving the area involved.

(e) When a property is served with both a fire protection service and water service, the amount to be paid for the combined service shall be the charge computed by using the applicable commodity rate established in Section 933.03 and 933.04 and the minimum fire protection charge established in this section.

(f) When a property is served by more than one fire protection service and such service provides water to a common interconnected fire protection service, the service shall be considered a single fire protection service with the rates or charges to be based on the largest tap or meter.

(g) When a property is served with one or more fire protection services and one or more water services, the owner or contract holder may notify the Administrator at the time of application for service or as of January 1, of each year which commodity service shall be combined with such fire protection services for billing purposes. In the event no such notice is received, the Administrator shall make such determination.

(h) All outlets, except sprinkler heads, on unmetered fire protection service shall be sealed under the supervision of the Administrator. No person shall break a seal or withdraw water from any unmetered fire protection system, except in the case of a fire, without prior approval of the Administrator.

(i) Any additional amount of water capacity charge caused by the installation of residential fire protection sprinkling systems shall be abated and only the normal charge for residential water tap shall be made.

(Ord. 16-023. Passed 5-23-16.)

~~933.09~~933.08 WATER MAIN FRONT FOOT CONNECTION CHARGE.

Each applicant for a water tap, at the time of application, shall pay the sum of ten dollars ($10.00) per front foot of the property to be served, ~~if located within the City and ten dollars ($10.00) per front foot of the property to be served if located outside the City provided that this charge shall not be imposed for the replacement of a tap or increase in size of an existing tap and~~ provided further that this charge shall not be imposed if the owner of the property concerned can show that they or ~~his~~ their predecessor in title paid, or is paying a special assessment for the construction of any of the existing water mains which provide such service, or at ~~his~~ their own expense constructed any of the water mains which provide such service, and that any unencumbered funds may be used to improve, operate or maintain the system.

(Ord. 16-023. Passed 5-23-16.)

~~933.10~~ 933.09 BILLING, METER READING, TERMS OF PAYMENT.

(a) Billing. The City may render bills for water service on a quarterly basis. Payment of water and sewer bills shall be the responsibility of the property owner.

(1) Billing dates shall be January 1, April 1, July 1, October 1, with rates established by Council.

(2) A penalty of ten percent (10%) will be added if not paid by the third day of the first month after billing date, unless a Hardship Arrangement has been requested by the customer and approved by the Assistant Administrator/Finance Director

(b) Hardship Arrangement. A customer may request a hardship arrangement by completing a Hardship Arrangement application form. The application must be approved by the Assistant Administrator/Finance Director. The following rules apply to the Hardship Arrangement.

(1) The application must be submitted AND approved PRIOR to late bills being mailed.

(2) If approved, the bill in question may be paid in three installments.

(3) If approved, the late fee for the bill in question will be waived.

(4) If the bill in question is not paid in its entirety by the end of the approved hardship period, the late fee for the entire bill will be added to the account.

(5) Only one (1) hardship arrangement can be approved once every four billing cycles.

(6) The arrangement will be nullified if a check is returned for non-sufficient funds. Payment in full will then be required.

(c) Nonpayment Notice. The bill sent to the customer will indicate the date the bill is due. If payment is not received by the date the bill is due, a "door tag" will be placed on the customer's door showing the intent for the City to disconnect service to the Groveport Water System.

(d) Meter Readings. No meter readings shall be combined for billing purposes. All meter readings and billings shall be in units of 1,000 gallons and there shall be no proration of rate blocks or minimum charges. All meters shall be sealed and any evidence of deliberate destruction of service connection shall be a violation of this section. Meter readings shall begin the fifteenth of the month prior to billing date.

(1) All meters shall be read by personnel authorized by the City.

(2) No meter shall be estimated for more than one billing cycle. In this case, provisions must be made by the owner or tenant for meter to be read by authorized personnel. Any denial from consumer to permit authorized person to enter premise for meter reading or repair shall result in service being discontinued until such readings or repairs are made.

Estimated meter reading shall not extend beyond a period of one billing period.

(e) Terms of Payment. Because water to residents of the City of Groveport is supplied by both the City and the City of Columbus and further because billing and collection practices widely differ, terms of payment as contained hereinafter are established for the two municipal practices as they are now established.

(1) Services derived from Groveport's water supply system. The water rates prescribed in Sections 933.03, 933.04 and 933.09 are net. If accounts are not paid within one calendar month from the date of billing, a gross rate, which is the net rate plus ten percent (10%) shall apply unless a Hardship Arrangement has been approved by the Assistant Administrator/Finance Director. The bills on overdue accounts shall be prepared and transmitted to all overdue accounts based on gross rates. If the rebilled gross rate is not paid within fifteen days from the rebilled date, the City shall have the right to shut off water services without notice, and

(2) Services derived from City of Columbus water supply system. Those residents on the City of Columbus water system shall be billed according to the most recent City of Columbus water billing regulations.

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(Ord. 16-023. Passed 5-23-16.)

~~933.11~~933.10 OWNER'S RESPONSIBILITY.

(a) It is the owner's responsibility to protect the meter and service box from damage. Any time damage occurs, it shall be repaired or replaced by persons authorized by the Administrator at the owner's expense.

(b) Only one minimum bill shall be rendered per meter, depending on meter size.

(Ord. 16-023. Passed 5-23-16.)

~~933.12~~933.11 WATER MAIN EXTENSIONS

The Administrator is authorized to provide water service to new consumers when he determines that the water main extension is feasible both economically and from an engineering point of view and shall not be detrimental to the best interest of the City having given consideration to the overall effect on the total water system and to the ~~long term~~long-term plans and probable future growth of the water system of the City.

(Ord. 16-023. Passed 5-23-16.)

~~933.13~~933.12 CHARGE FOR EXTENSION OF WATER MAINS WITHIN THE CITY.

(a) All water main extensions in the City shall be paid for by the applicants or developer requesting such extension.

(1) Where a water main extension is required to a residential customer(s) by the City to be installed larger than twelve inches in nominal diameter, the City shall pay one hundred and ten percent (110%) of the difference in the material cost of the pipe, fittings, and valves between the installation of a twelve inch water main and the water main installed.

(2) Where a water main extension is required by the City to be oversized to industrial or commercial customer(s) or is required to be installed through an industrial or commercial customer's property to serve adjacent properties, the City shall pay one hundred ten percent (110%) of the difference in material cost of the pipe, fittings, and valves between the water main installed, sized as requested by the City, and the size determined by the Administrator as the size necessary to serve the industrial or commercial property but in no case less than twelve inches in diameter.

(b) The Administrator shall determine from the City records, or other sources, the cost of the pipe, fittings and valves and this determination is final.

(c) The Administrator may authorize water main extensions to be installed by a qualified developer and he shall determine whether the water main shall be installed by the City or be the applicants or developer.

(d) For each water main extension requested and installed by the City, the City Engineer shall make an estimate of the total costs involved and the applicants or developer shall make a deposit to the City that is sufficient to cover the estimated costs of the water main extension. If the actual cost of the extension is higher or lower than the deposit, the applicants or developer shall be refunded the amount of any excess deposit or shall pay to the City any deficit that may exist in the deposit as the case may be.

(e) When water main extensions are installed by the City, the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the line is required to be oversized by the City.

(1) When the oversized water main extension is for residential use and is required by the City to be installed larger than twelve inches, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings and valves between the installation of a twelve inch water main and the water main installed.

(2) When the oversized water main extension is for industrial or commercial use or is required to be installed through an industrial or commercial customer's property to serve adjacent properties, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings, and valves between the water main installed as requested by the City and the size water main determined by the Administrator as the size necessary to serve said industrial or commercial property. In no case shall the size determined by the Administrator as necessary to serve the property(s) be less than twelve inch nominal diameter.

(f) The specifications and standards of construction for all water main extensions, all plans and installations shall be subject to approval of the City Engineer.

(g) Unless otherwise required by the Administrator no water main shall be smaller than eight inches nominal diameter.

(h) All extensions of water mains shall include the installation of all tap valves and fire hydrants. The number and location of fire hydrants, taps and valves shall be in accordance with the requirements of the City Engineer.

(i) All water mains and appurtenances shall be owned, operated and maintained by the City, with title to be vested in the City upon completion of the water main.

(1) No water mains shall be installed except by the City unless authorized by an agreement between the City and the developer or applicants. Where water mains are installed by a developer or applicants and abut on parcels not owned by the developer or applicants not included in the agreement, the developer or applicants shall be entitled to reimbursements when such parcels are connected to the water main within ten years after the completion of the water main from the funds collected by the City for such connections pursuant to Section 933.09. The amount of the reimbursement shall be determined by dividing the cost of the water main paid by the developer or applicants by the available front footage abutting on the water main provided that the total amount of reimbursement shall not exceed six dollars ($6.00) per front foot of property served.

(2) To be eligible for this reimbursement, the developer or applicant shall file with the Administrator within ninety days after the completion of the water main or such further time as may be authorized by the Administrator in accordance with the Standards and Specifications receipts for all labor and material used in connection with the construction of the water main, together with final, as-built plans, properly referenced for future location of the work.

(Ord. 16-023. Passed 5-23-16.)

~~933.14~~933.13 ~~SYSTEM~~ WATER CAPACITY CHARGES~~RATES~~.

The following rates shall be charged for each service connection made to any property and shall be paid at the time a permit is issued for the service connection. No person shall make a service connection or any part thereof, unless he has been issued a permit therefor by the Administrator. In the event a tap is subsequently enlarged, the difference between the charges for the two sizes shall be paid.

For that portion of the City served by the Groveport water system:

~~Size~~ Diameter of Water Tap (inches)	Water Capacity Charge
3/4"	$2,170.00
1"	3,900.00
1-1/2"	8,568.00
2"	15,400.00
3"	34,500.00
4"	47,775.00
6"	108,529.00
8"	191,100.00
10"	297,670.00
12"	428,749.00
16"	477,749.00

For that portion of the City served by the Columbus ~~Water~~ water ~~System~~system, the regular rate charged by the City of Columbus ~~rate~~ plus the following surcharge~~:~~.

~~Size~~ Diameter of Water Tap (inches)	Water Capacity Charge
3/4"	$1,486
1"	2,331
1-1/2"	4,955
2"	7,927
3"	15,750
4"	25,126
6"	50,080
8"	80,249
10"	112,285
12"	217,285
16"	233,351

When there are separate taps for domestic and fire protection, the City collects the full tapping application fee for the domestic tap and five percent (5%) of the regular tapping fee for the fire line. (Ord. 16-023. Passed 5-23-16.)

~~933.15~~933.14 CHARGES FOR RENEWAL OF SERVICE.

In all cases where the Administrator has ordered a discontinuance of water service for a violation of any rule or regulation there shall be charged the fees prescribed in Section 933.07 for renewal of the water service.
(Ord. 16-023. Passed 5-23-16.)

~~933.16~~933.15 ~~RATES FOR USERS ON COLUMBUS~~ WATER ~~LINE~~SURCHARGE AND FUND.

(A) The City of Columbus is hereby authorized to directly bill those users who are on the Columbus water system and within the City of Groveport, Ohio, including any extensions of said city, a water surcharge. Said surcharge shall be an amount equal to fifteen percent (15%) of the water charges billed by the City of Columbus based on meter consumption of water and will be in addition to the regular water rate charged by the City of Columbus. Such surcharge shall apply to all bills rendered for billing periods beginning on and after January 1, 2017.

(B) That all money derived from said surcharge shall be credited to the water surcharge fund, established by Ordinance No. 16-023. Said fund shall be used for the payment of the cost of management, maintenance and repair of the water distribution system of this city. Any balance in such fund may be used for the construction and reconstruction of the water distribution system including repair and/or replacement of fire hydrants and for the payment of the interest on any debt incurred for the construction thereof. ~~The City of Columbus is hereby authorized to directly bill those users within the City who are on the Columbus water system at the regular Columbus rate plus a fifteen (15%) surcharge.~~

(Ord. 16-023. Passed 5-23-16.)

933.99 PENALTY.

In addition to the civil penalties prescribed in this chapter and Chapter 929, whoever violates any provision of this chapter and Chapter 929 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.
(Ord. 16-023. Passed 5-23-16.)

CHAPTER 935

Stormwater Management Policy

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935.01 GENERAL.

(a) The Administrator shall be responsible for the enforcement of the Stormwater Management Code and shall not allow any development of land area unless such development meets the design requirements herein. The Administrator shall serve as the principal executive officer for storm water management for the purposes of fulfilling the requirements of the Environmental Protection Agency's NPDES Phase II storm water program.

(b) The Planning Commission shall not recommend for approval the final plat of any development or subdivision over which it has jurisdiction without documentation from the Administrator and the Engineer, that such development or subdivision has been designed to be in compliance with the design requirements herein.

(c) It is the intent of these minimum requirements to account for the effect of stormwater runoff from the development of land so as to minimize the impact on existing and natural drainage systems. While the requirements set forth herein will not stop flooding or the

damage caused by flooding, they do establish a basis for design which will:

(1) Minimize the damage and inconvenience of flooding;

(2) Provide drainage systems which continue to benefit their tributary area over the long term;

(3) Minimize the ~~adverse affects~~adverse effects of new drainage systems on existing systems; and

(4) Minimize the expense of maintaining the drainage facilities within the Municipality.

(d) The Administrator shall prepare, or cause to prepare, a storm water management plan, required as part of the NPDES Phase II storm water program in accordance with the requirements set forth by the Ohio Environmental Protection Agency, including all annual updates and amendments thereto.

(Ord. 08-021. Passed 4-14-08.)

935.02 DRAINAGE POLICY.

(a) This drainage policy, control guidelines and criteria do not provide solutions to all drainage problems, nor is the Engineer restricted to these designs or procedures exclusively. Although the policies as stated will hold true for most development work, the Municipality realizes that there may be individual projects involving special or unusual drainage design problems that should be reviewed prior to completing the requisite Master Drainage Plan. Exceptions may be granted by the Administrator to the policies and criteria in such cases when engineering study(s) justify modification.

(b) Experience has shown that most of the more serious flooding situations are "created". Development can lead to ever increasing flooding problems unless well-conceived, cooperative stormwater drainage and flood control programs are undertaken throughout the entire watershed. For this reason, the general policy of the Municipality shall be:

(1) Land uses and developments which increase runoff rate or volume shall control the discharge rate of runoff prior to its release to off-site land.

(2) It is the responsibility of the property owner to not change or alter any drainage course, ditch, flood routing path or drainage system on ~~his/her~~their property that will damage or cause flooding to adjacent, upstream or downstream property owners.

(3) All stormwater drainage systems, including conveyances, within a development shall be designed to have capacity and depth, including sufficient invert elevations to permit future connections, to serve that total tributary area at the design storm frequency, and based on the rate of single family, residential runoff except as noted in subsection (4) below. The system for the upstream tributary area must be extended through the development.

(4) All proposed development with a runoff rate greater than that which the downstream system has capacity for, or will be designed for, will be required to control the rate of stormwater discharge.

(5) All developments having existing controls located downstream from the site will be required to control the flow rate of stormwater discharge to that rate which existed prior to development.

(6) All information necessary shall be submitted to the Municipality to determine how stormwater runoff should be controlled within the development prior to its release to downstream properties. The tributary area and the upstream watersheds should be determined using natural land divides unless man-made alterations are approved by the Municipality's Engineer as the basis for watershed delineations.

(7) The Stormwater Management Policy applies to all land developments not specifically exempted or granted a waiver as provided under the appropriate section of this Policy.

(Ord. 08-021. Passed 4-14-08.)

935.03 DRAINAGE REQUIREMENTS.

(a) Purpose. These design standards and specifications shall serve as the minimum requirements for the handling of surface water and drainage. These procedures and standards shall govern the development of all new or modified drainage systems. The development of such drainage systems shall include the conveyance of surface water to an adequate outlet, which is capable of carrying the flow. The design engineer's highest design priority shall be to eliminate the possibility of any loss of life or major loss of property.

(b) Master Drainage Plan Requirement. A Master Drainage Plan for the total development area shall be prepared for all sites and shall be presented to the Municipality's Engineer for review and preliminary drainage approval prior to initiating detailed engineering designs. The Master Drainage Plan does not constitute a detailed working design or plan from which storm sewer improvements can be constructed, nor is such detail necessary to meet the objectives of preliminary drainage review. The Master Drainage Plan shall be reviewed by the Municipality's Engineer prior to initiating detailed site engineering designs. The required content of the Master Drainage Plan is as follows:

(1) A topographic contour map, with the drainage area delineated, with a plan for draining the total upstream tributary watershed through the proposed development.

(2) A topographic map with at least 2-foot contours, with general layout of the proposed inlets and storm sewers for the total development showing all existing drainage structures with size and invert elevations.

(3) The capacity of the downstream open channel, culvert or storm sewer that may be used for an outlet.

(4) The points downstream that may be used as a control to affirm the maximum allowable release rate of stormwater runoff for the design storm.

(5) The routing path to be provided for runoff in the event the drainage facilities' capacity is exceeded. This path will become part of a grading plan, which will be submitted with detail plans. The routing path should be continuous from one development to the next.

(6) Stormwater management basins shall be located on the plan and shall become part of the routing path.

(7) Excess stormwater shall be kept out of proposed habitable structures.

(c) Adequate Drainage Outlet. Surface water runoff from a development shall be drained off site to an adequate drainage outlet. The location of the outlet shall be approved by the Municipality's Engineer and may consist of a ditch, stream, storm sewer, or approved detention basin having sufficient capacity to accommodate the surface water runoff in an engineered manner.

(d) Stormwater Management Design Report. A stormwater management design report shall be prepared for all developing sites by a professional engineer registered in the State of Ohio and shall be presented to the Municipality's Engineer for review and approval as part of the site plan approval process. No site improvement activities shall occur until this design report is approved by the Municipal Engineer. This report shall include a general summary describing the proposed stormwater water quality and quantity management features that are proposed for the site development and shall include design documentation and back up calculations demonstrating general compliance with appropriate sections of this chapter.

(e) Drainage Easements.

(1) An adequate utility easement conveyed to the Municipality that provides access for Municipal personnel shall be required along any tile, pipe, detention basin, drainage way, flood routing path, ditch, watercourse, natural stream, man-made

stream, storm sewer or any other watercourse deemed necessary by the Administrator which is not already within the street right-of-way. The easement shall be of sufficient width to allow cleaning, widening, deepening, replacing or other general maintenance of such drainage course or piped system. Dimensions of required easements are defined in the City of Groveport Municipality's Subdivision Regulations, Section 1112.12.

(2) When it is necessary to convey stormwater outside the property lines of a proposed improved area in order to discharge into an adequate outlet, the Developer:

A. Shall be responsible to obtain easements and/or maintenance agreements, in a form and substance satisfactory to the Administrator, from abutting property owners,

B. Shall remain responsible for the maintenance of such drainage course unless the easements and/or maintenance agreements require the abutting property owners to repair and maintain the drainage course satisfactorily.

(3) All drainage easements, preservation areas, reserves and other similar areas shall be shown on the "final engineering and construction plan(s)". Drainage easements for all on-site drainage system improvements shall be recorded for public use by final plat. For off-site drainage systems improvements, easements should be recorded for public use by either final plat or separate instrument. The maintenance of such drainage easements shall be undertaken in the manner set forth in subsection (e)(4) below.

(4) In addition to any applicable provision of Section 935.12, ~~T~~the The Administrator, or ~~his/her~~their designee, is hereby authorized to inspect such drainage easement areas and if the Administrator determines that maintenance is needed, the Administrator shall notify the property owner whose property requires maintenance and/or any other parties who, in the sole determination of the Administrator, directly benefit from such easement. The manner in which notice of the required maintenance, and the carrying out thereof, shall be as follows:

A. The Administrator shall cause written notice to be served on the property owner and/or any other parties benefiting from the easement notifying such parties that maintenance and/or repair of the drainage course is necessary and that a contract with a contractor acceptable to the Administrator for such repair and/or maintenance must be delivered to the Administrator within fourteen (14) days of said notice. The notice shall be served upon the property owner and/or benefited parties at the tax billing address for such premises reflected upon the records of the Franklin County Auditor. Service shall be accomplished by any means permitted for service of summons under the Ohio Rules of Civil Procedure. Each property affected by such notice shall also be posted with such notice by the Administrator or their~~his/her~~ designee.

B. In those instances where the address of the owner is unknown, it shall be sufficient to publish a notice once a week in a newspaper of general circulation in Franklin County, Ohio setting forth the substance of the notice and time frame for compliance. The time frame for compliance shall be no less than fourteen (14) days after the publication.

C. If the property owner and/or benefiting parties fail to comply with the notice, the Municipality shall cause such repairs, replacement, maintenance and abatement procedures to be implemented as determined appropriate by the Administrator. The cost of such repair, replacement, abatement and other procedures deemed appropriate by the Administrator shall be immediately due and payable to the City in the amounts and in the proportions determined by the Administrator. Additionally, the Administrator may assess an administrative fee as the Administrator deems appropriate against all benefiting property owners or benefiting parties in an amount not to exceed ten percent (10%) of cost of such repair, replacement, abatement and other procedures, as determined by the Municipality's Engineer. Such cost shall be reimbursed to the Municipality by all benefiting property owners or benefiting parties in an amount equally apportioned amongst each respective property owner, for each instance where a notice is served under this section. The cost and administrative fee shall be due and payable within thirty (30) days after the same are assessed.

D. If any fees or costs remain unpaid for a period in excess of thirty (30) days, in addition to any other remedy available to the Village Municipality, the Village Municipality may authorize placement of a lien on the real estate to be certified to the Franklin County Auditor in the amount assessed together with interest thereon from the date of such certification at the then existing rate for payment of judgments in the State of Ohio. Such interest shall continue on an annualized basis until paid.

E. Any owner or benefiting party aggrieved by an action of the Administrator under this section may take an appeal to the Board of Zoning Appeals within (30) days of the date service of notice of such action upon the property owner and/or benefiting party.

(Ord. 11-015. Passed 5-9-11.)

935.04 EXEMPTIONS.

Exemptions are appropriate for certain land use activities that clearly do not generate significant increases in stormwater runoff. Where exemptions are granted under this Section, they shall apply to the requirements for runoff volume control only and do not in any way imply a relaxation of requirements for adequate and proper on-site drainage or the ability of the system to accept runoff from tributary land. The following land uses and developments are exempted from stormwater runoff controls:

(a) Land preparation for agriculture crops, orchards, woodlots, sod farms, and nursery operations.

(b) Land grading or leveling for erosion control under direction of the local soils conservation district.

(c) Land subdivisions for residential purposes with a minimum lot size of five acres.

(Ord. 08-021. Passed 4-14-08.)

935.05 WAIVERS.

(a) It is conceivable that development situations not automatically subject to exemptions may exist such that development will have none of the harmful effects associated with increases in runoff rates and volume. Such developments are eligible for a waiver. The waiver applies only to the requirement that runoff be controlled, and does not in any way imply a relaxation in the requirement for adequate on-site drainage or the ability to accept runoff from land tributary to the development.

(b) The waiver applicant must request in writing that said requirements for stormwater runoff control be waived. The application shall

include sufficient technical detail to determine that granting a waiver will not result in increased flooding and that the added volume of runoff will not damage the receiving stream or system.

(c) A condition of the waiver shall be that any addition, extension, or modification of a development for which a waiver has been granted shall be required to provide stormwater runoff control for the entire site if preceding limitations are exceeded by subsequent additions, extensions, or modifications.

(d) The following land uses and developments are eligible to apply for a waiver on stormwater runoff control requirements contained in this Policy:

(1) Single family residential developments:

Min. Lot Size	Max. Subdivision Size
1 acre	19 acres
½ acre	5 acres
15,000 square feet	2 acres

(2) Multi-family residential developments which total one acre or less.

(3) Buildings, their related parking lots, and structures where one acre or less is to be altered by grading, draining, removing existing ground cover, or paving; and of which ½ acre or less will be impervious areas, such as roofs, walks, and parking areas.

(4) Situations where existing and adequate off-site stormwater runoff control facilities provide the required control. However, this shall not be construed to imply the first development requesting use shall have full use of available capacity. Rather, such waiver may grant a proportional use of available storage capacity to ensure that later developments have a similar opportunity to utilize a portion of the storage capacity.

(5) Development areas immediately abutting Blacklick Creek, Big Walnut Creek and Little Walnut Creek, on which surface watershed flows directly into these streams' channels.

(e) All waiver applications shall be submitted to the Administrator. The application shall be reviewed by the Municipality's Engineer, who shall review the application for technical accuracy and competence. The Administrator shall be responsible for approving or denying the application.

(Ord. 08-021. Passed 4-14-08.)

935.06 STORMWATER RUNOFF CONTROL CRITERIA.

(a) Quantitative Control. Editor's Note: Stormwater quantity control shall be implemented pursuant to the criteria outlined as follows:

(1) Stormwater runoff control shall address both peak rate and total volume of runoff. The peak rate of runoff from an area after development shall not exceed the peak rate of runoff from the same area before development for all storms from one year up to a 100-year frequency, 24-hour storm. In addition, if it is found a proposed development will increase the volume of runoff from an area, the peak rate of runoff from certain more frequent storms must be controlled further. There are two reasons why increases in volume of runoff require a control standard more restrictive than controlling to the predevelopment condition. First, increases in volume mean runoff will be flowing for a longer period of time. When routed through a watershed, these longer flows may join at some point or points downstream thereby creating new peak flows and problems associated with peak flow (flooding). This is known as the "Routing Problem". Second, longer flow periods of large runoff quantities place a highly erosive stress on natural channels. This stress can be minimized by reducing the rate of discharge. The permissible peak rate shall be determined as follows:

A. All development sites located outside the Hendron Ditch Watershed:

1. For the purpose of determining site pre-development condition a runoff curve number (RCN) of 77 shall be used.
2. Determine the total volume of runoff from a 1-year frequency 24-hour storm, occurring over the area before and after development.
3. Determine the percentage of increase in volume due to development and using this percentage, pick the critical storm from the following Table A:

TABLE A

If the percentage of increase in VOLUME [of] runoff is		The Critical Storm for discharge limitations will be
Equal to or greater than	and less than	
- -	10	1 year
10	20	2 year
20	50	5 year
50	100	10 year
100	250	25 year
250	500	50 year
500	- -	100 year

4. The peak rate of runoff from the critical storm occurring over the development shall not exceed the peak rate of runoff from a 1-year frequency storm occurring over the same area under predevelopment conditions. Storms of less frequent occurrence (longer return period) than the critical storm, shall have a peak rate of

runoff not greater than for the same storm under predevelopment conditions. As an example, if the total volume is to be increased by 35%, the critical storm is a 5-year storm. The peak rate of runoff for all storms up to this intensity shall be controlled so as not to exceed the peak rate of runoff from a 1-year frequency storm under predevelopment conditions in the area. The runoff from a more intense storm up to a 100-year storm need only be controlled so as not to exceed the predevelopment peak rate from the same frequency of storm.

B. All development sites located within the Hendron Ditch Watershed:

1. For the purpose of determining the predevelopment runoff coefficient and RCN, undeveloped land within the Hendron Ditch Watershed shall be considered as undeveloped wooded land, in fair condition.
2. For single-family residential detached development:
   a. The critical storm shall be as determined in Table A.
   b. All other criteria as stated in above subsections 935.06(a)(1)A.1. through 935.06(a)(1)A.4. shall apply, ~~not withstanding~~notwithstanding these requirements.

OR

3. For non-single family residential detached developments:
   a. The critical storm shall be the 25-year frequency 24- hour storm event or the critical storm determined in Table A, whichever is greater.
   b. All other criteria as stated in above subsections 935.06(a)(1)A.1. through 935.06(a)(1)A.4. shall apply, ~~not withstanding~~notwithstanding these requirements.

(2) Storage volume, generally, does not have to be provided for off-site upstream drainage areas. However, flow from such areas will be routed through the drainage systems in the development under consideration, at its existing rate of flow.

(b) Qualitative Control. Stormwater quality control shall be implemented into sites within developing areas in accordance with general and specific requirements outlined in the latest edition of the Ohio EPA general (NPDES) permit for stormwater discharges associated with construction activity (See Part IIIG2e of the Ohio EPA's NPDES Permit).

(Ord. 08-021. Passed 4-14-08.)

935.07 STORMWATER SYSTEM GENERAL DESIGN CRITERIA.

(a) Design Storms:

(1) The initial drainage system is that part of the storm drainage system which is used regularly for collecting, transporting, and disposing of storm runoff from frequent and low magnitude storm events, snowmelt, and miscellaneous minor flows. The capacity of the initial drainage system should be equal to the maximum rate of runoff expected from a design storm of established frequency (i.e., Initial Storm). For purposes of design, the initial drainage system portion of the overall storm drainage system shall be designed to contain the runoff from a storm with a return period of not less than five-years.

(2) The major drainage system is that part of the storm drainage system which carries the runoff which exceeds the capacity of the initial drainage system. The major drainage system shall have the capacity to carry runoff from a storm with a return period of not less than 100-years (i.e., Major Storm) without posing significant threat to property or public safety.

(b) Initial Storm - Physical Design Criteria for On-Site Improvements:

(1) Depth of flow in natural channels shall not exceed bank full stage with backwater effects considered.

(2) Depth of flow in man-made channels shall not exceed 0.8 bank full stage. Velocity of flow shall be determined in accordance with the design criteria for open channels and shall not exceed 5 feet per second, or a rate determined by the Municipality's Engineer to be detrimental to the watercourse. Where flows exceed this rate, special channel lining and erosion protection shall be provided. See Section 935.08(d) for specific design criteria for open watercourses.

(3) Depth of flow in road-side ditch swales shall not exceed one foot or be of such depth that flow would extend out of the right-of-way if the side ditch is less than one foot in depth. Velocity at this depth shall not exceed six feet per second for grass swales or ten feet per second for paved ditches.

(4) Depth of flow in streets with curb and gutter shall not exceed the curb height. Velocity of flow in the gutter at design depth shall not exceed ten feet per second. In addition to the above, the following are maximum encroachments of the minimum five-year initial design storm onto the pavement. See Section 935.08(c) for specific design criteria for curb inlet design.

A. For minor streets carrying traffic from the individual residence to collector and secondary streets, the flow may spread to the crown of the street.
B. For collector and secondary streets, one lane shall be free from water.
C. For primary streets, one lane in each direction shall be free from water.
D. For freeways, no encroachment is allowed on traffic lanes.

(5) In design of conduit, the conduit may be designed on the basis of flowing full with surcharge to gutter line. Backwater effects shall be considered.

(c) Major Storm - Physical Design Criteria for On-Site Improvements:

(1) The major storm floodway and floodway fringe for natural streams shall be as defined by the Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers, the Ohio Department of Natural Resources, or where such determinations have not been made by these agencies, the major storm floodway and floodway fringe for natural streams may be estimated through a technical analysis by a registered Professional Engineer in the State of Ohio, in a manner found acceptable by the Engineer.

(2) Many of the drainage ways associated with the major storm system are in areas beyond those designated as floodway or floodway fringe. For these areas, the major storm flood limits shall be determined by the U.S. Corps of Engineers' HEC-2 method or other accepted methods of determining water profiles using the major design storm runoff. One- half foot elevation shall be added to the flood profile as freeboard for protection in the event of future encroachments into the floodway fringe or in the drainage way.

(3) In order to protect the integrity of the non-street drainage rights-of-way, the design engineer is encouraged to design routing paths for multi-purpose functions. Pedestrian and bicycle paths lend themselves naturally to this application. Linear parks aligned along the major drainage corridor are also very effective, but usually require greater width than would normally be necessary for drainage purposes.

(4) Where the street is designed as the major drainage system, the depth of flow shall not exceed 12-inches at gutter line for minor, collector and secondary streets, and shall not exceed 6-inches depth at crown for primary streets and freeways. The same maximum depth criteria will apply where a major drainage way crosses the street. Where a major drainage way is located outside a street, right-of-way easements will be provided.

(5) In determining the required capacity of surface channels and other drainage ways provided for the major storm runoff, the street storm inlets and conduit provided for the initial design storm may be assumed to carry a portion of the total runoff volume, if appropriate. The following equation shall be used to determine the required capacity of surface channels and drainage ways in their design, when a portion of the runoff is conveyed within the initial piped system:

$$Q_{100} = C\ I_{10}\ A + 0.96\ (I_{100} - I_{10})\ A$$

and

$$Q_{\text{flood routing path}} = Q_{100} - Q_{\text{pipe}}$$

Where:

$Q_{\text{flood routing path}}$ = Design flow, major storm runoff (cfs)

Q_{pipe} = Peak flow within piped system (i.e., 5-year event) (cfs)

Q_{100} = Peak flow for 100-year event (cfs)

C = Rational runoff coefficient, site developed condition

I_{10} = rainfall intensity for 10-year storm event (inches/hour)

I_{100} = rainfall intensity for 100-year storm event (inches/hour)

A = Drainage area contributory to design point (acres)

(d) Retention and Storage: Areas designed for storage of stormwater by retention should be incorporated into the natural features of the general area, when possible. Cooperative planning and joint owner construction of detention or retention facilities and use of natural land contours is encouraged. No such facilities will be permitted which may be or become aesthetically unpleasing, or which may result in construction, or maintenance problems. The Municipality encourages that detention or retention facilities be designed as multipurpose spaces such as open space, recreation and/or scenic areas. The Municipality encourages use of fountains for aeration and reserves the right to require such an appurtenance as a condition to plan approval.

(e) Methods of Calculation: The methods of calculation as listed in Table E (located at the end of this chapter) shall be used unless otherwise approved by the Municipality's Engineer:

(1) Rainfall volumes shall be in accordance with data for Central Ohio provided in "*Bulletin 71: Rainfall Frequency Atlas of the Midwest*", 1992 and any subsequent updates thereto.

(2) Rainfall distribution for stormwater management systems is to be in accordance with SCS Type II Rainfall Distribution.

(3) The appropriate Runoff Curve number (i.e., "RCN" factor) may be determined by using Technical Release No. 55 (S.C.S.) or its Ohio Supplement.

(f) Drainage Area Determination: The drainage area shall be determined from any of the following sources, which are listed in order of priority preference:

(1) Actual field investigation.

(2) Franklin County Auditor, topographic maps;

(3) U.S. Geological Survey quadrangle (~~7.5 minute~~7.5-minute series) contour maps; or

(4) Soil Survey of Franklin County, Ohio, U.S.D.A.

(Ord. 08-021. Passed 4-14-08.)

935.08 STORMWATER SYSTEM SPECIFIC DESIGN SPECIFICATIONS.

(a) Roadway Culverts.

(1) General specifications. The size and shape of the culvert should be such that it will carry a predetermined design peak discharge without the depth of water at the entrance or the velocity at the outlet exceeding allowable limits.

(2) Design procedure. The culvert design procedure recommended for use is Hydraulic Design Series No. 5, U.S. Department of Transportation.

(3) Preferred construction. Single span culverts, including concrete box and slab top are preferred. Multiple cell pipe culverts, when they are the only structures that will meet the physical requirements introduced by rigid headwater controls, will be acceptable

(4) Material. The culvert material shall be concrete, at a minimum diameter of 12 inches. Corrugated steel or metal pipe material will not be allowed.

(5) Drainage area. The drainage area in acres, and the estimated runoff or design discharge in cubic feet per second, and the storm frequency in years shall be shown on the plan for each culvert.

(6) Inlet elevation. The flowline elevation at the culvert inlet should be set deep enough to provide an adequate outlet for future storm sewer improvements upstream.

(7) Design storm frequency (roadway culverts), shall be:

A. 10-year frequency 24-hour storm event for private drives, local and collector streets.

B. 25-year frequency 24-hour storm event for arterial streets.

(8) Design flow. For method of calculation, refer to Table E.

(9) Maximum allowable headwater. The maximum allowable headwater for the design storm shall not exceed or cause any of the following:

A. 18-inches below the top of curb;

B. 12-inches below the edge of pavement;
C. 1.2 times the diameter of culvert; or
D. Diameter or rise plus two feet, in deep ravines.
E. Property Damage – 100-year frequency headwater plus 1-foot, shall not exceed any existing or proposed building first floor elevation.

(10) Manning's roughness coefficient (n). (See Table F at end of this chapter) Manning's Roughness Coefficient (n) should be as given in Table F unless an alternate value is approved by the Engineer.

(11) Entrance loss coefficient (Ke). (See Table F) The Entrance Loss Coefficient (Ke) should be as given in Table F based upon the headwall configuration unless an alternative value is approved by the Engineer.

(12) Minimum cover to subgrade. Should be 30 inches from top of pipe to subgrade.

(13) Maximum allowable outlet velocity, shall be:

Turf Channel 5 f.p.s.
Rock Protection 18 f.p.s.
Notes:

A. When the outlet velocity exceeds 18 feet per second, a stilling basin or other such energy dissipation structure must be used.
B. The downstream channel must have the ability to handle the flow satisfactorily.

(14) Structural design criteria. The structural design criteria for culverts shall be the same as that required by the Ohio Department of Transportation (ODOT).

(15) Emergency flood routing. The manner in which flows greater than the design storm will route over or around the culvert, shall be demonstrated to not create a hazard or to cause potential for erosion or personal property damage. Additional scour protection may be required.

(16) End protection should be as follows:
A. 12-inch through 36-inch culverts – full-height headwall.
B. 42-inch through 84-inch culverts – full height headwall with flared wings.
C. Other special type headwalls must be approved before use.

(b) Storm Sewers. The criteria for designing storm sewer systems are listed:

(1) All storm sewer systems shall be designed using Manning's Equation:

$$Q = \frac{1.49}{n} R^{2/3} S^{1/2} A$$

and

$$Q = AV$$

where :
Q = Rate of discharge (c.f.s.)
A = Area of cross-section of flow (sq.ft.)
V = Mean velocity of flow (f.p.s.)
n = Manning's roughness coefficient
R = A/wp = Hydraulic radius (ft.)
S = Slope of pipe or hydraulic grade line if surcharged (ft./ft.)
wp = Wetted perimeter (ft.)

(2) Design Storm Frequency: shall be
A. 72" and under - flowing full for 2-year storm
B. Over 72" diameter - flowing full for 10-year storm

(3) Hydraulic Gradient requirement: shall be
A. Based on 5-year storm, shall not exceed window or grate elevation for an inlet or catch basin.
B. Grade line based on tailwater or 0.8 D at outlet (whichever is greater) or other critical points within the system.

(4) Design Flow:
A. Areas under 200 acres use Rational Method Q = CiA.
B. Areas between 200 and 300 acres transition between Rational Method and Technical Release 55.
C. Areas over 300 acres use Technical Release 55.
D. Minimum times of Concentration:
1. Curb inlet - 10 minutes
2. Catch basin - 10 minutes

(5) Runoff Coefficient: Based on Table F, with 0.4 as a minimum.

(6) Manning's "n" Value: All storm sewers shall be based on an "n" of 0.013.

(7) Off-site Area: The sewer must be deep enough to receive the flow from all its sources within the watershed.

(8) Size - The size of the sewer must be adequate for flowing full, based on the design storm (see subsection (b)(2), listed above) with the 5-year storm hydraulic grade line contained to the system

(9) Solids: The gradient of the sewer must be sufficient to avoid deposition of solids.

(10) Material: The storm sewer material for municipally maintained sewers shall be concrete, 12-inch minimum size. 8-inch through 15-inch PVC or polyethylene may be used on privately maintained storm sewers. Other material may be used for special design, only if approved for use by the Administrator. Corrugated metal or steel material will not be allowed.

(11) Manholes: The main conduit, if over 24-inches in diameter, will be required to be separated from all curb and gutter inlets unless a special design is approved by the Municipality's Engineer. Furthermore, the main conduit will be

required to be separated from all deep curb and gutter inlets, which have a depth greater than 6.5 feet from invert to the top-of-casting elevation.

(12) Flow Line: Unless otherwise approved by the Municipality's Engineer, the flow line of pipes should be set such that the crown of pipes, at junctions, are at the same elevation; if the outlet elevation permits, the crown of the outlet pipe may be lower. The flowline elevations of sewers should be set to avoid using concrete encasement.

(13) Specifications: Methods of construction and trench backfill shall be as per the requirements of the Municipality and the City of Columbus "Construction and Materials Specifications", latest edition, as approved for use by the Municipality's Engineer.

(14) Submerged pipe outlets: The submergence of a permanent pool of water above the flowline invert elevation of a storm sewer at the outlet is discouraged and shall not be permitted to a depth greater than the ½ the pipe diameter or a depth of two-feet at the outlet, whichever is less. When submergence is allowed upon approval by the Municipality's Engineer, special requirements shall include, but may not be limited to:

A. Submergence "zone" shall not extend beneath pavement.
B. Submergence "zone" shall not extend beyond the first manhole.
C. "O-ring" sealed gasketed pipe joints shall be installed along the storm sewer for the full length of the submergence zone.
D. Anti- seepage collars shall be installed in the submergence "zone".

(15) End protection should be as follows:

A. 12-inch through 36-inch culverts – full-height headwall. If the outlet is not located within a channel bank or within the direct flow path of crossing floodwaters, half-headwalls at the outlet may be used if approved by the Municipality's Engineer. In no instance will half-headwalls be allowed on non-concrete conduit.
B. 42-inch through 84-inch culverts – full height headwall with flared wings.
C. Other special type headwalls must be approved before use.

(16) Minimum Cover to Subgrade:

A. Desirable, under pavement and within influence of traffic load - 30 inches from top of pipe to subgrade.
B. Desirable, beyond influence of traffic loads (standard strength pipe) – 18-inches from top of pipe to ground surface.

(17) Maximum Cover over pipe:

A. The supporting strength of the conduit, as installed, divided by a suitable factor of safety must equal or exceed the loads imposed upon it by weight of earth plus any superimposed loads.
B. The design procedure recommended for use in structural design of storm sewers is outlined within the Design Manual Concrete Pipe, available from American Concrete Pipe Association, wide trench installation.

(18) Encasement: Class A concrete encasement shall be required within the limits of existing or proposed paved areas inside right of way, in areas influenced by traffic loading, or under paved driveway entrances adjacent to right of way as directed by the Municipality's Engineer, where the minimum cover during construction or proposed cover over the outside top of the pipe to top of subgrade is 30 inches or less. In addition, all PVC and polyethylene pipe allowed to be installed in the right of way shall be concrete encased per CMS 910. Any concrete encasement of flexible pipe shall extend from structure to structure.

(19) Velocity in Sewer for Design Flow:

A. 3 fps Minimum
B. 15 fps Maximum
C. No minimum for outlets from ponding areas.

(20) Maximum Length Between Access Structures

A. Pipes under 60-inch – 350 feet
B. Pipes 60-inch and over 500 feet

(c) Curb Inlets.

(1) General. The satisfactory removal of surface water from curbed pavement is as important as any other phase of stormwater control. The spread of water on the pavement for the design storm is considered as the best control for pavement drainage. The design procedure recommended for use is Hydraulic Engineering Circular No. 12, available from the Superintendent of Documents, U.S. Government Printing Office. On combined runs of over 600 feet contributing to a sag vertical curve, an additional inlet may be required near the low point, plus or minus two- tenths foot above the inlet at the sag.

(2) Design storm (curb inlets). The following shall be used:

A. Two-year storm frequency.
B. Rational method of calculation.
C. Ten minutes for minimum time of concentration.
D. 0.015 for roughness coefficient for composite roadway paved and gutter section.
E. Maximum width of spread of flow:

Street Width	Width of Spread
≤ 26 ft.	8 ft.
> 26 ft.	9 ft.

(3) Underdrains: Four (4) inch curb drains connections shall be placed 30- inches below the top of the curb on the up-grade side of the inlet. It is desirable to have the storm sewers, draining to the inlets, set such that the elevation of the top of the sewer is not higher than the top of the 4-inch curb drain.

(d) Open Water Courses.

(1) General Requirement: The requirements in this section are applicable to newly constructed open watercourses that are intended to convey flow to stormwater inlets, stormwater control facilities, Tier I/ II streams, lakes, wetlands, or other water

bodies during precipitation events. A constructed channel shall be shaped or graded to the required dimensions and established with a suitable lining as necessary to convey stormwater runoff without allowing channel erosion. The following guidance documents may be used for evaluation, planning, and design of constructed open watercourses to supplement the design criteria provided in the Manual:

A. NRCS Ohio Practice Standard 412, Grassed Waterways,
B. NRCS Engineering Field Handbook (EFH) Part 650, Chapter 7 - Grassed Waterways,
C. Agricultural Handbook 667, Stability Design of Grass-lined Open Channels, and
D. Federal Highway Administration, 1988, Design of Roadside Channels with Flexible Linings. Hydraulic Engineering Circular No. 15.

(2) Channel Hydrology Requirements. The hydrologic computation methods specified in Table E, 935.07(e), or as specified by the Municipality's Engineer, shall be used to design open watercourses in the Municipality. In most cases, open watercourses shall be designed according to the same method used to design other onsite drainage facilities.

(3) Channel Hydraulic Requirements.

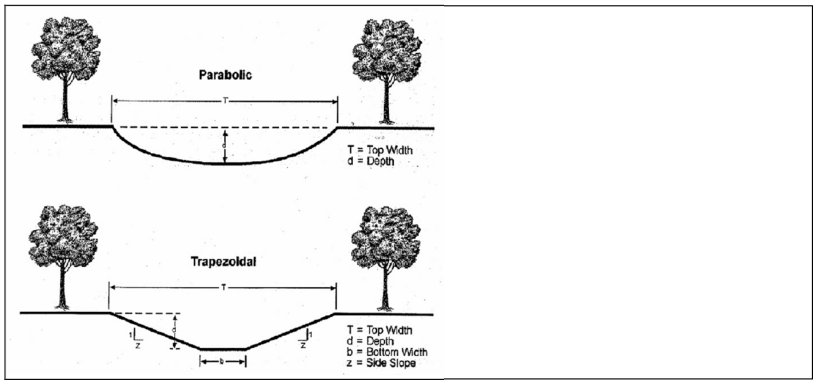
A. Design Storm Frequency: Constructed open watercourses shall be designed to convey the 10-year design storm without causing erosion, sedimentation, or overbank flooding within and along the channel. Criteria in 935.07 (c) shall be used if the channel will also serve as a flood routing channel for the 100-year design storm. Open watercourses may also be designed for stormwater quality control. ODOT's L&D Manual, Drainage Design aids may be used for sizing open conveyances (at various side slopes). A ditch computation sheet shall be used to present open channel calculations.

B. Cross Section Shape: Parabolic and trapezoidal channel shapes (Figure 1) shall be used for open watercourses within development projects. Side slopes shall be 4(H) to 1(V) or milder, with a minimum 2-foot bottom width for trapezoidal channels, unless alternative dimensions are approved by the Municipality due to specific project conditions. Channel cross sections shall be designed such that erosion and sediment deposition is minimized.

C. Design Velocity: An open channel is categorized by its lining. There are three main types of channel linings: vegetated, flexible, and rigid. A vegetative lining, such as grass with mulch and sod and lapped sod, is required where site constraints and flow velocity conditions allow. Flexible linings include rock channel protection and cellular soil retaining mats and are typically less expensive than a rigid lining. The use of flexible linings, however, may require the installation of a filter fabric or other means to protect the underlying soil, prevent washout, and prevent soil piping through the rock when using channel protection. Rigid linings include concrete and rigid block and are usually used where high velocities are unavoidable.

Final design of constructed open channels should be consistent with velocity limitations for the selected channel lining. Maximum velocity values for selected vegetated and non- vegetated lining categories are presented in Table B. The Manning's Equation shall be used to design an open channel that satisfies the maximum velocity criteria in the previous sections:

Figure 1



$V = (1.49/n)\, R^{2/3}\, S^{1/2}$

where:
V = average channel velocity (ft/s)
n = Manning's roughness coefficient
R = hydraulic radius (ft)
= A/P
A = cross-sectional area of the channel (ft^2)
P = wetted perimeter of the channel (ft)
S = slope of the energy grade line (ft/ft)

Recommended Manning's "n" values for open channels with vegetated and non-vegetated linings are provided in Table B.

D. Critical Flow: Open channels shall be designed to flow under subcritical flow conditions at all times. A subcritical flow regime is characterized by a Froude Number less than 1:

Table B

Manning's Roughness Coefficients (n) for Vegetative and Artificial Channels

Channel Lining Category	Roughness Coefficient
Vegetated Lining:	
Seeded	0.03 (for velocity determination only without erosion control matting on all channels) 0.04 (for depth determination along roadside channels only) 0.06 (for depth determination, except along roadside channels)
Sod	0.04 (for velocity determination on all channels) 0.04 (for depth determination along roadside channels only) 0.06 (for depth determination, except along roadside channels)
Flexible Lining:	
Slope Erosion Protection	0.04
Erosion Control Matting	0.04
Grouted riprap	0.02
Rock channel protection (Typical for Type C/D*) Small channels/ditches Large channels	 0.06 0.04
Rigid Lining:	
Concrete	0.015
Bituminous	0.015
Concrete block mat (tied)	0.021

- Note: Increase roughness coefficient by 15% for Type B RCP.

$F = V/(gD)^{0.5} < 1$

where:

F = Froude Number

D = hydraulic depth (ft)

=A/T

A = cross-sectional area of flow (ft^2)

T = top width of water surface (ft)

V = flow velocity (ft/sec)

g = acceleration due to gravity = 32.2feet/sec^2)

The Stormwater Management Report shall demonstrate that the calculated Froude Number is less than 1 over the anticipated range of flow conditions within the channel.

E. Rock Channel Protection Shear Stress Analysis: Type B, C or D rock channel protection shall be provided in accordance with City of Columbus CMSC Section 601.08. Type B, C or D rock channel protection shall only be placed outside of guardrails, barriers or other unobstructed areas provided outside of the traveled way for vehicles to stop safely or regain control. The actual shear stress (r_{ac}) must be less than or equal to the allowable sheer stress (r_a) listed in Table C for the rock channel protection type used. The actual shear stress shall be determined for the channel slope and the depth of flow during a 10-year design storm. The following equation is valid for discharges less than 50 cfs and with slopes less than 10%:

Table C
Allowable Shear Stress for
Rock Channel Protection

Type of Rock Channel Protection	r_{ac} (lbs/$feet^2$)
B	**6**
C	**4**
D	**2**

$r_{ac} = 62.4 * D * S$

where:

D = depth of flow (feet)

S = channel slope (feet/feet)

r_{ac} = actual shear stress (lbs/$feet^2$)

In extreme site conditions, Type B or C rock channel protection shall be utilized for lining channels with steep grades (slopes 10%- 25%) that carry flow from the end of a cut section down to the lowest elevation on the bottom of the channel. FHWA's HEC-15 procedures for steep gradient channels shall be used with a safety factor of 1.5. The Division of Sewerage and Drainage shall be consulted if rock channel protection is proposed in instances where the peak flow during the 10-year design storm is greater than or equal to 50 cfs.

F. Outlets: All constructed open watercourses shall have a structurally sound and stable outlet with adequate capacity to prevent ponding or flooding damage. Portions of open water courses affected by back water from Tier I or Tier II

streams during dry weather flow conditions shall be provided with a stable outlet.

(Ord. 08-021. Passed 4-14-08.)

(e) Stream Corridor Protection Zone:

(1) Purpose: The City has determined that establishing a Stream Corridor Protection Zone along streams is necessary to protect structures from damage caused by natural erosion. Unless otherwise exempt, all development and redevelopment projects that include a portion of a Stream Corridor Protection Zone must minimize alterations of the stream, keep new structures out of the Stream Corridor Protection Zone, and maintain a riparian corridor along the stream to minimize streambank erosion and to protect stream habitat.

(2) Requirements: With the exception of roadside ditches (that carry only immediate right-of-way drainage) and approved roadway crossings, no open channels (natural or man-made) will be enclosed within a storm sewer when an area is developed. This policy will apply even when the open watercourse is located on a property line.

A. Exceptions may be granted by the Administrator for streams when the total tributary drainage area is less than 100 acres, however, this shall not absolve the developer from complying with all applicable state and federal regulations.

B. If exceptions are granted on any project, it will be with the requirement that any enclosure will convey flow from the entire tributary drainage area up to the 10-year recurrence interval. A flood routing flow path must be provided through the development site for all storms greater than the 10-year recurrence interval. This flood routing path must be clearly shown on the site development plans. The applicant shall provide stormwater calculations for the proposed enclosure and flood routing to the Municipality for approval. The enclosure shall not raise the flood elevation on upstream property owners.

(3) Stream Identification: Streams covered under this requirement include all streams shown on USGS ~~7.5 minute~~7.5-minute Quad maps as solid or dashed blue or purple lines or a surface watercourse (either man-made or natural), with a well-defined bed and bank and channel and that conveys in part or in whole stormwater discharge, and which confines and conducts continuous or periodic flowing water. This definition does not include roadside drainage-ways that convey only immediate right-of-way drainage nor does this definition include channels of a temporary nature formed as part of an approved construction activity and that will be removed at the conclusion of construction.

The Applicant shall identify and label all streams within the project site and/or receiving stormwater discharges from the project site on the master drainage plan (see Section 935.03(b)) submitted as part of the Stormwater Management Report. The Applicant shall provide information that supports the classification of the stream on/adjacent to their site. Such information may include, but not be limited to, copies from USGS Quad sheets, photographs, FEMA maps, or soils maps showing the location of a stream and delineation of upstream tributary area.

If the City determines that the submitted evidence is inconclusive, then they may require a site inspection and input from other sources of information including the City Engineer, the U.S. Army Corps of Engineers, Ohio EPA, ODNR, or the Franklin Soil and Water Conservation District. Final determination regarding whether the watercourse or channel meets the classification of a stream for the purposes of this Chapter shall be at the discretion of the City Administrator or ~~his/her~~their designee.

(4) The Stream Corridor Protection Zone consists of the stream and the riparian area along the stream. Its purpose is to allow the natural, lateral movement of open water courses, provide sufficient area for flood conveyance, protect water quality and prevent structures from being impacted by natural streambank erosion. The Stream Corridor Protection Zone is established through designation of a riparian setback boundary that will be required on all natural streams and manmade open channels, as required under subsection 935.08(e)(2) and designated under subsection 935.08(e)(3). A Stream Corridor Protection Zone is not required for a roadside drainage ditch that carries only immediate adjacent right-of-way drainage. (Ord. 13-012. Passed 5-13-13.)

(5) The Stream Corridor Protection Zone shall be created with the establishment of a riparian setback boundary on each side of the open channel. The total width between the setback boundaries shall be established using the following criteria, whichever is greater:

A. The FEMA designated 100-year floodway, or

B. Using the equation below with a minimum of 50-feet (plus channel width; i.e., 25-ft each side of channel, measured from ordinary high water mark) to a maximum of 250-feet (plus channel width). The zone shall be centered on the stream valley generally located at the point where both zone boundaries intersect equal natural ground elevations on either side of the stream. Where topography is flat the zone shall be centered on centerline of the stream:

Stream Corridor Protection Zone, in feet of width[1] = $147(DA)^{0.38}$

Where DA = drainage area of the stream in square miles, or

C. 50-feet plus channel width (i.e., 25-ft each side of channel, measured from ordinary high water mark).

[1]Note: This equation is from Appendix 7 of the "Rainwater and Land Development Manual" by the Ohio Environmental Protection Agency based on regional curve analysis for various watercourses measured in the eastern region of the United States, in studies conducted by Ward (2001), Williams (1986) and Dunne and Leopold (1978).

The Stream Corridor Protection Zone shall consist of three subzones as follows:

Subzone 1 - The ***Stream Channel***: This is the main channel of the stream the banks of which are formed on either side of the stream centerline by the ordinary highwater mark, which is a field determination based feature.

Subzone 2 - The ***Streamside Buffer***: exists on each side of the stream channel and has a cross-sectional width equivalent to 10 % of the Stream Corridor Protection Zone (SCPZ) as determined above, but no less than 25-feet from the ordinary highwater mark. The outer edge of the streamside buffer (on either side of the stream channel) is measured from the ordinary highwater mark.

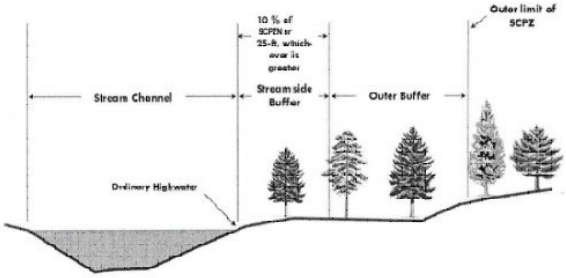
Subzone 3 - The ***Outer Buffer***: exists on each side of the stream channel. The inner edge is contiguous to the streamside buffer boundary and the outer edge establishes the outer boundary of the Stream Corridor Protection Zone.

Figure 2 displays the typical subzones within the Stream Corridor Protection Zone.

Figure 2

(showing only channel and one side of the SCPZ, for clarity)

10% of SCPZ or 25-ft, whichever is greater



The position of the outer boundary of the Stream Corridor Protection Zone may be modified at the Administrator's discretion to more accurately reflect local conditions such as to include known areas of environmental sensitivity in close proximity to channels banks, to include sensitive steep slopes adjacent to a channel edge or to exclude high terrain that is adjacent to a stream valley. Any proposed modifications to the Stream Corridor Protection Zone boundary shall be based on technical guidelines that are available in the office of the City Administrator.

The Stream Corridor Protection Zone must be clearly shown on site development plans.

(Ord. 2021-002. Passed 2-8-21.)

(6) Mitigation: Mitigation required for intrusion into the Stream Corridor Protection Zone shall be determined by the horizontal distance the intrusion encroaches into the Stream Corridor Protection Zone. The extent of horizontal encroachment represented by the intrusion into the Streamside Buffer and the Outer Buffer, will be used to determine the required mitigation. Encroachment into these subzones will require mitigation within the same Watershed Assessment Unit (14-digit HUC scale).

A. Mitigation resulting from State or Federal environmental regulations may be adjusted in recognition of these requirements. All mitigation shall, at a minimum include conserved or restored setback zone, and should be designed to maximize the ecological function of the mitigation. Including mitigation at the stream edge along with associated setback areas is one way to maximize ecological function. Mitigation shall be protected in perpetuity by binding conservation easements or environmental covenants. Granting of binding conservation easements or environmental covenants protected in perpetuity for land outside of disturbed area, but within a required riparian setback may in itself, at the discretion of the City Administrator, count towards required mitigation.

B. Unless otherwise approved by the Administrator, the standard form of mitigation for disturbance in the Stream Corridor Protection Zone shall at a minimum include reforestation/replanting activities within the Stream Corridor Protection Zone. The mitigation activity should include removal of invasive species and their replacement with native vegetation, if invasive species are a significant feature to the landscape within the Stream Corridor Protection Zone. Granting of binding conservation easements or environmental covenants protected in perpetuity for land outside of disturbed area and outside AND contiguous to the Stream Corridor Protection Zone, may count toward mitigation.

C. The City Administrator may at ~~his/her~~their discretion, allow for a stream restoration project to serve as the mitigation form, in lieu of or to supplement mitigation of land area by reforestation/replanting, provided that the proposed stream segment is in a degraded condition state (in the opinion of the City) and that it is in the public's best interest to restore this stream's form and ecological function. If this type of mitigation is allowed, it shall be designed by a registered Engineer in the State of Ohio. The design shall be subject to review and approval by the City Administrator or their designee.

D. Mitigation performance standards shall be met to the satisfaction of the City Administrator and based on Technical Guidelines for Mitigation, which are available in the office of the City Administrator.

E. Species selection for reforestation, if made part of a mitigation effort, shall follow the City's list of "Species of Plants and Shrubs recommended for stabilizing flood prone areas", which are included in the City's Technical Guidelines for Mitigation.

F. All mitigation activities and standards and specifications shall be illustrated on a plan that is to be submitted for review and approval to the City Administrator or their designee. The standard for plan content is contained in the Technical Guidelines for Mitigation document that is available in the office of the City Administrator. This document contains a mitigation protocol that outlines City preferences as to nature and extent of mitigation. Moreover, this document contains resources relating to stream restoration.

(7) Construction Requirements: The following conditions shall apply to all Stream Corridor Protection Zones:

A. Except as otherwise provided in this regulation, the Stream Corridor Protection Zone shall be preserved in its natural state.

B. Prior to any soil disturbing activity, the Stream Corridor Protection Zone shall be clearly delineated by the applicant or their designated representative on the site. Such delineation shall also be identified on the Erosion and Sediment

Pollution Control Plan (see Chapter 1399) and this delineation shall be maintained throughout soil disturbing activity.

C. No later than the conclusion of construction, the applicant shall permanently delineate the Stream Corridor Protection Zone in an aesthetically harmonious manner, approved by the Administrator, such that the location of the riparian setback boundary defining the Stream Corridor Protection Zone is apparent to the casual observer and that permits access to the zone.

D. Language preventing property owners from constructing facilities and performing activities that are prohibited within the Stream Corridor Protection Zone shall be shown on the plat or separate instrument and reflected on all deeds.

E. Land contained within the Stream Corridor Protection Zone may, at the applicant's option and if approved by City Council, be deeded in fee simple to the City. Alternatively, the land contained within the Stream Corridor Protection Zones shall be preserved via dedicated and binding conservation easement, environmental covenants, or reserve. If the land is deeded in fee simple to the City, then as a condition to acceptance the City may require the developer to provide an access improvement and/or access easement to be dedicated to the City through the subject development site, at the discretion of the City.

F. The applicant shall obtain all necessary permits from the Army Corps of Engineers, Ohio EPA, and other regulatory agencies. The applicant is responsible for all permitting fees.

(8) Post-Construction Requirements:

A. Permitted Uses and Activities. No use or activity permitted under these regulations shall be construed as allowing trespass on privately held lands.

1. Passive Uses. Uses that are passive in character shall be permitted in the Stream Corridor Protection Zone, including, but not limited to, passive recreational uses, as permitted by federal, state and local laws, such as hiking, fishing, picnicking, and similar uses. Construction of paved trails to further such passive recreation uses is also permitted; however, trails that become damaged due to natural erosion shall not be repaired but shall be moved upland or removed altogether.
2. Removal of Damaged or Diseased Trees. Damaged or diseased trees may be removed. Due to the potential for felled logs and branches to damage downstream properties and/or block watercourses or otherwise exacerbate flooding, logs and branches resulting from the removal of damaged or diseased trees that are greater than 6-inches in diameter at the cut end shall be cut into sections no longer than 6-feet, anchored to the shore or removed to a location no closer than 25 feet from channel bank.
3. Vegetation removal on existing levees and dikes.
4. Revegetation and/or Reforestation. Revegetation and/or reforestation of the Stream Corridor Protection Zone using species pursuant to the City's list of "Species of Plants and Shrubs recommended for stabilizing flood prone areas", which is contained in the City's Technical Guideline for Mitigation, available from the Office of the City Administrator. Proper species selection is dependent on soil conditions, available water and amount of sun exposure. Proper species selection will take into account these factors.
5. Public Utilities. Sanitary sewer, storm sewer pipe and/or water lines that are public utilities and public utility transmission lines may be located within the Stream Corridor Protection Zone and disturbances therein necessary to place and/or maintain such utilities are also authorized. The placement, construction and maintenance of such utilities shall minimize disturbance to riparian areas and shall mitigate any necessary disturbances per subsection 935.08 (e)(6) of this chapter. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type. Stormwater pipe outfalls may be allowed within the Stream Corridor Protection Zone only where it is shown that elevations do not accommodate their position at a point outside the Stream Corridor Protection Zone; the construction and location of a stormwater pipe outlet within the Stream Corridor Protection Zone must have prior approval of the City Administrator.
6. Private Utilities. New Private utilities such as electric or telecommunication lines being either elevated or running perpendicular to the stream, and gas or cable TV conduit that runs perpendicular to the stream may be located in the Stream Corridor Protection Zone and disturbances therein necessary to place and/or maintain such facilities are authorized, unless prohibited by existing conservation easements or environmental covenants. However, the following related private utility features are not permitted within the Stream Corridor Protection Zone: substations and their appurtenances that support private utilities. The placement, construction and maintenance of such above-described permitted private utilities shall minimize disturbance to riparian areas and shall mitigate any necessary disturbances per subsection 935.08 (e)(6) of this chapter. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type.
7. Public Roadways. Public roadways may cross the Stream Corridor Protection Zone and disturbances therein necessary to place and/or maintain the roadways are authorized. The placement, construction and maintenance of the roadway shall minimize disturbance to riparian areas and shall mitigate any necessary disturbances per subsection 935.08 (e)(6) of this chapter. There shall be no more than two roadway encroachments (including crossings) into the Stream Corridor Protection Zone within any proposed development. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type. Construction of Public Roadways in FEMA-designated floodplains shall conform with permitting requirements and standards contained in Chapter 1341 "Flood Damage Prevention".
8. Private driveways. Private driveways may be located in the Stream Corridor Protection Zone to access land uses not within the Stream Corridor Protection Zone, provided no feasible alternative that does not involve

encroachment is possible in the opinion of the City Administrator, and provided that the driveway width does not exceed 24-feet - unless otherwise approved by the City Administrator - and their placement within the Stream Corridor Protection Zone is minimized. No more than one private drive crossing of a stream within the Stream Corridor Protection Zone will be allowed on an individual tax parcel or if the development of that parcel is part of a larger common plan of development, then no more than two private drive crossings will be allowed for all tax parcels that are a part of that larger common plan of development. Private drive construction shall minimize disturbance to riparian areas and shall mitigate all disturbances per subsection 935.08 (e)(6) of this chapter. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type. Construction of private drives in FEMA-designated floodplains shall conform to permitting requirements and standards contained in Chapter 1341 "Flood Damage Prevention". This permitted use shall not include parking lots, which are a prohibited use within the SCPZ.

9. Stormwater Detention Facilities. Detention facilities may be located within the Outer Buffer subzone, provided:
   a. The facility is not located in the existing 100-year floodplain area, and
   b. Riparian area disturbance will be minimized, and all disturbances shall be mitigated per subsection 935.08(e)(6) of this chapter.
10. Stream restoration and/or stream relocation projects: construction activities associated with these type of activities may be allowed, provided they are appropriately permitted.
11. Floodplain recovery/restoration projects. Projects that recover and otherwise restore the floodplain form and function are permitted provided they are appropriately permitted. Any lands within the Stream Corridor Protection Zone that are modified under this permitted use shall include reforestation of the impacted landscape per subsection 935.08 (e)(6) of this chapter.
12. Emergency Channel Maintenance Activity. Emergency activities intended to restore and/or maintain the function and flood carrying capacity of the main channel area may be permitted, subject to authorization by the City Administrator and, if applicable, by appropriate state and/or federal agency(ies). Such activity may include, but not be limited to removal of offending trees or brush or the accumulation of sediment in the main channel that is necessary to restore flow carrying capacity of the main channel.
13. Disturbance resulting from permitted stream and/or wetland mitigation projects is permitted, provided that mitigation is applied to offset impacts to local wetlands, per subsection 935.08(e)(6) of this chapter.
14. Disturbances in the Stream Corridor Protection Zone necessary to accomplish the uses described in paragraphs 1 through 12 of this subsection are also authorized. However, all such disturbances shall be minimized and any necessary disturbances shall be mitigated per subsection 935.08(e)(6) of this chapter

B. Prohibited Uses and Activities. Any use not authorized under these regulations shall be prohibited in the Stream Corridor Protection Zone. By way of example, the following uses are specifically prohibited, however prohibited uses are not limited to those examples listed here:

1. There shall be no buildings/structures (except permitted bridges), swimming pools, signs, billboards, fences, or other structures deemed unacceptable by the City Administrator.
2. Dredging or Filling. There shall be no drilling, filling, dredging, grading, or dumping of soils, spoils, or solid materials, except for fill associated with permitted uses listed in subsection 935.08 (e)(8)(A)(1 through 14) above. Floodplain fill activity must be compliant with the City's permitting requirements contained in the Chapter 1341 "Flood Damage Prevention".
3. Unless otherwise associated within a Permitted Use under subsection 935.08(e)(8)(A), no structural sediment controls (e.g., the installation of silt fence or a sediment settling pond) or structural post-construction controls shall be used in the following subzones of the Stream Corridor Protection Zone:
   a. Stream channel subzone
   b. Streamside Buffer subzone
   c. Areas in the Outer Buffer subzone that are within the existing 100-year floodplain area., as defined by FEMA. Activities and controls that would not impair the floodplain or stream stabilizing ability of the outer buffer can be considered.
4. Motorized Vehicles. There shall be no use of motorized vehicles except as needed for activities associated with those listed in subsection 935.08 (e)(8)(A)(1 through 14) above.
5. Parking Lots. There shall be no parking lots or storage of vehicles or other human made impervious cover except as allowed above.
6. Stormwater Detention Facilities. Stormwater detention facilities are not allowed within the following subzones of the Stream Corridor Protection Zone:
   a. Stream channel subzone
   b. Streamside Buffer subzone
   c. Areas in the Outer Buffer subzone that are within the existing 100-year floodplain area, as defined by ~~FEMA..~~FEMA.
7. Stormwater Pipe Outfalls, including headwalls, endwalls, and associated outlet open ditches should be located outside the Stream Corridor Protection Zone, where feasible and elevations permit, unless otherwise approved by the Administrator. Stormwater pipe outfalls shall discharge into a structural level spreader or a constructed open channel with appropriate protection from erosion that should also be outside the Stream Corridor Protection Area.
8. Private Utility lines and pipes that run parallel to the stream shall not be located in the Stream Corridor Protection Zone. Moreover, the following related private utility features are not permitted within the Stream Corridor Protection Zone: substations and their appurtenances that support private utilities.
9. Platted Lots. No part of any lot to be developed will be located within the Stream Corridor Protection Zone.

10. Other prohibited uses, unless otherwise designated a permitted or conditional use by the City, including:
    a. Agriculture
    b. Industry/commercial
    c. Removal of topsoil, sand, gravel, rock, oil, gas
    d. Application of herbicides/pesticides

C. Non-conforming Uses and Structures within the Stream Corridor Protection Zone.

1. A non-conforming use, existing at the time of passage of this regulation and within a Stream Corridor Protection Zone that is not permitted under this regulation may be continued but shall not be changed to a new use or enlarged unless changed to a use permitted under this regulation.
2. A non-conforming use, existing at the time of passage of this regulation and within a Stream Corridor Protection Zone that is not permitted under this regulation may be continued but shall not have the existing building footprint or roofline expanded or enlarged.
3. A non-conforming use, existing at the time of passage of this regulation and within a Stream Corridor Protection Zone that has substantial damage and that is discontinued, terminated, or abandoned for a period of six (6) months or more may not be revived, restored or re-established. "Substantial damage" means damage of any origin sustained to a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred

D. Maintenance of the Stream Corridor Protection Zone.

1. Disturbance of Natural Vegetation. There shall be no disturbance of the natural vegetation at any time, including during construction of the remainder of the site, except for such conservation maintenance that the landowner deems necessary to control noxious weeds; for such plantings as are consistent with these regulations; for removal of invasive species and their replacement with native vegetation; and for the passive enjoyment, access, and maintenance of landscaping or lawns existing at the time of passage of these regulations except as need for activities associated with those listed above.
2. Recommended Vegetation for Stabilizing Flood-prone Areas. Proper selection of species for stabilization of flood-prone areas is dependent on several factors, including soil conditions, available water and amount of sun exposure. Proper species selection and installation will take into account these factors. Refer to the City's list of "Species of plants and shrubs recommended for Stabilizing Flood Prone Areas", which is contained in a Technical Guideline for Mitigation, available in the office of the City Administrator.

(9) Appeals relating to provisions of this subchapter involving the Stream Corridor Protection Zone. Any person may appeal decisions or interpretations of the City Administrator, or ~~his~~ their designee, issued in connection with the enforcement of any provisions of Section 935.08 (Stream Corridor Protection Zone) or request variances therefrom, provided that such person shall file in the office of the City Administrator, along with the fees established by Council for appeals and variances, a written petition to the Appeals Board as provided below.

A. The Appeals Board. The Appeals Board established under Section 939.24, shall hear and determine appeals of or variances to this Section 935.08 (Stream Corridor Protection Zone) and relating only to requirements under Section 935.08 and, upon receipt of a petition setting forth the requirements of Section 939.26 and the required fee(s), the Appeals Board shall set a time and place for a public hearing and shall give the petitioner written notice thereof. At the hearing, the petitioner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified or denied or a variance granted.

After a hearing, the Appeals Board shall sustain, modify or deny any item appealed or grant a variance by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the petitioner and the City Administrator shall be notified in writing of such findings.

The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the City Administrator. The record shall also include a copy of every notice, order or variance issued in connection with the matter.

B. The failure of the petitioner or ~~his~~ their representative to appear and state ~~his~~ their case at any hearing shall have the same effect as if no petition had been filed.

C. Filing fees required by this section shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal unless such petition shall have been withdrawn prior to the date set for such hearing.

D. Contents of Petition for Appeal.

1. The complainant shall set forth in the petition for appeal, the interpretation, ruling or order appealed from, and the related provisions of this chapter or related laws or ordinances, and shall state wherein the interpretation, ruling, or order is erroneous. If the appeal is a request for variance, the petition shall point out the provision or provisions from which the variance is sought and how the request satisfies the requirements of this section.
2. Petitions to the Appeals Board, in appeals filed in accordance with Section 939.25(a), may only be based on one of the following grounds:
    a. The interpretation, ruling, or order is erroneous or constitutes an erroneous application of the particular provisions of this chapter or other related laws or ordinances pertaining to stormwater management, or is otherwise contrary to law, or
    b. A variance is necessary and feasible and meets all of the following conditions:
        i) Good and sufficient cause based on an unreasonable burden or hardship has been proven;

ii) The degree of variance is the minimum necessary to afford relief from the unreasonable burden or hardship imposed by this chapter or standards, specifications, requirements, regulations, and procedures adopted pursuant to this chapter;

iii) The variance may be granted without defeating the public health, safety, and welfare purposes and intent of this chapter or related laws or ordinances pertaining to stormwater management and finance.

(Ord. 13-012. Passed 5-13-13.)

(f) Detention Facilities.

(1) Ownership and maintenance. The owner and thus responsible party to provide maintenance and operation of a stormwater management facility (i.e., detention, retention basin, etc.), whether public or private, shall be determined to the satisfaction of the Municipality prior to the acceptance by the Municipality's Council of the relevant subdivision plat and the acceptance of the final engineering and construction plan. No lot sales will be permitted until this is done.

(2) Location. All stormwater management facilities will be located in a reserve/open space as shown on the preliminary plat and final plat and will be owned by a homeowners association or an entity otherwise approved by the Municipality's Council.

(3) Types of facilities. In development and developing urban and suburban areas, several means for controlling stormwater runoff could be used. This usually involves storing runoff on or below the ground surface. The following types of storage facilities may be considered for detention and are subject to approval by the Municipality's Engineer: rooftops, parking lots, underground tanks and surface basins or ponds (i.e., dry or wet detention) and man-made stormwater wetland systems:

A. Parking Lot Storage. Parking lot storage is surface storage where shallow ponding is designed to flood specific graded areas of the parking lot. Controlled release features are incorporated into the surface drainage system of the parking lot. Parking lot storage is a convenient multi-use structural control method where impervious parking lots are planned. Design features include small ponding areas with controlled release by pipe-size and slope, and increased curb heights.

The major disadvantage is the inconvenience to users during the ponding function. This inconvenience can be minimized with proper design consideration. Clogging of the flow control device and icy conditions during cold weather are maintenance problems. Parking lot design and construction grades are critical factors. This method is intended to control the runoff directly from the parking area, and is usually not appropriate for storing large runoff volumes.

1. Ponding areas in parking or traffic areas shall be designed for a maximum potential depth of twelve (12) inches.
2. Flood routing or overflow must occur after the maximum depth is reached.

B. Tank Storage Tank storage utilizes an underground tank or chamber, either prefabricated or constructed in place, which has a special controlled release feature. This method is most applicable where land area is valuable, such as in industrial and commercial areas. Construction cost and operation costs, make this method relatively expensive. Storage trenches, a variation on basic tank storage, are rock-filled underground storage tanks. The storage is provided within the void spaces between the rock material.

C. Surface Basin - Wet Detention (pond) Wet Detention Basins (Ponds) are permanent ponds where functional stormwater management storage is provided above the normal water level with special features for controlled release. Historically, wet detention basins have proven extremely effective in abating increased runoff and channel erosion from urbanized areas. They are a major Soil Conservation land treatment practice.

Some problems encountered with wet detention basins are: site reservation (land requirements), permanent easements, complexity of design and construction, safety hazards and maintenance problems. Because of large land requirements, and the necessity of maintaining a permanent pool of water, wet detention basins have a broader application for in-stream control where large watershed areas are involved compared to their use as on-site facilities for small urban areas. However, the recreational and aesthetic benefits of permanent wet detention ponds may justify certain on-site applications. A five (5) foot chain link fence may be required where a wet retention basin is to be constructed adjacent to an existing single-family development for that part along the existing single-family section.

1. The Municipality encourages use of fountains for aeration and reserves the right to require such an appurtenance as a condition to plan approval.
2. The steepest side slopes for a Wet Detention basin should be:
   i. 2:1 horizontal to vertical - below permanent storage, and
   ii. 6-foot wide, 2-foot deep submerged bench at waters edge around perimeter of pond, and
   iii. 5:1 horizontal to vertical - above permanent storage.
3. Unless otherwise approved by the Municipality's Engineer, a minimum of 20 % of the pool area should be ten-feet deep for water-quality benefit.
4. Rock Channel Protection Type D, may be required to be placed at the normal water elevation, around the entire perimeter of the basin, five feet wide, centered on the normal water elevation.
5. Debris-control structures: Debris-control structures may be required and should be considered as an essential part of the design. The procedure recommended for use is Hydraulic Engineering Circular No. 9, available from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. For dams and ~~levies~~levees over ten feet in height, refer to Section 1521.062, O.R.C.

D. Surface Basin – Dry Detention Dry detention basins are surface storage areas created by constructing a typical excavated or embankment basin. There is no normal pool level and a specific controlled release feature is included to control the rate of discharge.

Dry detention basins are a widely used method of stormwater management. The soil permeability and

water storage potential are not as important with dry detention basins as with wet detention. Therefore, dry detention basins have the greatest potential for broad applications. They can be utilized in small developments because they can be designed and constructed as small structures or can be integrated into open, usable spaces for multi-use purposes such as recreation and parks.

1. The steepest side slopes for a Dry Detention basin should be 5:1.
2. Dry detention basin bottoms shall be sloped to drain, and such slopes shall be sufficient to mitigate against "flat spots" developing due to construction errors and soil conditions; or, bottoms shall be paved. The absolute minimum transverse slope the bottoms of such facilities shall be 0.50 %, and 2.0 % is the recommended transverse slope. All transverse bottom slopes flatter than 1 ½ % to and including 0.5 %, should be lined with 6-inch minimum thickness concrete, reinforced with steel mesh to accommodate temperature stresses, of air-entrained Class C concrete, and with synthetic linseed oil waterproofing treatment.
3. Invert ditches within dry detention basins, from the inlet to the outlet of all structures shall be paved if the slope is less than 0.50 %. Such ditches shall be paved with 6-inch minimum thickness concrete paving reinforced with steel mesh to accommodate temperature stresses, of air-entrained Class C concrete, and with synthetic or linseed oil waterproofing treatment. Minimum depth of paved invert ditch should be 1 foot.
4. Debris-control structures. Debris-control structures may be required and should be considered as an essential part of the design. The procedure recommended for use is Hydraulic Engineering Circular No. 9, available from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. For dams and ~~levies~~levees over ten feet in height, refer to Section 1521.062, O.R.C.

E. Man-made Stormwater Wetland system: This technique involves a stormwater management facility that is intended to provide a water-quality benefit and incorporates a wetland system for water treatment. Use of this type of system must first be discussed with and reviewed by the Municipality's Engineer prior to design to determine acceptance by the Municipality. Suggested design guidelines include:

1. Urban Runoff Quality Management: WEF Manual of Practice No. 23 and ASCE Manual and Report on Engineering Practice No. ~~87,~~87. Water Environment Federation and American Society of Civil Engineers, 1998.
2. Design of Stormwater Wetland Systems: Guidelines for Creating Diverse and Effective Stormwater Wetland Systems, Thomas R. Schueler, Anascotia Restoration Team, Department of Environmental Programs, Metropolitan Washington Council of Governments, October 1992.

(Ord. 08-021. Passed 4-14-08.)

935.09 ROUTINE AND REMEDIAL MAINTENANCE.

Owners of properties with stormwater Best Management Practices (BMPs) are responsible for operation and maintenance as specified in Section 935.12. The Municipality shall provide for inspection and routine maintenance of storm drainage facilities that have been accepted for maintenance by the Municipality. Maintenance may include stormwater conveyance-related structure cleaning and repair. For other storm drainage facilities not accepted for maintenance by the Municipality, the Municipality may provide for remedial maintenance of facilities based upon the severity of stormwater problems and potential hazard to public health and safety, through the abatement procedures described in Section 935.10. For the purposes of this Chapter, maintenance associated with privately owned retention/detention basins including, but not limited to, mowing, rivulet repair, basin bottom fill, seeding, fertilizing and/or algae removal, are neither considered "potentially hazardous" to the public nor are they considered "severe" stormwater problems, and maintenance will not be provided by the Municipality except in case of public emergency as determined by the Municipality.
(Ord. 11-015. Passed 5-9-11.)

935.10 ABATEMENT PROCEDURES.

(a) Notice To Correct Improper Drainage.

(1) Whenever the Municipality shall find that (i) a tract of land is inadequately drained, or (ii) there is excessive erosion or sedimentation upon such land or (iii) that there is an obstruction to or from a culvert, or water course upon such land that interferes with water naturally flowing therein or (iv) that such culvert, storm sewer or watercourse is of insufficient capacity to reasonably accommodate the flow of water, as required by this chapter, the Municipality shall notify the owner or person having possession, charge, or management of such land to remove the obstruction, provide adequate drainage, fill or drain such land, enlarge the culverts, drains or watercourses, mitigate excessive erosion or sedimentation and/or accomplish any other act determined by the Municipality's Engineer necessary to further the purposes of this chapter. Such notice shall be served to such persons by personal delivery, by registered mail at the last known place of residence, or by posting on the premises.

(2) The owner must comply with the Municipality's orders within the time specified and not to exceed 30 days. Failure to comply with such order shall constitute an unlawful act. Each additional day thereafter during which the owner fails to carry out the order of the Municipality shall constitute a separate offense.

A. In any case where a condition described above exists for more than 30 days after service of notice, the Administrator may direct the owner to fill or drain such land, remove any obstruction and, if necessary, enlarge the culverts, drains, or watercourses to meet the requirements of this chapter.

B. In the event an owner fails or refuses to comply with the Administrator's directive, the Municipality may provide for the performance of the required work and charge the owner the abatement costs.

C. Each and every owner of real property in the Municipality consents to the entry upon any real property in the Municipality for all reasonable times during normal business hours for the purpose of inspection, repair or maintenance required by this chapter.

(3) Non-action by the Municipality to observe or recognize hazardous or unsightly conditions or to recommend denial of a permit or zoning change shall not relieve the owner or person having possession, charge or management of such land from the responsibility for the condition or damage resulting therefrom, and shall not result in the Municipality, its

officers or agents being responsible for any condition or damage resulting therefrom.

(4) Nothing in this chapter shall be construed as authorizing any person to maintain a private or public nuisance on ~~his~~ their property, and compliance with the provisions of this chapter shall not be a defense in any action to abate such nuisance.

(5) Nothing in this chapter shall be construed to prevent immediate action by the Municipality in emergency situations. In case of an emergency, the Municipality may direct that action be taken immediately to correct the condition or abate the activity to protect the public health, safety, and welfare. The Municipality may perform the required work and charge the owner the abatement costs.

(b) Abatement Costs.

(1) The Municipality shall account for all costs associated with an emergency or abatement including, but not limited to, administration, notification, inspection, serving of papers or documents, legal counsel, force account labor and/or materials, enforcement, operational services, and outside contracted services. These costs shall be billed at the discretion of the Administrator. This section shall not be construed to relieve the owner of any penalties prescribed by other sections of this chapter.

(2) Notice of such assessment shall be given to the owner of the lot or land charged therewith and the occupant by mailing such notice to the address utilized by the County Treasurer for billing purposes and by posting a notice of assessment at the subject premises. Service may also be made in any manner provided for service of summons by the Ohio Rules of Civil Procedure. All assessments not paid within ten days after such mailing and posting, after approval by Council, shall be certified by the Clerk of Council to the County Auditor to be placed on the tax duplicate and collected as other taxes are collected.

(Ord. 08-021. Passed 4-14-08.)

935.11 ILLICIT DISCHARGE TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM.

(a) A person commits an offense if the person introduces, or causes to be introduced, into the municipal separate storm sewer system (MS4), any discharge that is not composed entirely of stormwater.

(b) It is an affirmative defense to any enforcement action for a violation of subsection (a) that the discharge was composed entirely of one or more of the following categories of discharges:

(1) A discharge authorized by, and in full compliance with, an NPDES permit (other than the NPDES permit for discharges from the MS4);

(2) A discharge or flow resulting from fire fighting by the Fire Department;

(3) A discharge or flow of fire protection water that does not contain oil or hazardous substances or materials that the Fire Code requires to be contained and treated prior to discharge, in which case treatment adequate to remove harmful quantities of pollutants must have occurred prior to discharge;

(4) Agricultural stormwater runoff;

(5) A discharge or flow from water line flushing or disinfection that contains no harmful quantity of total residual chlorine (TRC) or any other chemical used in line disinfection;

(6) A discharge or flow from lawn watering or landscape irrigation;

(7) A discharge or flow from a diverted stream flow or natural spring;

(8) A discharge or flow from uncontaminated pumped groundwater or rising groundwater;

(9) Uncontaminated groundwater infiltration (as defined at 40 C.F.R. 35.2005(20)) to the MS4;

(10) Uncontaminated discharge or flow from a foundation drain, crawl space pump, or footing drain;

(11) A discharge or flow from a potable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;

(12) A discharge or flow from air conditioning condensation that is unmixed with water from a cooling tower, emissions scrubber, emissions filter, or any other source of pollutant;

(13) A discharge or flow from individual residential car washing;

(14) A discharge or flow from a riparian habitat or wetland;

(15) A discharge or flow from cold water (or hot water with prior permission of the Administrator) used in street washing or cosmetic cleaning that is not contaminated with any soap, detergent, degreaser, solvent, emulsifier, dispersant, or any other harmful cleaning substance; or

(16) Drainage from a private residential swimming pool or hot tub/spa containing no harmful quantities of chlorine or other chemicals. Drainage from swimming pool filter backwash is prohibited;

(17) A discharge or flow of uncontaminated storm water pumped from an excavation or existing pond.

(c) No affirmative defense shall be available under subsection (b) if:

(1) The discharge or flow in question has been determined by the Municipal Engineer to be a source of a pollutant or pollutants to the waters of the United States or to the waters of the State or to the MS4;

(2) Written notice of such determination has been provided to the discharger;

(3) The discharge has continued after the expiration of the time given in the notice to cease the discharge;

(4) A person commits an offense if the person introduces or causes to be introduced into the MS4 any harmful quantity of any substance.

(d) Definitions. For the purpose of this chapter, certain rules or word usage apply to the text as follows:

(1) Municipal Separate Storm Sewer System (MS4): "Municipal Separate Storm Sewer System" or "MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

A. Owned or operated by the Municipality;

B. Designed or used for collecting or conveying storm water;

C. Which is not a combined sewer; and

D. Which is not part of a Publicly Owned Treatment Works (POTW) as defined by Title 40 Code of Federal Regulations Part 122.2 (40 CFR 122.2).

(e) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 08-021. Passed 4-14-08.)

935.12 POST CONSTRUCTION STORMWATER BEST MANAGEMENT PRACTICES, OPERATION AND MAINTENANCE.

(a) Operation and Maintenance Plan.

(1) The developer/property owner shall prepare an Operation and Maintenance Plan meeting the minimum requirements of the latest version of the Ohio EPA NPDES Construction Stormwater Permit for redevelopment and new development projects wherein construction activities will result in the disturbance of one or more acres.

(2) The Operation and Maintenance Plan shall be submitted by the developer/property owner to the Municipality for review and approval prior to the Municipality issuing the building permit.

(3) The Operation and Maintenance Plan must be a stand-alone document which includes the following:

A. A designation of the entity responsible for with providing the Best Management Practices (BMP(s) inspection and maintenance.

B. An identification of the routine and non-routine maintenance tasks to be undertaken.

C. The establishment of a schedule for inspection and maintenance tasks.

D. The provision of any necessary legally binding maintenance easements and agreements that are necessary to properly inspect and maintain the BMP(s).

E. The provision of a map showing the location of the BMP(s) that are indicated on the Municipality approved Storm Water Pollution Prevention Plan (SWPPP) and any necessary access and maintenance easements.

F. The provision of detailed BMP drawings and inspection and maintenance procedures.

G. An assurance from the developer/property owner that the collected pollutants resulting from BMP(s) maintenance activities are disposed of in accordance with local, state and federal guidelines.

(b) Inspection and Maintenance Agreement. An Inspection and Maintenance Agreement shall be made between the Owner and the Municipality ensuring that the BMP(s) shall be properly inspected and maintained and shall be included within the Operation and Maintenance Plan.

(c) Inspection. Personnel identified within the Operation and Maintenance Plan shall inspect the BMP(s) to ensure proper functionality and determine if maintenance is necessary.

(1) At a minimum, inspections are to be conducted annually, or more frequently as specified within the Operation and Maintenance Plan.

(2) Written inspection reports summarizing the BMP(s) inspection observations and maintenance requirements are to be submitted to the Municipality within thirty days after each inspection.

(d) Maintenance. All BMPs are to be maintained according to the measures outlined within the Operation and Maintenance Plan.

(1) The Owner shall ensure that the collected pollutants resulting from BMP maintenance activities are disposed of in accordance with local, state and federal guidelines.

(2) The Owner shall make necessary repairs within thirty days of their discovery as identified within the inspection reports or through a request from the Municipality resulting from inspections conducted by the Municipality.

(3) Maintenance activities performed are to be documented on a written report and submitted to the Municipality.

(4) In addition to any applicable provisions of Sections 935.09, 935.10 and 935.99, the Owner shall grant permission to the Municipality to enter the property and inspect the BMP(s) whenever the Municipality deems necessary. In an event of any default or failure by the Owner in properly maintaining the BMP(s) in accordance with the approved Operation and Maintenance Plan, or should an emergency occur, the Municipality, in its sole discretion, after providing reasonable notice to the Owner, may enter the property and take whatever steps necessary to correct deficiencies and charge the cost of such repairs to the Owner. Nothing herein shall obligate the Municipality to maintain the BMP(s).

(Ord. 11-015. Passed 5-9-11.)

935.99 PENALTY.

(a) Any person or entity having been determined to violate this chapter or who enters a plea to a violation thereof shall be guilty of a minor misdemeanor. Each day such violation continues shall constitute a separate offense.

(b) The imposition of any fine or penalty pursuant to this chapter shall not preclude the Law Director from instituting any appropriate legal proceeding and pursuing any and all available legal remedies in a Court of proper jurisdiction to correct or abate a violation, require compliance with this chapter or other applicable chapters, ordinances, regulations or rules of the Municipality or State of Ohio as determined to be appropriate by the Law Director.
(Ord. 08-021. Passed 4-14-08.)

TABLE E
ACCEPTABLE METHOD OF CALCULATION

DRAINAGE AREA (ACRES)	STORMWATER QUANTITY				
	PEAK DISCHARGE ONLY	PEAK DISCHARGE AND TOTAL RUNOFF VOLUME		STORAGE VOLUME	
		HOMOGEN. LAND USE	NON-HOMOGEN.	HOMOGEN.	NON-HOMOGEN.
LESS THAN 200	RATIONAL OR PEAK DISCHARGE	PEAK DISCHARGE	(*)TABULAR HYDRO- GRAPH	GRAPHICAL	(*) STORAGE-INDICATION
200 TO 300	PEAK DISCHARGE				
GREATER THAN 300	(*) TABULAR HYDROGRAPH			(*)STORAGE-INDICATION	

*Note: The "Tabular Hydrograph" and "Storage-indication" methods are preferred and are normally used to check drainage calculations submitted to the Engineer

Method References:
Rational: (Q = CIA); M.O.R.P.C., Stormwater Design Manual, 1977
Graphical: Ibid., Pg. 143
Peak Discharge: U.S. Department of Agriculture, Soil Conservation Service, Urban Hydrology for Small Watersheds, Technical Release No. 55, 1986
Storage – Indication: M.O.R.P.C., Stormwater Design Manual, 1977, Pg. 143.
SCS TR-20 and US Army COE's HEC-1
Tabular Hydrography: SCS TR-55, Chap. 5
SCS TR-20
US Army COE's HEC-1
USGS regression equations for Central Ohio may be used, where applicable, for estimating peak flows for culvert design and to estimate peak release rates.

TABLE F
DESIGN COEFFICIENT FOR ROADWAY CULVERTS

TYPE STRUCTURE	MANNING'S ROUGHNESS COEFFICIENT (N)	ENTRANCE LOSS COEFFICIENT (Ke)*
CONCRETE PIPE	0.013	0.2
BOX: 4-sided BOX: 3-sided	0.013 weighted by wetted perimeter-minimum 0.018	0.2 TO 0.5 ~~0.2 TO 0.5~~
SLAB TOP	0.03 TO 0.05	0.2 TO 0.5

* As a function of the headwall configuration.

Commented [ML3]: SP?

RUNOFF COEFFICIENTS

Average values of developed runoff for various types of developments		
	(General Slope)	
	(Less Than)	(More Than)
	2%	7%
Unimproved areas	0.20	0.30
Parks and Cemeteries	0.10	0.25
Playgrounds	0.20	0.35
Residential		
Suburban	0.40	0.40
Single-family	0.40	0.40
Multi-family	0.50	0.70
Apartments	0.60	0.80
Commercial	0.80	0.95
Industrial		
Light	0.50	0.80
Heavy	0.60	0.90

CHAPTER 939

Stormwater Utility Rates, Extensions and Fees

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INTRODUCTION

939.00 GENERAL.

The purpose of the Stormwater Management provision contained in this chapter and other related provisions contained elsewhere in the Code is to provide for effective management and financing of a stormwater system within the City.

(a) In order to accomplish the purpose of effective financing of a stormwater system within the City, the chapter shall:

(1) Establish and maintain fair and reasonable stormwater management service charges for each lot or parcel in the City which bear a substantial relationship to the cost of providing stormwater management services and facilities. Such service charges shall be charged because each property contributes to stormwater runoff and benefits from effective management of stormwater by the City of Groveport.

(2) Ensure that similar properties pay similar stormwater management service charges which reflect the area of each property and its intensity of development, since these factors bear directly on the peak rate of stormwater runoff.

Charges for residential properties shall reflect the relatively uniform effect that such development has on runoff. Charges for all other properties shall be in proportion utilizing both relative area and intensity of development in setting rates;

(3) Provide a mechanism for consideration of specific or unusual service requirements of some properties, and special and general benefits accruing to or from properties as a result of providing their own stormwater management facilities;

(4) Provide for a service charge adjustment process to review stormwater charges when unusual circumstances exist which alter runoff characteristics, when either service or benefit varies from a normal condition or is of greater significance than contribution to runoff or to periodically ensure that rates reflect the current costs of effective stormwater management; and

(5) Provide a mechanism for the City to utilize stormwater management funds throughout the municipality, except where activities or facilities are clearly unusual and in excess of the normal level of service City wide and where developers are responsible for providing any new stormwater facilities required for their project.

(b) In order to maintain its effectiveness this chapter shall:

(1) Establish a mechanism for appeals and amendments to its provisions;

(2) Provide a procedure for abatement of conditions or activities which are not in the interest of public health, safety or welfare;

(3) Provide for its continuous validity through severability of its various portions; and

(4) Provide penalties for violations of its provisions.

(Ord. 12-022. Passed 5-29-12.)

939.01 DEFINITIONS.

For the purpose of this chapter, the words and phrases shall be defined as follows, unless the context clearly indicates or requires a different meaning.

(a) ABATEMENT. Any action taken to remedy, correct, or eliminate a condition within, associated with or impacting a drainage system, pursuant to Section 939.22 of this chapter.

(b) APPEALS BOARD. The Stormwater Management Utility Appeals Board whose duties shall be pursuant to Section 939.24 of this chapter. The Appeals Board shall be comprised of three (3) residents of the City, appointed by the Mayor and approved by Council.

(c) CITY. The City of Groveport, Ohio.

(d) CITY ENGINEER. A professional engineer designated by and representing the City of Groveport, Ohio or ~~his~~ their authorized agent.

(e) COMMITTEE. The Stormwater Management Utility Advisory Committee whose duties are specified in Section 939.02 of this chapter. The City Planning and Zoning Commission shall be the Utility Advisory Committee for the City.

(f) COUNCIL. The Council of the City of Groveport, Ohio.

(g) CREDIT. Credit refers to a reduction in a non-residential customer's stormwater service fee given for certain qualifying activities which either reduce the impact of increased stormwater runoff or reduce the City's costs of providing stormwater management. The qualifying activities are prescribed herein.

(h) DETENTION BASINS. Surface stormwater storage areas created by natural contours or by constructing a basin by excavation or

embankment or by installing underground structures such as concrete pipes or chambers.

(i) DEVELOPER. A person, firm, partnership or corporation, which otherwise improves a specific parcel or tract of land, performs construction work of any kind in the "project area" as defined in this section or holds or is required to obtain a "permit" as defined in this section.

(j) EMBANKMENT. Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface or cut and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; a fill or the material used to make an embankment.

(k) ENGINEER, PROFESSIONAL. A person holding a certificate of registration under Ohio R.C. 4733.14 or 4733.19.

(l) EROSION. The wearing away of the land surface by the action of wind, water or gravity.

(m) EQUIVALENT RESIDENTIAL UNIT (ERU). is a value, equal to 2,760 square feet of measured impervious area and is equal to the average amount of impervious area of a typical residential property within the City

(n) EXCAVATION. Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom. The difference between a point on the original ground and designated point of lower elevation on the final grade; cut or the material removed in excavation.

(o) EXISTING. Present or in effect as of the time of the adoption of this chapter.

(p) FACILITIES. Various drainage works that may include inlets, conduits, manholes, energy dissipation structures, channels, outlets, retention/detention basins, and other structural components.

(q) GRADING. Any stripping, cutting, filling, stockpiling, or any combination thereof and shall include the land in its cut or filled condition.

(r) MUNICIPAL. Property or facilities owned by the City of Groveport, Ohio.

(s) NOTICE. A written or printed communication conveying information or warning.

(t) ORDER. The whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) or any matter issued by the City Administrator or person designated by them pursuant to any provisions of this chapter.

(u) OWNER. Any person, business or organization that possesses real property.

(v) PERMIT. The "stormwater management permit" required by this chapter.

(w) PERSON. Any person, firm or corporation (public or private), the State of Ohio and its agencies or political subdivisions and the United States of America, its agencies and instrumentalities, and any agent, servant, officer, or employee of any of the foregoing.

(x) PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission of the City of Groveport, Ohio.

(y) PREMISES. A lot or parcel and the buildings and improvements situated thereon.

(z) PRIVATE. Property or facilities owned by individuals, corporations, and other organizations and not by local, state, or federal government.

(aa) PROJECT AREA. The land lying within the geographical limits of the tract(s) or parcel(s) under consideration and on which the work is to be performed.

(bb) PUBLIC. Property or facilities owned by local, state, or federal governments.

(cc) PUBLIC STORMWATER OPEN CHANNEL. Includes:

(1) All open channels which convey, in part or in whole, stormwater;

(2) Is an open channel which has a permanent drainage/stormwater easement owned by the City of Groveport or is located within City of Groveport owned property, and

(3) Drains an area which includes City of Groveport owned property or public right-of-way. A public stormwater open channel does not include roadside ditches which convey only immediate right-of-way (roadside) drainage.

(dd) RETENTION BASINS. Permanent ponds where additional stormwater storage capacity is provided above the normal water level.

(ee) ROUTING. An engineering technique described as computation of the movement and attenuation of an inflow hydrograph as it passes through the stormwater system, resulting in a discharge hydrograph at the downstream end of an element such as a pipe, channel, or detention basin, and accounts mathematically for the effects of storage on flow through the element. Level pool routing assumes that a retention/detention facility maintains an "even" or "level" surface water elevation.

(ff) SEDIMENT. Solid material both mineral and organic, that is in suspension, is being transported, or has been moved from its original site or origin by air, water, or gravity as a product of erosion.

(gg) SEDIMENT CONTROL PLAN. A plan required by an ordinance, rule, or regulation for controlling the movement of soils due to storm runoff created by construction activities.

(hh) STORM, STORMWATER. Storm and stormwater as used in this chapter are interchangeable terms.

(ii) STORM SEWER, STORM DRAIN. A sewer or drain which carries stormwaters, surface runoff, street wash waters, and drainage, but which excludes sanitary sewage and industrial wastes, other than unpolluted cooling water. Storm sewers begin at the grating or opening where water enters the structure, through the sewer and conduits to the outlet structure where water enters a channel or natural watercourse.

(jj) STORMWATER MANAGEMENT POLICY. Chapter 935 of Groveport City Code of Ordinances.

(kk) STORMWATER MANAGEMENT DESIGN POLICY. Chapter 935 specifies design methods, standards, and requirements for the design, construction, maintenance, and use of stormwater facilities written by and available from the City, as part of the City Code.

(ll) STORMWATER MANAGEMENT SYSTEM. All man-made facilities, structures, and natural watercourses used for collecting, transporting, detaining, storing or disposing of stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to any and all of the following: inlets, conduits and appurtenant features, canals, creeks, channels, catch basins, ditches, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, floodwalls, levees, and pumping stations.

(mm) TOTAL AREA. The square footage of a lot or parcel measured or estimated by using the outside boundary dimensions, in feet,

converted to acres (one acre equals 43,560 square feet), to obtain the total enclosed area, without regard for topographic features of the enclosed surface, as used in Section 939.16 for the purpose of determining the rate class for lot(s) or parcel(s) of real property. The boundary dimensions in feet of the enclosed surface area may be established by any of the following methods selected by the Utility for each lot or parcel:

(1) On site or photogrammetric measurements of the apparent outside boundary dimensions of the lot or parcel of real property made by the City or on its behalf; or

(2) Computation of the area using dimensions of lot or parcel of real property and/or existing area measurements which are set forth and contained in the records of the office of the City Recorder or Auditor.

(nn) UTILITY. The Stormwater Management Utility provided for by this chapter, which may be operated or organized as a department of the City of Groveport, Ohio.

(oo) WATER COURSE. A permanent or intermittent stream, river, brook, creek, channel, swale or ditch for water whether natural or manmade.

(Ord. 12-022. Passed 5-29-12.)

ORGANIZATION AND OPERATION

939.02 ORGANIZATION OF THE UTILITY.

(a) The Utility shall be administered by the City Administrator who shall have the responsibility for planning, developing, and implementing stormwater management or sediment control plans; financing, constructing, maintaining, rehabilitating, inspecting, and managing existing and new stormwater facilities; collecting fees and charges for the Utility; implementing and enforcing the provisions of this Code; and other related duties.

(b) The Utility may avail itself of the services of other City departments necessary for the discharge of its responsibilities. Services of finance, personnel, law, public ~~works~~service, engineering, and the like, which are used by the Utility shall be provided at cost.

(c) A Stormwater Utility Advisory Committee may be established at the discretion of the Council, to consider matters related to the Utility organization, operation, financial matters, and amendments. The Advisory Committee shall have no authority to bind the City or the Utility with respect to any matter including easements, expenditures or contracts.

(Ord. 12-022. Passed 5-29-12.)

939.03 STORMWATER FACILITIES.

(a) The Utility shall monitor the design, operation, maintenance, inspection, construction and use of Storm Sewers, Storm Drains, and Stormwater Facilities in the City. The Utility shall be responsible for the design and construction of public stormwater facilities in the City and shall inspect, operate, and maintain them as specified in Section 935.09.

(b) The Utility may accept overriding responsibility for permanent maintenance of stormwater facilities designed to control erosion when the benefiting area involves two or more property owners. The Utility may require facilities to be designed to reduce maintenance cost and will require adequate easements. (Ord. 12-022. Passed 5-29-12.)

939.04 EROSION, SILTATION, AND SEDIMENTATION.

The Utility shall be responsible for controlling erosion, siltation and sedimentation that will adversely affect storm sewers, drainage ditches, watercourses, and other drainage facilities.

(Ord. 12-022. Passed 5-29-12.)

939.05 MULTIPLE FUND PROJECTS.

Where a public improvement is funded by the City and other agencies or organizations, and storm drainage is not a primary part of that project, the Utility's responsibility for project costs shall be in proportion to the City's storm drainage related share of the total cost of the project unless otherwise determined by Council.

(Ord. 12-022. Passed 5-29-12.)

939.06 PRIVATE FACILITIES.

Any owner or possessor of Private Property upon which stormwater drainage facilities exist for the purpose of collecting, conveying, retaining or detaining stormwater within that property and which are not public facilities pursuant to Section 939.07 of this chapter, shall be responsible for the maintenance of these facilities as required to ensure proper operation and in accordance with Section 935.09.

When the Utility accepts responsibility for design, construction, inspection, operation or maintenance of private facilities in accordance with Section 939.03 of this chapter, all expenses incurred therewith shall be the responsibility of the Utility.

(Ord. 12-022. Passed 5-29-12.)

939.07 PUBLIC FACILITIES.

The Utility shall be responsible for stormwater drainage facilities and watercourses on all streets, boulevards, sidewalks, curbing, street and other municipal property and public easements, and highway structures and appurtenances belonging to the City.

Where public facilities and watercourses are located in easements on private property, the owner of the property is responsible for aesthetic maintenance such as lawn mowing, litter pick- up, and the like, unless otherwise determined by the Administrator. The owner shall neither place nor allow structures or plantings that interfere with the operation and maintenance of such drainage facilities and watercourses. (Ord. 12-022. Passed 5-29-12.)

939.08 ANCILLARY IMPROVEMENTS.

The Utility may authorize the construction of curbs, pavements, channels, watercourses, conduits, culverts, or other structures on Municipal property or public easements necessary to properly operate and maintain new and existing stormwater facilities.

(Ord. 12-022. Passed 5-29-12.)

939.09 ROUTINE AND REMEDIAL MAINTENANCE.

The Utility shall provide for inspection and routine maintenance of facilities that have been accepted for maintenance by the Utility as specified in Section 935.09. Remedial maintenance of bridge surface drainage systems shall remain the responsibility of agencies other than the Utility.

(Ord. 12-022. Passed 5-29-12.)

939.10 LAND AND FACILITIES AFFECTED BY LANDS OUTSIDE THE CITY.

Where stormwater drains from lands outside the City, facilities within the City shall be designed in accordance with Chapter 935 as if the entire drainage area was within the City, as determined by the City Engineer.
(Ord. 12-022. Passed 5-29-12.)

939.11 RULES AND REGULATIONS.

(a) In order to accomplish the purpose of this Chapter to protect the drainage facilities, improvements, and properties owned and maintained by the City, to secure the best results from the construction, operation, and maintenance thereof, and to prevent damage and misuse of any of the drainage facilities, improvements, or properties within the City, the Utility shall utilize existing rules, regulations or codes and may make and enforce additional rules and regulations that are approved by Council, and are necessary and reasonable:

(1) To prescribe the manner in which storm sewers, watercourses, channels, and other stormwater facilities are to be designed, installed, adjusted, used, altered or otherwise changed, as specified in Chapter 935;

(2) To recommend inspection and certain other fees permitted by this Chapter;

(3) To prescribe the manner in which such facilities are operated;

(4) To facilitate the enforcement of this Chapter;

(5) To prescribe the collection procedures and timing of service charge bills;

(6) To protect the municipal stormwater management system, improvements, and properties controlled by the Utility, and to prescribe the manner of their use by any public or private person;

(7) To protect the public health, safety, and welfare.

(Ord. 12-022. Passed 5-29-12.)

939.12 RIGHT OF ENTRY FOR SURVEY, EXAMINATION AND MAINTENANCE.

After presenting proper credentials and securing permission, the City Administrator or ~~his~~ their designees, including contractors and their employees or consultants and their employees, may enter upon lands within the City to make surveys and examinations to accomplish the necessary findings to establish a master plan, for detailed analysis to prepare final plans and specifications for proposed improvements or for inspection or maintenance of stormwater facilities.
(Ord. 12-022. Passed 5-29-12.)

FINANCE PROVISIONS

939.13 FUNDING.

Funding for the Utility shall include, but not be limited to:

(a) Stormwater management service charges;

(b) Direct charges. This charge will be collected from owners, developers and others for the cost of designing and constructing stormwater facilities, and for administrative costs and related expenses where the Utility designs and/or constructs or contracts for the construction of such facilities, including costs associated with abatement procedures undertaken by the Utility;

(c) Direct assessment. This charge will be collected from owners in localized areas that desire stormwater drainage facilities not considered a part of the regional development or where an improvement is desired ahead of the priority status;

(d) Other income obtained from federal, state, local, and private grants, or revolving funds. (Ord. 12-022. Passed 5-29-12.)

939.14 STORMWATER UTILITY FUND.

All revenues generated by or on behalf of the Utility including stormwater management service charges and direct charges ~~and interest earnings~~ on those revenues shall be deposited in the Stormwater Utility Fund and used exclusively for Utility purposes.
(Ord. 12-022. Passed 5-29-12.)

939.15 STORMWATER MANAGEMENT SERVICE CHARGE.

A stormwater management service charge is imposed on each lot and/or parcel of land within the City, and the owner thereof, excepting only streets, boulevards, curbing, street crossings, grade separations, and other public rights-of-way, and highway structures belonging to the City, state and federal government. If individual adjacent lot(s) or parcel(s) in agricultural use and with a single farmstead of buildings serving all adjacent parcels are all owned by the same owner, they shall be considered to be a single parcel for determination of service charges.

(a) Public road and freeway rights-of-way shall be exempt from the stormwater management service charge because they function as part of the stormwater collection and conveyance system. Private rights-of-way will be charged as described herein.

(b) Properties that have existing stormwater detention facilities, or those planning such facilities, may have their stormwater management service charges reduced as determined by the Utility, as specified in Section 939.18. The detention facilities must be in accord with the hydrologic, hydraulic, and structural design requirements of the rules and regulations. Facilities of a temporary nature will not be allowed a decrease in their charges.

(c) The Utility may reduce or waive requirements for an individual detention/retention basin if a common or regional basin of adequate design is available or if the Utility is reasonably certain one will be constructed and if the major drainage system from the project area to such common or regional basin is such that the public health, safety and welfare will not be in jeopardy.

The stormwater management service charge is based on the usage of the stormwater system by each customer. It is predicated on the calculations listed below. These costs are a function of stormwater system usage (or impervious area).
(Ord. 12-022. Passed 5-29-12.)

939.16 CLASSIFICATION OF PROPERTY.

There shall be two classifications of property for determination of the stormwater management service charge:

(a) Class R. One-family and two-family (i.e., a duplex home) residential properties, used solely as a residence.

(b) Class C. All non-residential property and residential property not included in Class R. The total area (acres to the nearest 0.01) of each Class C property will be determined as defined in Section 939.01.

(Ord. 12-022. Passed 5-29-12.)

939.17 CUSTOMER SERVICE CHARGE.

The Utility is directed to prepare a list of all lots and parcels within the City. The Utility shall report, to the City Administrator, any applications of the provisions of Sections 939.15 through 939.17, which the Utility considers unjust or inequitable, and the matter shall be resolved in accordance with the provisions of Section 939.20.

(a) All properties having impervious area within the City of Groveport will be assigned an Equivalent Residential Unit (ERU) or a whole multiple thereof, with all properties having impervious area receiving at least one (1) ERU.

(b) Class R Properties will be assigned one ERU. A flat rate will apply to all Single- Family and two-family duplex properties.

(c) Class C Properties will be assigned an ERU whole multiple based upon the properties individual measured impervious area (in square feet) divided by 2760 square feet (1 ERU). This division will be calculated to the first decimal place and rounded to the nearest while ERU according to mathematical convention.

(d) The Customer Service ~~c~~Charge ~~as~~ shall be prescribed in the rate schedule is as follows:

(1) $2.~~00~~25 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2025 until December 31, 2025;~~.~~

(2) $2.50 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2026 until December 31, 2026;

(3) $2.75 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2027 until December 31, 2027;

(4) $3.00 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2028 until December 31, 2028; and

~~(1)~~(5) $3.25 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2029.

(Ord. 12-022. Passed 5-29-12.)

939.18 CREDITS.

Credits or adjustments can be made to Class C properties' service charges for qualified property owners performing activities that reduce the impact of stormwater runoff to the stormwater system, as follows:

(a) Education Credits.

(1) General Policies.

A. This program is available to all schools as defined in the zoning code, public or private that offer a compulsory education curriculum for grades pre-K through 12th grade or part thereof.

B. Credits will be issued on a building complex by building complex basis.

C. Where a site is jointly used by a school and another use (e.g. church) the stormwater fee will be prorated based on usage and the credit will be issued to the school portion of the fee.

D. In no case will the total credit amount be more than the cap identified in Section 939.18(f)

(2) Credits Available. Stormwater education credits of fifty percent (50%) of the stormwater bill may be granted for approved programs providing public awareness and education on stormwater issues as follows:

A. Stormwater Educational Curriculum (e.g. Project WET and Project Aquatic WILD) integrated into standard curriculum for thirty-five percent (35%) of the students in the school, or;

B. Stormwater Educational Activities (e.g. essay contest, poster contest) with participation of thirty-five percent (35%) of the students, or;

C. Public Service Activities (e.g. Adopt a Road, Adopt a Stream or inlet stenciling) involving five percent (5%) of the students or utilizing student recruited adults. Where adults are recruited, they shall be credited with 3 equivalent students per each adult participant, or;

D. In Kind Services (e.g. web site development, brochure development, public service announcements, videos or other program related work) as approved by the City Administrator or ~~his~~ their designee, or;

E. A combination of the above items for an equivalent student participation of thirty-five percent (35%) or as approved by the City Administrator or ~~his~~ their designee.

(3) Basic Procedures.

A. In order to receive educational credits, the school will need to submit an application including an education plan. The application will be due by October 1, of each year. The plan shall be reviewed and approved by the City Administrator or ~~his~~ their designee. Once approved, the credit shall be placed on the appropriate stormwater bill.

B. Upon completion of the educational plan or no later than October 1 of each year, the school shall submit an annual report indicating compliance with the approved plan. The annual report shall be broken down by the types of activities and indicate the number of participants. If the school did not substantially comply with the plan, the report will include an explanation of the failure and any needed corrective action. Other reporting requirements may be required as part of the plan approval and shall be included in the annual report.

C. The annual report will be reviewed by the City Engineer. If upon review, the school did not substantially comply with the approved plan, the City may:

1. Require additional activities as a corrective action;
2. Reduce the education credit to a level comparable with the compliance;
3. Revoke the education credit and require repayment in accordance with Section 939.17;
4. Refuse approval of any new education plan.

(b) Retention/Detention Credit.

(1) General Policies.

A. This program is available to all Class C properties or part thereof.

B. Credits will be issued on a property by property basis for only the portion of the property tributary to the retention/detention facility.

C. When a facility is jointly used by several non-single~~-~~family properties under a joint use agreement, including deed restriction, the credit shall be prorated among the properties as a percentage of the tributary area.

D. In no case will the total credit be more than the cap identified in Section 939.18(f).

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(2) Credits Available. Retention/Detention credits may be granted for approved facilities that reduce the quantity of stormwater and/or improve the water quality of stormwater as follows:

A. A credit of up to ten percent (10 %), may be provided for facilities that exceed the storage required by City design requirements as specified in Section 935.07, subject to successful completion of a credit application process. Credits will be issued on a property by property basis for only the portion of the property tributary to the retention/detention facility.

B. An additional credit of up to ten percent (10%) may be provided for facilities that provide additional detention/retention that benefits upstream or downstream properties without a joint use agreement. This additional credit will be calculated as one tenth of a percent for each one percent in detention/retention over the volume required by City Standards.

C. An additional ten percent (10%) credit may be available for demonstration projects of Best Management Practices, determined and approved by the City Engineer and designed to meet specific site situations.

(3) Application Process. The retention/detention credit is available upon successful completion of the application process, including the submittal of all necessary engineering calculations, documentation, and proof of required information, signed and stamped by a professional engineer registered in the State of Ohio.

A. Retention/detention credit is available only for those eligible properties whose retention/detention facilities exceed City design, construction and maintenance standards.

B. For facilities constructed after the effective date of this regulation, the credit will be made effective to the later of either the date of submittal of a successful application, or the date stormwater billing for that property began (if all requirements and conditions of this rule and regulation are met).

C. Failure to operate or maintain the facility as designed shall be reason for forfeiture of the credit. The City shall notify the property owner/operator of the facility's deficiencies.

(c) Maintenance Credit.

(1) General Policies.

A. This program is available to all Class C properties who maintain public stormwater open channels and are eligible to receive a direct cost reduction (credit) in the property's stormwater service fee.

B. Credits will be issued on a property by property basis.

C. In no case will the total credit be more that the cap identified in Section 939.18(f).

(2) Credits Available. Maintenance credits may be granted to properties that maintain public stormwater open channels or to property owners who participate in an approved Adopt-A-Road/Stream/Park or other sanctioned City ~~clean up~~cleanup program. Maintenance credits may be granted to reduce operation and maintenance costs to the City as follows:

A. A credit of up to thirty percent (30%) may be given for maintaining public stormwater open channels. The credit will be calculated as one half percent per lineal foot of channel maintained.

B. A credit of up to twenty percent (20%) may be given for participation in an approved Adopt-A-Road/stream/park program. The credit will be based on a signed contract to provide litter collection on a one-mile section of roadway, stream section or park area on a schedule to be approved by the City Administrator or ~~his~~ their designee. The minimum term of the contract shall be three clean ups per year for a ~~three year~~three-year period.

C. A credit of up to twenty percent (20%) may be given for participation in a sanctioned City ~~clean up~~cleanup program. The credit will be calculated as two percent (2%) for each five (5) participants in the cleanup program. The credit shall be granted for a period of no more than one year from the sanctioned program.

(3) Basic Procedures.

A. In order to receive a Maintenance credit, the non-single-family property owner will need to submit an application, right of entry easement, if applicable, a maintenance plan and any required engineering plans and calculation stamped by a registered professional engineer. If approved, the credit shall be placed on the appropriate stormwater bill.

1. For public stormwater open channels draining an area of 10 acres or larger, the property will receive a stormwater service fee credit of one dollar ($1.00) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.

2. For public stormwater open channels draining an area less than 10 acres, the property will receive a stormwater service fee credit of fifty cents ($0.50) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.

B. The City Engineer or ~~his~~ their designee shall inspect the property to determine if the proposed maintenance will reduce operation and maintenance costs to the City. If the proposal is approved for maintenance credit, the City Engineer shall periodically inspect the property to insure compliance with the approved maintenance plan.

C. In order to receive credit for participation in an approved Adopt-A- Road Program, the property owner will need to submit an application and a request for roadway designation. Only roadways designated by the City Administrator or ~~his~~ their designee, shall be approved for adoption and clean-up work must be completed in accordance with an approved schedule.

D. In order to receive credit for participation in a sanctioned clean-up program, the property owner will need to submit an application and tentative list of participants. Participants must register at the event and identify themselves as credit program participants.

E. Failure to maintain the open channel to the minimum standards set forth in this regulation shall be reason for forfeiture of a portion or all of this credit. The City shall notify the property owner of this forfeiture and actions necessary to receive full credit.

(d) Credit applications will not be accepted from any property that has a delinquent utility account.

(e) Credits apply only to the Class C properties in which the activity applies. Credits may not be transferred to other properties.

(f) The total amount of all credits issued under this Section shall not exceed sixty percent (60%) of the stormwater bill for the property.

(Ord. 12-022. Passed 5-29-12.)

939.19 COLLECTION OF STORMWATER MANAGEMENT SERVICE CHARGE.

The stormwater management service charge shall be paid, by the owner of each lot or parcel which is subject to this charge, on a periodic basis in accordance with regulations established herein. Billings will be mailed on a schedule to be determined by the Administrator or her/his designee, and will be included on water and/or sewer statements, or in the event water and sewer services are not provided, on a separate billing statement.

(Ord. 12-022. Passed 5-29-12.)

939.20 ADJUSTMENT OF CHARGE, APPEAL.

(a) Anytime the runoff situation on a parcel of property changes, the stormwater utility reserves the right to correspondingly adjust the Stormwater Management service charge.

(b) Persons who consider the charges applicable to their lot or parcel to be unjust or inequitable may apply, within 30 days after

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receipt of the charge, to the Council for adjustment thereof, stating in writing the grounds of the complaint according to procedures and requirements set forth by the City Administrator.

(c) The Council shall, within 30 days, cause appropriate investigation thereof and determine whether an adjustment of the charges for any such lot or parcel is necessary to provide for the just and equitable application of the stormwater management service charge, and adjust such charge if appropriate. (Ord. 12-022. Passed 5-29-12.)

939.21 DELINQUENT CHARGES.

(a) All delinquent fees shall be assessed as provided by the Utility, or as provided by the Utility's contract billing agent, if any.

(b) Unpaid charges shall constitute a lien upon the real property affected from the date charges are incurred.

(c) Charges which remain unpaid for a period of two (2) consecutive billing cycles are subject to the filing of a suit or the City may pursue any and all remedies necessary to collect said unpaid charges.

(d) For delinquent charges, a special assessment may be filed with the Auditor of Franklin County, Ohio as a lien upon the real property. Penalty, see Section 939.99.

(Ord. 12-022. Passed 5-29-12.)

939.22 ABATEMENT PROCEDURES.

Whenever the Utility finds that a tract of land is inadequately drained or that there is an obstruction to a culvert or water course that interferes with water naturally flowing or that such culvert, storm sewer or watercourse is insufficient in capacity, the Utility shall notify the owner or person having possession, charge or management of such land and if necessary, follow abatement procedures specified in Section 935.10.

(Ord. 12-022. Passed 5-29-12.)

APPEALS AND AMENDMENTS

939.24 APPEALS BOARD.

(a) An Appeals Board is herein established to hear and determine any appeal filed under Section 939.25 of this chapter. The Appeals Board shall be comprised of three (3) residents of the City, appointed by the Mayor and approved by Council.

(b) The Appeals Board shall, in harmony with the general purpose of this chapter and to secure the public health, safety and welfare, have the power to affirm, modify, or revoke any notice or order and may grant an extension of time for the performance of any act required by this chapter, or may grant a variance, except as otherwise excluded herein, where there is practical difficulty or undue hardship connected with the performance of such notice or order, and its decision shall be final.

(Ord. 12-022. Passed 5-29-12.)

939.25 VARIANCES AND APPEALS.

Any person may appeal decisions or interpretations of the City Administrator, or ~~his~~ their designee, issued in connection with the enforcement of any provisions of this chapter or request variances therefrom, provided that such person shall file in the office of the City Administrator, along with the fees established by Council for appeals and variances, a written petition to the Appeals Board as provided below.

(a) The Appeals Board. The Appeals Board shall hear and determine appeals or variances to of this chapter and, upon receipt of a petition setting forth the requirements of Section 939.26 and the required fee(s), the Appeals Board shall set a time and place for a public hearing and shall give the petitioner written notice thereof. At the hearing, the petitioner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified or denied or a variance granted.

After a hearing, the Appeals Board shall sustain, modify or deny any item appealed or grant a variance by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the petitioner and the City Administrator shall be notified in writing of such findings.

The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the City Administrator. The record shall also include a copy of every notice, order or variance issued in connection with the matter.

(b) The failure of the petitioner or ~~his~~ their representative to appear and state ~~his~~ their case at any hearing shall have the same effect as if no petition had been filed.

(c) Filing fees required by this section shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal unless such petition shall have been withdrawn prior to the date set for such hearing. (Ord. 12-022. Passed 5-29-12.)

939.26 CONTENTS OF PETITION.

(a) The complainant shall set forth in the petition for appeal, the interpretation, ruling or order appealed from, and the related provisions of this chapter or related laws or ordinances, and shall state wherein the interpretation, ruling, or order is erroneous. If the appeal is a request for variance, the petition shall point out the provision or provisions from which the variance is sought and how the request satisfies the requirements of this section.

(b) Petitions to the Appeals Board, in appeals filed in accordance with Section 939.25(a), may only be based on one of the following grounds:

(1) The interpretation, ruling, or order is erroneous or constitutes an erroneous application of the particular provisions of this chapter or other related laws or ordinances pertaining to stormwater management and finance, or is otherwise contrary to law, or

(2) A variance is necessary and feasible and meets all of the following conditions:

A. Good and sufficient cause based on an unreasonable burden or hardship has been proven;

B. The degree of variance is the minimum necessary to afford relief from the unreasonable burden or hardship imposed by this chapter or standards, specifications, requirements, regulations, and procedures adopted pursuant to this chapter;

C. The variance may be granted without defeating the public health, safety, and welfare purposes and intent of this chapter or

related laws or ordinances pertaining to stormwater management and finance.

(Ord. 12-022. Passed 5-29-12.)

939.27 AMENDMENTS.

Whenever the public necessity, convenience, general welfare or good stormwater management practice requires, an amendment, supplement, or change may be considered by Council.

(Ord. 12-022. Passed 5-29-12.)

LEGAL ISSUES

939.97 FLOODING, LIABILITY.

Floods from stormwater runoff may occasionally occur which exceed the capacity of storm drainage facilities constructed, operated, or maintained by funds made available under this chapter. This chapter does not imply that property subject to the fees and charges established herein will always be free from stormwater flooding or flood damage, or that stormwater systems capable of handling all storm events can be cost effectively constructed, operated, or maintained. Nor shall this chapter create a liability on the part of, or cause of action against, the City or any officer or employee or the City's agent thereof for any flood damage that may result from such storms or the runoff thereof. Nor does this chapter purport to reduce the need or the necessity for obtaining flood insurance. (Ord. 12-022. Passed 5-29-12.)

939.98 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. Council declares that it would have passed this chapter and each section, subsection, sentence, clause and phrase hereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.
(Ord. 12-022. Passed 5-29-12.)

939.99 PENALTIES.

Specified in Section 935.99.
(Ord. 12-022. Passed 5-29-12.)

TITLE THREE - Utilities

Chap. 921. Sewer Regulations.
Chap. 925. Sewer Rates, Extensions and Fees.
Chap. 929. Water Regulations.
Chap. 933. Water Rates, Extensions and Fees.
Chap. 935. Stormwater Management Policy.
Chap. 939. Stormwater Utility Rates,
Extensions and Fees.

CHAPTER 921

Sewer Regulations

EDITOR'S NOTE: Please contact the Administrator for a copy of the current sewer regulations.

921.01 Sewer district established.
921.02 Definitions.
921.03 Permits required.
921.04 Building sewers.
921.05 Private sewage disposal systems prohibited.
921.06 Water meters required.
921.99 Penalty.

CROSS REFERENCES

Power to regulate water closets and privies - see Ohio R.C. 715.40 Power to construct sewerage systems - see Ohio R.C. 715.40, 717.01 Compulsory sewer connections - see Ohio R.C. 729.06
Regulations to control house sewers and connections - see Ohio R.C. 729.51 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.
Household sewage disposal systems - see OAC Ch. 3701-29

921.01 SEWER DISTRICT ESTABLISHED.

There is hereby established within the County of Franklin a sewer district which shall include all of the territory within the City, and outside the City where sewer services are provided by the City to one or more property owners pursuant to contract.
(Ord. 16-022. Passed 5-23-16.)

921.02 DEFINITIONS.

The following definitions are applicable specifically to Chapters 921 and 925 of the City Ordinances:

(a) "Administrator" means the Administrator of Groveport or their authorized agent. Specific reference is made herein to the Contract executed between the City of Groveport and the City of Columbus for sewer service and the specific authorities vested therein to the Director of Public Service of the City of Columbus. Authorized Agent shall include the Director of Public Service of the City of Columbus.

(b) "Building sewer" means that part of the sanitary sewer system which connects the plumbing of the house or building to a common or public sewer. The building sewer begins three feet from the foundation wall and shall comply with the requirements of Section 921.04(b).

(c) "City" means the City of Groveport, the Administrator or their authorized agent.

(d) "Clean waste waters" means those liquid wastes discharged from industrial plants and from commercial or public buildings which, upon analysis, are found to be of such character as to have no harmful polluting effect upon any stream or other body of water into which they may discharge either directly or indirectly.

(e) "Condensing water" means water used in closed systems for condensers of refrigeration and air conditioning units. Such water shall not be discharged into sanitary sewers.

(f) "Domestic sewage or sanitary sewage" means sewage derived principally from dwellings, business buildings, institutions and the like, which originates within the buildings, including the wastes from kitchens, water closets, lavatories, bathrooms, showers and laundries.

(g) "Foundation drains" means subsurface drains laid around the foundation of a building, either within or outside of the building foundation for the purpose of carrying ground or subsurface water to some point of disposal.

(h) "Industrial sewage" means the liquid wastes from industrial processes as distinct from domestic sewage.

(i) "Sanitary sewers" means a pipe or conduit designed for the purpose of carrying domestic sewage and industrial sewage from the point of origin to a sewage treatment or disposal works or to a place of disposal but which is not intended to carry storm, surface, ground or subsurface waters.

(j) "Sewage" means the liquid or water carried wastes from residences, business buildings and institutions, together with those from industrial establishments and with such ground water, surface water and storm water which may be present.

(k) "Sewerage system" means all of the facilities for collecting, pumping, treating and disposing of sanitary sewage. (Ord. 16-022. Passed 5-23-16.)

921.03 PERMITS REQUIRED.

(a) Before any building sewer is repaired or altered, a permit shall be obtained from the Administrator. Such permit shall be issued only to a licensed sewer tapper who can satisfy the Administrator that they are competent to do such work. An inspection charge of one hundred dollars ($100.00) shall be paid to the Administrator at the time the permit is obtained. The sewer tapper applying for a permit shall furnish the street address of the building to be connected and the number of the lot as determined by the Franklin County Auditor's Office. All permits herein provided shall become null and void ninety days from the date of issuance. No refund of the inspection charge

shall be made unless a request is made and the permit returned within the above mentioned ninety days.

(b) The sewer tapper to whom a permit is issued shall be held responsible for the proper installation of the building sewer in accordance with the rules and regulations contained herein. (Ord. 16-022. Passed 5-23-16.)

921.04 BUILDING SEWERS.

(a) Inspections. All building sewers shall be inspected and approved by the Administrator after the pipe has been laid but before being covered with backfill. The sewer tapper to whom the permit has been issued shall call the Administrator, requesting the inspection, at least one half day before the inspection is desired.

(b) Separate Sewers Required. A separate and independent building sewer shall be provided for each residence or building; except where on building stands at the rear of another on an interior lot and separate building sewers cannot be made available to each building, then one building sewer may be extended to serve both buildings. A permit shall be obtained, as required in Section 921.03, for each building connected to the building sewer.

(c) Materials.

(1) The building sewer shall be constructed of a size not less than six inches, internal diameter, and shall be of extra strength vitrified clay pipe, ductal iron pipe, concrete pipe, PVC pipe (ASTMD3034), or asbestos cement pipe, and with water tight joints using proper curves for all changes in alignment or grade. The Administrator may require the sewer tapper to demonstrate the water tightness of the joints by such tests as may be necessary.

(2) Where the building sewer shall cross unstable soil or close to a tree or trees where roots may enter the joints, extra heavy cast iron pipe, solidly caulked with lead, may be required.

(d) Grade and Construction.

(1) The building sewer shall have a minimum fall of one fourth inch per linear foot from the building to the public sewer. The Administrator may, by special permission in each case, authorize the building sewer to be constructed with a fall as little as one eighth inch per linear foot if he determines such procedure to be desirable.

(2) The interior of each length of pipe shall be made perfectly clean and free from offsets, fins and projections before the next length is connected thereto. All building sewers shall be graded by line and pole, the line being first leveled from the building to the lateral or public sewer and then lowered at the lateral end to obtain the required fall.

(3) The junction between the building sewer and the house drain or house plumbing shall be made water tight.

(e) Location and Depth. Building sewers shall not be constructed closer than three feet to any exterior wall, cellar, basement or cistern nor shall they have less than two feet of earth or stone cover.

(f) Excavations. All excavation shall be by open cut from the surface. The sides of the trench shall be substantially vertical, using such sheeting and bracing as may be necessary to accomplish this result. The bottom of the excavation shall be shaped as nearly as possible to fit the lower half of the sewer so that the pipe will have uniform bearing from end to end, In the event the trench is excavated below the required grade of the pipe, the excess space shall be filled with pea gravel grits or stone not over three quarter inch in diameter. The width of the trench at the top of the pipe shall not exceed two feet plus the outside diameter of the pipe, nor shall the width be less than one foot plus the outside diameter of the pipe.

(g) Backfilling.

(1) The building sewer shall be backfilled to an elevation at least six inches over the top of the pipe by tamping in six inch layers. Soil containing stones larger than six inches in the greatest dimension shall not be used for this portion of the backfill.

(2) The balance of the backfill may be deposited in any manner which shall not damage the pipe or disturb the alignment or grade of the sewer; except that the balance of the backfilling shall be done in such manner and with such material as may be required by the permit referred to in Section 921.02.

(h) Work In Streets, Roads and Alleys. The sewer tapper to whom a permit is issued shall be responsible for obtaining any required permits to open cut any street, road or alley, from the appropriate political body or official having authority or jurisdiction over such work.

(i) Connections to the Lateral or Public Sewer.

(1) If the connection is to be made to an existing Y branch, the cap or plug shall be broken out with care so as to avoid damage to the bell of the branch or to the lateral sewer.

(2) If a six inch connection is to be made to a lateral or public sewer at a point where no Y branch has been provided, the pipe layer shall insert a new Y branch in the main line when such main line is not over ten inches internal diameter. Where six inch connections are to be made in laterals or public sewers of twelve inches or over, internal diameter, an opening may be cut in the lateral of sufficient size to insert a properly shaped saddle connection. The saddle shall not be cemented in place or covered except in the presence of the inspector from the City.

(j) Existing Storm Sewers and Curb Drains.

(1) The permit holder shall be required to repair or restore any drains or service lines damaged or disturbed by him during the construction of the building sewer.

(2) Old or existing building sewers may be used in connection with new building or alterations only when it can be demonstrated that they conform in all respects to the requirements contained herein for new building sewers.

(k) Basement Excavations Not to Discharge Into Building Sewers. Surface water which collects in basement or foundation excavations shall not be discharged at any time into the building sewer. If the building sewer is completed before the plumbing can be connected thereto, the builder or sewer tapper shall keep the end of the building sewer tightly closed at all times with a plumbers plug or other water tight plug in order to prevent surface or ground water from entering the building sewer.

(l) Foundation Drains. Foundation drains shall not be connected, either directly or indirectly, to the building sewer or sewage system. If such drains are installed they shall be so constructed that the surface or subsurface water shall be carried to the street or to some other place of disposal.

(m) Water and Gas Services. Water and gas services shall not be laid in the same trench as the building sewer.

(n) Ground or Surface Water. Down spouts, surface inlets and subsurface drains, shall not be connected to or discharged into any part of the sanitary sewerage system.

(o) Deleterious Wastes. No person, firm or corporation shall discharge or permit the discharge of any deleterious wastes into the

sewerage system. Such wastes are defined as oils, acids, cyanides, explosive or inflammable compounds, industrial chemicals, poisons and any other substance, gas or liquid which may in any way damage or interfere with the use of operation of the sanitary sewers or sewage treatment plant or which may create a hazard to life or property. (Ord. 16-022. Passed 5-23-16.)

921.05 PRIVATE SEWAGE DISPOSAL SYSTEMS PROHIBITED.

No person, firm or corporation shall construct or maintain any privy, privy vault, septic tank or cesspool ("private sewage system") on any lot or parcel which can be served by the sewerage system referred to herein. Upon order of the Franklin County Sanitarian, the owner of a nonperforming and /or polluting private sewage system shall connect to the City sewage system within ninety days after receipt of a final unappealable order.
(Ord. 16-022. Passed 5-23-16.)

921.06 WATER METERS REQUIRED.

A water meter shall be required for every premises having a connection to the sewerage system regardless of whether or not such premises are served by the Groveport Water System or the City of Columbus Water System. Water meters for users of the Groveport Water System shall be purchased from the City and shall be installed and maintained by the City. The cost of water meters and the installation and maintenance thereof shall be at the property owner's expense. (Ord. 16-022. Passed 5-23-16.)

921.99 PENALTY.

In addition to the civil penalties prescribed in this Chapter and Chapter 925, whoever violates any provision of this chapter and Chapter 925 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.
(Ord. 16-022. Passed 5-23-16.)

CHAPTER 925

Sewer Rates, Extensions and Fees

925.01 Definitions.
925.02 Charges within corporate limits.
925.03 Sewerage capacity charges.
925.04 Sewer front foot connection charge.
925.05 Rates outside City.
925.06 Billing, meter reading, terms of payment.
925.07 Sewer extension.
925.08 Charge for extension of sewers within the City.
925.09 Sanitary sewer surcharge and fund.
925.99 Penalty.

CROSS REFERENCES

Sewerage rates - see Ohio R.C. 729.49
Weekly deposit of sewer rentals collected - see Ohio R.C. 729.52
Assessments - see Ohio R.C. Ch. 729

925.01 DEFINITIONS.

In addition to the definitions which are provided in Section 921.02, the following definitions shall pertain:

(a) "Administrator" means the Administrator of Groveport or their authorized agent.

(b) "City" means the City of Groveport, Ohio, the Administrator, or their authorized agent.

(c) "Front Foot" or "Front Footage" means the lot length abutting and closest to parallel with the public sewer sought to be tapped, whether installed in an adjacent road right-of-way or utility easement, determined as follows:

(1) When a parcel is to be served by a sewer running through an adjacent parcel, but not along an adjacent road right-of-way, then Front Foot for that parcel shall be determined in accordance herewith as if the sewer was installed in the road right-of-way upon which the parcel is addressed.

(2) "Front Foot" or "Front Footage" shall be determined by the use of an engineer's scale applied to either the record drawings of the sewer sought to be tapped on file in the office or on the basis of the Franklin County GIS maps in the Auditor's office in the event of irregular lots. The Front Foot calculations as determined by the City issuing the permit shall be final.

(d) "House sewer" means that part of the sanitary sewer system which connects the plumbing of the house or building to a common, public sewer, main or lateral.

(e) "Industrial wastes" means the liquid waste resulting from any commercial, manufacturing or industrial operation process.

(f) "Permit" means a legal instrument requiring execution prior to approving a new sewer tap and connection or transfer of accounts.

(g) "Private sewer" means a sewer, other than a building sewer, not less than eight inches in diameter, connecting with and discharging directly into the sewerage system of the City, or indirectly into such system, through an authorized extension thereof, the construction of which is financed entirely or in part with other than public funds and which is designed to provide local service for property abutting the sewer or which may in the future abut an extension thereof.

(h) "Reimbursable Costs" for Privately Built, Publicly Owned Sewers means, subject to the review and approval of the Administrator for reasonableness compared to like costs in the central Ohio area, the sum of the direct costs of construction of the sanitary sewer and related improvements (excluding any charges for costs of damaged materials or construction damage to adjacent properties), the costs of acquisition of any and all rights of way necessitated due to the line of said sewer being outside the existing public right of way, costs of restoration of the surface whether paved or not paved, costs of reconnection of all existing service laterals, all inspection and monitoring fees, all design and engineering fees and associated legal and appraisal fees directly attributable to construction of the sewer (including reimbursement of fees by City officials or its agents for provision of
such services), all construction and maintenance bond fees necessary to secure assurance for project completion, and such other costs as the Administrator, in their sole discretion, shall deem appropriate to be included as Reimbursable Costs. Reimbursable Costs shall not include any developer overhead or similar indirect charges. Upon submission of a list of final Reimbursable Costs and supporting documentation verified by the developer, and upon approval thereof by the Administrator, Reimbursable Costs be certified by the Administrator within sixty (60) days of completion of construction as evidenced by the Administrator's issuance of a Certificate of Completion following the final inspection of the project. Reimbursable Costs shall not include amounts to be paid by the City as set forth in sections 925.08 for the costs of over sizing the sewer for future expansion.

(i) "Sewer service outside city" means sewer service furnished to consumers outside the corporate limits of the City. No new sewer service shall be extended outside the City limits without the express permission of the City of Columbus Director of Public Utilities.

(j) "Tap" means the connection from the building sewer to the sewer main or lateral.

(Ord. 16-022. Passed 5-23-16.)

925.02 CHARGES WITHIN CORPORATE LIMITS.

(a) There is hereby charged to each lot, parcel of land, building or premises situated within the corporate limits of the City having any active sewer connection with the sewerage system of such City or otherwise discharging sewage, industrial, wastes, water or other liquids, either directly or indirectly into the City's sewerage system, a sewer charge, payable as hereinbefore provided and in the amount determinable as provided in subsection (b) hereof.

(b) For any such lot, parcel of land, building or premises having any connection with the City's sewerage system or otherwise discharging sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly into the City's sewerage system, such charge shall be based upon the quantity of water used thereon or therein as the same is measured by a water meter or meters there in use, as hereinafter described, and there shall be charged:

For each thousand gallons of water used per billing cycle, the rate per thousand gallon as shown on a chart maintained by the Administrator reflecting the latest charges applicable as a result of the City's contract with the City of Columbus for sewage treatment

and related services.

(c) In addition to the charges set forth above, the City may charge an additional rate for industrial wastes as required by the most current version of the sewage treatment contract with the City of Columbus, or subsequent replacement thereof, or amounts necessary to provide additional maintenance for the sewer system arising from the nature of such industrial discharges. Such additional charges shall be developed in concert with the City of Columbus and pursuant to applicable regulations by the Ohio Environmental Protection Agency.

(Ord. 16-022. Passed 5-23-16.)

925.03 SEWERAGE CAPACITY CHARGES.

(a) For the purpose of providing revenue to help finance and to more equitably distribute the cost of the construction of necessary additions to both the sewer system and the sewerage treatment facilities, it is hereby determined and declared necessary to provide for the establishment, exaction and regulation of a sanitary sewer capacity charge as hereinafter determined with such charge to be in addition to any and all other fees which may be imposed with respect to the said sewer system.

(b) That the funds received from the collection of such charge, as it is herein authorized, shall be deposited daily with the Director of Finance who shall credit them to a special fund from which Council may take appropriations for the payment of the cost and expense of the construction, operation, maintenance, management and repair of the sanitary sewerage systems; regulator chambers, storm standby tanks, pumping stations and sewage treatment works and for the payment of the cost and expense and replacement, extensions to or the enlargement of same and for the payment of principal and interest on any debt incurred for the construction of such sewerage system, regulator chambers, storm standby tanks, pumping stations and sewage treatment works and for the creation of a sinking fund for the payment of such debt.

(c) That the Administrator shall be and is hereby authorized and directed to exact a sanitary sewer capacity charge whenever application is made for the issuance of a sewer permit to provide sanitary sewer service to a structure, wherever such property is or shall be tributary directly or indirectly, to any trunk sanitary sewer built by the City either inside or outside the corporate limits of the City. In the event a tap is subsequently enlarged, the difference between the charges for the two sizes shall be paid.

Sewer Capacity (Tapping) Charges:

Diameter of Water Tap (inches)	Sewer Capacity Charge
3/4"	$5,594.00

1"	9,458.00
1-1/2"	18,817.00
2"	32,034.00
3"	69,714.00
4"	123,455.00
6"	262,769.00
8"	451,630.00
10"	782,922.00
12"	1,494,042.00
16"	2,595,244.00

(d) Notwithstanding the foregoing charges, in the event that an entity contracting with the City for collection and or treatment services for sanitary or industrial sewage imposes upon the City additional capacity or like kind charges as a condition of continuing to provide such collection and or treatment services or for new sewer connections, then the City shall pass on those charges plus a five percent (5%) administrative fee to those parcels or users otherwise obligated to pay such fees in accordance with the terms of the revised contract with the contracting entity. (Ord. 16-022. Passed 5-23-16.)

925.04 SEWER FRONT FOOT CONNECTION CHARGE.

(a) Upon application being made to tap any main trunk or lateral sewer built and owned by the City for the purpose of draining the house sewer of any property directly into such main trunk or lateral sewer the Administrator shall cause a fee of fifty dollars ($50.00) per Front Foot if located within the City to be exacted for the privilege of making such a direct connection from the house sewer to such main or lateral sewer before a permit is issued therefore; provided that this charge shall not be imposed if the owner of the property concerned can show that he or their predecessor in title paid or is paying a special assessment for the construction of the main trunk or lateral sewer sought to be tapped or at their own expense constructed all or a part of such main trunk or lateral sewer sought to be tapped.

(b) Connection Charges for parcels outside the City limits served by contract with the City shall be charged in accordance with Section 925.05.

(c) Connection Charges to Privately Built, Publicly Owned Sewers ("PBPOS"), whether inside or outside the City limits, shall be as set forth in Section 925.08. For any PBPOS, the Reimbursable Costs shall be divided by Front Foot to establish the per Front Foot cost associated with providing sewer service to each individual tract served by the sewer as constructed. The Front Foot charge for each parcel served shall be certified by the Administrator within 90 days of issuance of the Certificate of Completion to the Franklin County Auditor.
(Ord. 16-022. Passed 5-23-16.)

925.05 RATES OUTSIDE CITY.

Sewer rates and other charges for outside the City shall be the inside City rates plus seventy-five percent (75%).
(Ord. 16-022. Passed 5-23-16.)

925.06 BILLING, METER READING, TERMS OF PAYMENT.

(a) Billing. The City will render bills for sewer service on a quarterly basis to users of the Groveport Water System. Payment of sewer bills shall be the responsibility of the property owner. Payment for sewer service shall be on the basis of water use determined by periodic reading of water meters.

(1) In cases where a sewer customer uses ground water as a source of supply, to meet all or any portion of their needs, the City retains the right to insist that such water use be measured for payment of sewer charges as long as any or all of said use is discharged to the sewer system. Exception to this practice is permitted in cases where the ground water supply is used only for firefighter's purposes. In these cases where the ground water source is used for firefighter's purposes only, no charge shall be made provided that the owner files information regarding the system capacity, water quality, nature of use together with any additional information as from time to time might be requested by the Administrator.

(2) In addition to the provision for shutting off water service, if a sewer rental charge is not paid within thirty days after it becomes due, a penalty of ten percent (10%) of the amount shall be added thereto. A "door tag" shall serve as the only final notice prior to disconnection. If the charge plus penalty is not paid within ninety days from date of billing, said charges shall constitute a lien on the property served and the Administrator may assess and collect said charges as provided in Ohio Revised Code section 729.49. In addition, see 925.99.

(b) Terms of Payment. Because sewer services to residents of the City are supplied by the City of Columbus terms of payment as contained hereinafter are established for the practice as it is now established.

(c) Services derived from Groveport's water supply system. The sewer rates prescribed in Sections 925.02 and 925.05 are net. If accounts are not paid within one calendar month from the date of billing, a gross rate, which is the net rate plus ten percent (10%) shall apply. The bills on overdue accounts shall be prepared and transmitted to all overdue accounts based on gross rates: If the rebilled gross rate is not paid within fifteen days from the rebilled date, the City shall have the right to shut off water services without notice; Please refer to Section 933.10 (b) Hardship Arrangement;

(d) Change of Ownership. It shall be the responsibility of property owners to whom the last or most recent bill has been sent, to notify the Administrator when any change in ownership occurs and to pay any accrued charges up to the date when such change is recorded. Failure to conform to this section shall not relieve the new owner from the payment of any unpaid current or delinquent charges, or from any penalties or procedures specified in Section 921.05. (Ord. 16-022. Passed 5-23-16.)

925.07 SEWER EXTENSION.

The Administrator is authorized to provide sewer service to new consumers when he determines that the sewer line extension is feasible both economically and from an engineering point of view and shall not be detrimental to the best interest of the City having given consideration to the overall effect on the total sewer system and to the long-term plans and probable future growth of the sewer system of the City.

(Ord. 16-022. Passed 5-23-16.)

925.08 CHARGE FOR EXTENSION OF SEWERS WITHIN THE CITY.

(a) Privately Built Sewers. Unless undertaken unilaterally by the City as set forth in subsection (b) below, all sewer extensions within or without the City shall be paid for and constructed by the applicants or developer requesting such extension. Upon acceptance by the Administrator, the completed sewer extensions shall be dedicated to the City of Groveport and become public property. Privately Built Sewer projects shall be undertaken with the approval of the Administrator, and in accordance with sealed plans prepared by an engineering firm acceptable to the Administrator, a private developer may undertake construction of the sanitary sewer project as follows:

(1) No sewers shall be installed unless authorized by a Developer's Agreement entered into between the City and the developer or applicants. Where sewers are installed by a developer or applicants and abut on parcels not owned by the developer or applicants not included in the agreement, the developer or applicants shall be entitled to recover Reimbursable Costs when such parcels are connected to the sewer within ten years after the completion of the sewer from the funds collected by the City for such connections pursuant to Section 925.05. The amount of the reimbursement shall be determined by multiplying the Front Footage or Adjusted Front Footage for each parcel as determined by Section 925.01(c) times the per foot Reimbursable Cost as determined by Section 925.01(h).

(2) To be eligible for this reimbursement, the developer or applicants shall file with the Administrator within forty-five days after issuance of the Certificate of Completion the verified summary of Reimbursable Costs as defined in Section 925.01(h), unless such time frame is extended by the Administrator upon timely request of the developer.

(3) In the event that an owner of a developed parcel does not connect to the constructed sewer within twelve months of the date of issuance of the Certificate of Completion, or if ordered to connect a developed parcel to the sewer by the County Sanitarian but does not timely pay for such connection as provided herein, then annual interest at the rate of two percent (2%) in excess of the blended interest rate otherwise paid by the City on its outstanding bonded indebtedness at the time of completion of the sewer shall be collected from the person connecting from the date of completion until the connection charges are paid in full, which time shall not be more than four (4) years from the date of connection. The interest shall be paid over to the developer on the Reimbursable Costs then still outstanding. In the event that timely payment is not received at the time of connection, then the City shall certify the uncollected amount to the Franklin County Auditor for collection within the four-year period as provided for in Ohio Revised Code Chapter 729. When undeveloped parcels are connected to the sewer upon their development, the owner shall pay its share of Reimbursable Costs plus interest from the date of completion of the sewer.

(4) Oversizing of Sewers:

A. Where a sewer extension or portion thereof to a residential customer(s) is required by the City to be installed larger than twelve inches in nominal diameter, the City shall pay one hundred and ten percent (110%) of the difference in the material cost of the pipe, fittings, and manholes between the installation of a twelve inch diameter sewer and the sewers actually installed.

B. Where a sewer extension or portion thereof is required by the City to be oversized to serve industrial or commercial customer(s) or through an industrial or commercial customer's property to serve tributary properties, the City shall pay one hundred and ten percent (110%) of the difference in material cost of the pipe, fittings, and manholes between the sewers installed, sized as required by the City and the size determined by the Administrator as the size necessary to serve the industrial or commercial property. In no case, shall the size determined be less than twelve inches in diameter.

(b) City Built Sewers.

(1) For each sewer extension installed by the City, the Administrator shall make an estimate of the total costs involved as set forth in Reimbursable Costs above, which Costs shall include the reasonable costs of securing bond financing.

(2) When sewer extensions are installed by the City for residential use the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the sewer is required by the City to be larger than twelve inches. When the sewer is required by the City to be installed larger than twelve inches, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings and manholes between the installation of a twelve inch sewer and the sewer main installed. The cost shall be determined as prescribed in subsection (b) hereof.

(3) When sewer extensions are installed by the City for industrial or commercial use, the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the Administrator requires over sizing of the sewer line. When over sizing of the sewer is required by the City, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings and manholes between the sewers installed and the size sewers determined necessary to serve the industrial or commercial property but in no case less than twelve inches.

(4) When the cost of sewer extensions are to be assessed against the abutting property owners, the City shall follow the procedures set forth in Ohio Revised Code Chapter 729.

(c) Common Procedures for Publicly and Privately Built projects.

(1) The Administrator shall have sole authority to authorize sewer extensions to be installed by a qualified developer and qualified contractor, or he shall determine that the sewer shall be installed by the City. The Administrator shall have sole authority to determine the appropriate size of each sewer or portion thereof. The size of all sewers shall be determined by the Administrator and shall be large enough not only to serve the areas under immediate

consideration but also to serve areas which are likely to be developed and which should be served by the sewer under consideration. Unless otherwise required by the Administrator no sewer shall be smaller than eight inches nominal diameter. The specifications and standards of construction for all sewer extensions shall be prepared by the Administrator. All extensions of sewers shall include the installation of fittings and manholes. The number and location of all wyes shall be as required by the Administrator. Plans and installation shall be subject to approval of the Administrator.

(2) All sewers and appurtenances shall be owned, operated and maintained by the City, with title to be vested in the City upon completion of the sewer.

(Ord. 16-022. Passed 5-23-16.)

925.09 SANITARY SEWER SURCHARGE AND FUND.

(A) The City of Columbus is hereby authorized to directly bill those users who are on the Columbus water system and within the City of Groveport, Ohio, including any extensions of said city, a sanitary sewer surcharge. Said surcharge shall be an amount equal to fifteen percent (15%) of the sanitary sewer charges billed by the City of Columbus and will be in addition to the regular sanitary sewer rate charged by the City of Columbus. Such surcharge shall apply to all bills rendered for billing periods beginning on and after January 1, 2025.

(B) That all money derived from said surcharge shall be credited to the sanitary sewer surcharge fund, established by Ordinance No. 2024-039 Said fund shall be used for the payment of the cost of management, maintenance, operation and repair of the sanitary sewerage system of this city, or for the enlargement or replacement of said system, for construction and reconstruction of main and interceptor sanitary sewers and for the payment of the interest on any debt incurred for the construction thereof.

(Ord. 16-022. Passed 5-23-16.)

925.99 PENALTY.

In addition to the civil penalties prescribed in this chapter and Chapter 921, whoever violates any provision of this chapter and Chapter 921 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.

(Ord. 16-022. Passed 5-23-16.)

CHAPTER 929

Water Regulations

929.01 Tap requirements and improper connections.
929.02 Automatic reading water meters.
929.03 Replacement of water meters.
929.04 Backflow regulations.
929.05 Auxiliary meters.
929.99 Penalty.

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
Compulsory water connections - see Ohio R.C. 729.06, 743.23
Management and control of water works - see Ohio R.C. 735.28 et seq.
Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22
Fluoridation - see Ohio R.C. 6111.13
Water supply - see OAC 4101:2-51-37
Backflow - see OAC 4101:2-51-38

929.01 TAP REQUIREMENTS AND IMPROPER CONNECTIONS.

(a) All water taps in subdivisions or developments shall be installed at the time the water mains are installed.

(b) When ordered by the Administrator, every property owner shall be required to install a tap for each lot or parcel immediately prior to the paving of any street.

(c) Taps shall be installed by a contractor upon approval of the Administrator. Such installation shall conform to the Standards and Specifications of the City and shall be approved by the City.

(d) No firm, person, 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 Groveport, Ohio may enter the supply or distributing system of such 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.

(e) That it shall be the duty of the Administrator to cause surveys and investigations to be made of all industrial and other properties served by the public water supply where private, auxiliary or emergency water supplies other than the public water supply are known to exist or where such supplies are likely to 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.

(f) That the Administrator or their or its duly authorized representative shall have the right to enter at any time any property served by a connection to the public water supply or distribution system of Groveport, Ohio for the purposes of inspecting the piping system or systems thereof. On demand the owner, lessee, or occupants of any property so served shall furnish to the Administrator any information which he or it may request regarding the piping system or systems and any private, auxiliary or emergency water supply used or useful 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 chapter.

(g) That the Administrator is hereby authorized and directed to discontinue after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this chapter is known to exist, and to take such other precautionary measures he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains water service to such property shall not be restored until such connection or connections shall have been eliminated or corrected in compliance with the provisions of this chapter. (Ord. 2022-029. Passed 8-22-22.)

929.02 AUTOMATIC READING WATER METERS.

(a) All water services for the Groveport Water System shall have automatic reading "SMART" meters.

(b) Each meter shall be added at the cost of the automatic reading meter to the property owner. The property owners may pay the above cost over a three-month period if desired. (Ord. 2022-029. Passed 8-22-22.)

929.03 REPLACEMENT OF WATER METERS.

(a) The City shall replace a water meter, if in the opinion of the Public Service Director:
(1) The meter is not working properly.
(2) The meter is in such a location that there is difficulty in access to it for reading purposes, or
(3) The meter has not been read because of absence of persons from the home for two consecutive billing periods.

(b) That each meter replaced under this chapter shall be at the cost of the automatic reading meter to the property owner, and in accordance with the rules and regulations adopted by Council.

(c) Plumbing alterations required for the proper installation of such meter shall be subject to permit and inspection by the City's Public Service Department and shall be performed by a licensed plumber.

(d) Any evidence of deliberate destruction of service connection shall be a violation of this section.
(Ord. 2022-029. Passed 8-22-22.)

929.04 BACKFLOW REGULATIONS

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

(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 City may enter the supply or distributing system of the City, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Public Service Director of the City and by the Ohio Environmental Protection Agency.

(c) It shall be the duty of the Public Service Director to cause surveys and investigations to be made of industrial and 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 Public Service Director shall deem necessary.

(d) The Public Service Director or their 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 City for the purposes of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Public Service Director 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 Public Service Director be deemed evidence of the presence of improper connections as provided in this section.

(e) The Public Service Director is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this section.
(Ord. 2022-029. Passed 8-22-22.)

929.05 AUXILIARY METERS.

(a) Auxiliary meters may only be installed when it is determined that a portion of the water as measured by the water meter does not, and cannot, enter the sewage system either directly or indirectly.

(b) Application can be made through the Public Service Department for permission to obtain and install a water-only auxiliary meter.

(c) Such installation shall be at the owner's expense, and in accordance with the rules and regulations adopted by Council.

(d) Plumbing alterations required for the proper installation of such meter shall be subject to permit and inspection by the City's Public Service Department and shall be performed by a licensed plumber.
(Ord. 2022-029. Passed 8-22-22.)

929.99 PENALTY

In addition to the civil penalties prescribed in this chapter and Chapter 933, whoever violates any provision of this chapter and Chapter 933 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.
(Ord. 2022-029. Passed 8-22-22.)

CHAPTER 933

Water Rates, Extensions and Fees

933.01 Definitions.
933.02 Rates established.
933.03 Rates inside City.
933.04 Rates outside City.
933.05 Meter service fee.
933.06 Special charges.
933.07 Private fire protection service.
933.08 Water main front foot connection charge.
933.09 Billing, meter reading, terms of payment.
933.10 Owner's responsibility.
933.11 Water main extensions.
933.12 Charge for extension of water mains within the City.
933.13 Water capacity charges.
933.14 Charges for renewal of service.
933.15 Water surcharge and fund.
933.99 Penalty.

CROSS REFERENCES

Power to provide and regulate water system - see Ohio R.C. 715.08, 717.01, 743.01
Compulsory water connections - see Ohio R.C. 729.06, 743.23
Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22
Water supply- see OAC 4101:2-51-37

933.01 DEFINITIONS.

(a) "Administrator" means the Administrator of Groveport or their authorized agent. Specific reference is made herein to the contract executed between the City and the City of Columbus for water service and the specific authorities vested therein to the Director of Public Utilities of the City of Columbus. Authorized agent shall include the Director of Public Utilities of the City of Columbus.

(b) "City" means the City of Groveport, the Administrator or their authorized agent.

(c) "Front Foot" or "Front Footage" means the lot length abutting and closest to parallel with the water main sought to be tapped, whether installed in an adjacent road right-of-way or utility easement, determined as follows:

(1) When a parcel is to be served by a water main running through an adjacent parcel, but not along an adjacent road right-of-way, then Front Foot for that parcel shall be determined in accordance herewith as if the water main was installed in the road right-of-way upon which the parcel is addressed.

(2) "Front Foot" or "Front Footage" shall be determined by the use of an engineer's scale applied to either the record drawings of the water main sought to be tapped on file in the office or on the basis of the Franklin County GIS maps in the Auditor's office in the event of irregular lots. The Front Foot calculations as determined by the City issuing the permit shall be final.

(d) "Permit" means a legal instrument requiring execution prior to approving a new water service connection, a transfer of accounts or a change in meter size.

(e) "Resident" means property owner within the City corporate limits. The words resident, owner, user, and consumer as used herein have the same meaning for purposes of this chapter.

(f) "Service connection" means the connection of all or any part of the service line to the tap.

(g) "Service line" means the line extending from the tap onto the premises to be served and shall include all the necessary pipes, lines and appurtenances from the tap to and including the meter.

(h) "Tap" means the connection to the water main and the necessary pipes or lines extending from the water main to and including the curb stop or valve and box.

(i) "Water service outside city" means water service furnished to consumers outside the corporate limits of the City. No new water service shall be extended outside the City limits without the express permission of the City of Columbus Director of Public Utilities.

(Ord. 16-023. Passed 5-23-16.)

933.02 RATES ESTABLISHED.

The rates and charges for water and service furnished by the City to users and consumers and the terms and conditions governing the construction and financing of new mains shall be established and fixed as set forth in this chapter.

(Ord. 16-023. Passed 5-23-16.)

933.03 RATES INSIDE CITY.

The rates for water supplied through meters to consumers within the Groveport Water System shall be determined based on the rates established by Ordinance by Council. The rates for water supplied by the City of Columbus shall be determined based on the rates established by the Columbus City Council.

(Ord. 16-023. Passed 5-23-16.)

933.04 RATES OUTSIDE CITY.

Water rates and other charges for outside the City shall be the inside City rates plus seventy-five percent (75%). Reference is made to Sections 933.03, 933.05, 933.06, 933.07, 933.08, and 933.13. (Ord. 16-023. Passed 5-23-16.)

933.05 METER SERVICE FEE.

(a) When a permit is issued for a service connection or a change in meter size, the meter shall be installed by the City, with a meter service fee of the actual cost of the automatic reading meter.

(b) Where the meter is two inches or larger in nominal diameter, the fee shall be equal to the cost of the meter with installation to be made by the applicant under the inspection and approval of the Division of Water.

(c) The meter service fee, as set forth above, shall be reviewed each year by the Administrator who shall determine any needed adjustments based upon actual cost.

(d) All water meters, exclusive of deducting meters, shall be maintained by and remain the property of the City.

(Ord. 16-023. Passed 5-23-16.)

933.06 SPECIAL CHARGES.

The following charges shall be paid for the specified special services furnished by the City:

(a) Trip to turn off service for non-payment of account or as a result of fraud 50.00

(b) Trip to notify of non-payment (door hanger) 25.00

(c) Trip to turn on or off service at curb box at request of consumer

(1) During working hours No Charge

(2) After regular working hours 30.00

(Ord. 16-023. Passed 5-23-16.)

933.07 PRIVATE FIRE PROTECTION SERVICE.

(a) For all fire protection service installations made after the effective date of this chapter requiring a separate fire service line the consumer shall install at their expense, subject to the inspection and approval of the Administrator, all of the piping system necessary to extend from the consumer's system and connect to the City's existing water main.

(b) All separate fire service lines shall have installed, before service is established, an approved meter installation. Such meter and the installation shall meet the specifications and approval of the City and the entire installation shall be at the expense of the consumer. The

applicable rates as prescribed in Section 933.03 and 933.04 shall be paid for metered fire service lines.

(c) The City reserves the right to order installation of a meter on an existing fire protection line upon violation of applicable ordinances and the rules and regulations of the City.

(d) No charge except the minimum charge shall be made for any measured water flow resulting from the use of water for fire-fighting purposes when such fire has been reported to the fire department serving the area involved.

(e) When a property is served with both a fire protection service and water service, the amount to be paid for the combined service shall be the charge computed by using the applicable commodity rate established in Section 933.03 and 933.04 and the minimum fire protection charge established in this section.

(f) When a property is served by more than one fire protection service and such service provides water to a common interconnected fire protection service, the service shall be considered a single fire protection service with the rates or charges to be based on the largest tap or meter.

(g) When a property is served with one or more fire protection services and one or more water services, the owner or contract holder may notify the Administrator at the time of application for service or as of January 1, of each year which commodity service shall be combined with such fire protection services for billing purposes. In the event no such notice is received, the Administrator shall make such determination.

(h) All outlets, except sprinkler heads, on unmetered fire protection service shall be sealed under the supervision of the Administrator. No person shall break a seal or withdraw water from any unmetered fire protection system, except in the case of a fire, without prior approval of the Administrator.

(i) Any additional amount of water capacity charge caused by the installation of residential fire protection sprinkling systems shall be abated and only the normal charge for residential water tap shall be made.

(Ord. 16-023. Passed 5-23-16.)

933.08 WATER MAIN FRONT FOOT CONNECTION CHARGE.

Each applicant for a water tap, at the time of application, shall pay the sum of ten dollars ($10.00) per front foot of the property to be served, provided further that this charge shall not be imposed if the owner of the property concerned can show that they or their predecessor in title paid, or is paying a special assessment for the construction of any of the existing water mains which provide such service, or at their own expense constructed any of the water mains which provide such service, and that any unencumbered funds may be used to improve, operate or maintain the system.

(Ord. 16-023. Passed 5-23-16.)

933.09 BILLING, METER READING, TERMS OF PAYMENT.

(a) Billing. The City may render bills for water service on a quarterly basis. Payment of water and sewer bills shall be the responsibility of the property owner.

(1) Billing dates shall be January 1, April 1, July 1, October 1, with rates established by Council.

(2) A penalty of ten percent (10%) will be added if not paid by the third day of the first month after billing date, unless a Hardship Arrangement has been requested by the customer and approved by the Assistant Administrator/Finance Director

(b) Hardship Arrangement. A customer may request a hardship arrangement by completing a Hardship Arrangement application form. The application must be approved by the Assistant Administrator/Finance Director. The following rules apply to the Hardship Arrangement.

(1) The application must be submitted AND approved PRIOR to late bills being mailed.

(2) If approved, the bill in question may be paid in three installments.

(3) If approved, the late fee for the bill in question will be waived.

(4) If the bill in question is not paid in its entirety by the end of the approved hardship period, the late fee for the entire bill will be added to the account.

(5) Only one (1) hardship arrangement can be approved once every four billing cycles.

(6) The arrangement will be nullified if a check is returned for non-sufficient funds. Payment in full will then be required.

(c) Nonpayment Notice. The bill sent to the customer will indicate the date the bill is due. If payment is not received by the date the bill is due, a "door tag" will be placed on the customer's door showing the intent for the City to disconnect service to the Groveport Water System.

(d) Meter Readings. No meter readings shall be combined for billing purposes. All meter readings and billings shall be in units of 1,000 gallons and there shall be no proration of rate blocks or minimum charges. All meters shall be sealed and any evidence of deliberate destruction of service connection shall be a violation of this section. Meter readings shall begin the fifteenth of the month prior to billing date.

(1) All meters shall be read by personnel authorized by the City.

(2) No meter shall be estimated for more than one billing cycle. In this case, provisions must be made by the owner or tenant for meter to be read by authorized personnel. Any denial from consumer to permit authorized person to enter premise for meter reading or repair shall result in service being discontinued until such readings or repairs are made.

Estimated meter reading shall not extend beyond a period of one billing period.

(e) Terms of Payment. Because water to residents of the City of Groveport is supplied by both the City and the City of Columbus and further because billing and collection practices widely differ, terms of payment as contained hereinafter are established for the two municipal practices as they are now established.

(1) Services derived from Groveport's water supply system. The water rates prescribed in Sections 933.03, 933.04 and 933.09 are net. If accounts are not paid within one calendar month from the date of billing, a gross rate, which is the net rate plus ten percent (10%) shall apply unless a Hardship Arrangement has been approved by the Assistant Administrator/Finance Director. The bills on overdue accounts shall be prepared and transmitted to all overdue accounts based on gross rates. If the rebilled gross rate is not paid within fifteen days from the rebilled date, the City shall have the right to shut off water services without notice, and

(2) Services derived from City of Columbus water supply system. Those residents on the City of Columbus water system shall be billed according to the most recent City of Columbus water billing regulations.

(Ord. 16-023. Passed 5-23-16.)

933.10 OWNER'S RESPONSIBILITY.

(a) It is the owner's responsibility to protect the meter and service box from damage. Any time damage occurs, it shall be repaired or replaced by persons authorized by the Administrator at the owner's expense.

(b) Only one minimum bill shall be rendered per meter, depending on meter size.

(Ord. 16-023. Passed 5-23-16.)

933.11 WATER MAIN EXTENSIONS

The Administrator is authorized to provide water service to new consumers when he determines that the water main extension is feasible both economically and from an engineering point of view and shall not be detrimental to the best interest of the City having given consideration to the overall effect on the total water system and to the long-term plans and probable future growth of the water system of the City.

(Ord. 16-023. Passed 5-23-16.)

933.12 CHARGE FOR EXTENSION OF WATER MAINS WITHIN THE CITY.

(a) All water main extensions in the City shall be paid for by the applicants or developer requesting such extension.

(1) Where a water main extension is required to a residential customer(s) by the City to be installed larger than twelve inches in nominal diameter, the City shall pay one hundred and ten percent (110%) of the difference in the material cost of the pipe, fittings, and valves between the installation of a twelve inch water main and the water main installed.

(2) Where a water main extension is required by the City to be oversized to industrial or commercial customer(s) or is required to be installed through an industrial or commercial customer's property to serve adjacent properties, the City shall pay one hundred ten percent (110%) of the difference in material cost of the pipe, fittings, and valves between the water main installed, sized as requested by the City, and the size determined by the Administrator as the size necessary to serve the industrial or commercial property but in no case less than twelve inches in diameter.

(b) The Administrator shall determine from the City records, or other sources, the cost of the pipe, fittings and valves and this determination is final.

(c) The Administrator may authorize water main extensions to be installed by a qualified developer and he shall determine whether the water main shall be installed by the City or be the applicants or developer.

(d) For each water main extension requested and installed by the City, the City Engineer shall make an estimate of the total costs involved and the applicants or developer shall make a deposit to the City that is sufficient to cover the estimated costs of the water main extension. If the actual cost of the extension is higher or lower than the deposit, the applicants or developer shall be refunded the amount of any excess deposit or shall pay to the City any deficit that may exist in the deposit as the case may be.

(e) When water main extensions are installed by the City, the cost may be assessed against the abutting property owners, with the approval of Council. Such assessment shall be in an amount equal to the total installation cost unless the line is required to be oversized by the City.

(1) When the oversized water main extension is for residential use and is required by the City to be installed larger than twelve inches, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings and valves between the installation of a twelve inch water main and the water main installed.

(2) When the oversized water main extension is for industrial or commercial use or is required to be installed through an industrial or commercial customer's property to serve adjacent properties, the amount assessed shall be the total installation cost less one hundred ten percent (110%) of the difference in the cost of the pipes, fittings, and valves between the water main installed as requested by the City and the size water main determined by the Administrator as the size necessary to serve said industrial or commercial property. In no case shall the size determined by the Administrator as necessary to serve the property(s) be less than twelve inch nominal diameter.

(f) The specifications and standards of construction for all water main extensions, all plans and installations shall be subject to approval of the City Engineer.

(g) Unless otherwise required by the Administrator no water main shall be smaller than eight inches nominal diameter.

(h) All extensions of water mains shall include the installation of all tap valves and fire hydrants. The number and location of fire hydrants, taps and valves shall be in accordance with the requirements of the City Engineer.

(i) All water mains and appurtenances shall be owned, operated and maintained by the City, with title to be vested in the City upon completion of the water main.

(1) No water mains shall be installed except by the City unless authorized by an agreement between the City and the developer or applicants. Where water mains are installed by a developer or applicants and abut on parcels not owned by the developer or applicants not included in the agreement, the developer or applicants shall be entitled to reimbursements when such parcels are connected to the water main within ten years after the completion of the water main from the funds collected by the City for such connections pursuant to Section 933.09. The amount of the reimbursement shall be determined by dividing the cost of the water main paid by the developer or applicants by the available front footage abutting on the water main provided that the total amount of reimbursement shall not exceed six dollars ($6.00) per front foot of property served.

(2) To be eligible for this reimbursement, the developer or applicant shall file with the Administrator within ninety days after the completion of the water main or such further time as may be authorized by the Administrator in accordance with the Standards and Specifications receipts for all labor and material used in connection with the construction of the water main, together with final, as-built plans, properly referenced for future location of the work.

(Ord. 16-023. Passed 5-23-16.)

933.13 WATER CAPACITY CHARGES.

The following rates shall be charged for each service connection made to any property and shall be paid at the time a permit is issued for the service connection. No person shall make a service connection or any part thereof, unless he has been issued a permit therefor by the Administrator. In the event a tap is subsequently enlarged, the difference between the charges for the two sizes shall be paid.

For that portion of the City served by the Groveport water system:

Diameter of Water Tap (inches)	Water Capacity Charge
3/4"	$2,170.00
1"	3,900.00
1-1/2"	8,568.00
2"	15,400.00
3"	34,500.00
4"	47,775.00
6"	108,529.00
8"	191,100.00
10"	297,670.00
12"	428,749.00
16"	477,749.00

For that portion of the City served by the Columbus water system, the regular rate charged by the City of Columbus plus the following surcharge:

Diameter of Water Tap (inches)	Water Capacity Charge
3/4"	$1,486
1"	2,331
1-1/2"	4,955
2"	7,927
3"	15,750
4"	25,126
6"	50,080
8"	80,249
10"	112,285
12"	217,285
16"	233,351

When there are separate taps for domestic and fire protection, the City collects the full tapping application fee for the domestic tap and five percent (5%) of the regular tapping fee for the fire line. (Ord. 16-023. Passed 5-23-16.)

933.14 CHARGES FOR RENEWAL OF SERVICE.

In all cases where the Administrator has ordered a discontinuance of water service for a violation of any rule or regulation there shall be charged the fees prescribed in Section 933.07 for renewal of the water service.
(Ord. 16-023. Passed 5-23-16.)

933.15 WATER SURCHARGE AND FUND.

(A) The City of Columbus is hereby authorized to directly bill those users who are on the Columbus water system and within the City of Groveport, Ohio, including any extensions of said city, a water surcharge. Said surcharge shall be an amount equal to fifteen percent (15%) of the water charges billed by the City of Columbus based on meter consumption of water and will be in addition to the regular water rate charged by the City of Columbus. Such surcharge shall apply to all bills rendered for billing periods beginning on and after January 1, 2017.

(B) That all money derived from said surcharge shall be credited to the water surcharge fund, established by Ordinance No. 16-023. Said fund shall be used for the payment of the cost of management, maintenance and repair of the water distribution system of this city. Any balance in such fund may be used for the construction and reconstruction of the water distribution system including repair and/or replacement of fire hydrants and for the payment of the interest on any debt incurred for the construction thereof.
(Ord. 16-023. Passed 5-23-16.)

933.99 PENALTY.

In addition to the civil penalties prescribed in this chapter and Chapter 929, whoever violates any provision of this chapter and Chapter 929 is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation.
(Ord. 16-023. Passed 5-23-16.)

CHAPTER 935

Stormwater Management Policy

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935.01 GENERAL.

(a) The Administrator shall be responsible for the enforcement of the Stormwater Management Code and shall not allow any development of land area unless such development meets the design requirements herein. The Administrator shall serve as the principal executive officer for storm water management for the purposes of fulfilling the requirements of the Environmental Protection Agency's NPDES Phase II storm water program.

(b) The Planning Commission shall not recommend for approval the final plat of any development or subdivision over which it has jurisdiction without documentation from the Administrator and the Engineer, that such development or subdivision has been designed to be in compliance with the design requirements herein.

(c) It is the intent of these minimum requirements to account for the effect of stormwater runoff from the development of land so as to minimize the impact on existing and natural drainage systems. While the requirements set forth herein will not stop flooding or the damage caused by flooding, they do establish a basis for design which will:

(1) Minimize the damage and inconvenience of flooding;

(2) Provide drainage systems which continue to benefit their tributary area over the long term;

(3) Minimize the adverse effects of new drainage systems on existing systems; and

(4) Minimize the expense of maintaining the drainage facilities within the Municipality.

(d) The Administrator shall prepare, or cause to prepare, a storm water management plan, required as part of the NPDES Phase II storm water program in accordance with the requirements set forth by the Ohio Environmental Protection Agency, including all annual updates and amendments thereto.

(Ord. 08-021. Passed 4-14-08.)

935.02 DRAINAGE POLICY.

(a) This drainage policy, control guidelines and criteria do not provide solutions to all drainage problems, nor is the Engineer restricted to these designs or procedures exclusively. Although the policies as stated will hold true for most development work, the Municipality realizes that there may be individual projects involving special or unusual drainage design problems that should be reviewed prior to completing the requisite Master Drainage Plan. Exceptions may be granted by the Administrator to the policies and criteria in such cases when engineering study(s) justify modification.

(b) Experience has shown that most of the more serious flooding situations are "created". Development can lead to ever increasing flooding problems unless well-conceived, cooperative stormwater drainage and flood control programs are undertaken throughout the entire watershed. For this reason, the general policy of the Municipality shall be:

(1) Land uses and developments which increase runoff rate or volume shall control the discharge rate of runoff prior to its release to off-site land.

(2) It is the responsibility of the property owner to not change or alter any drainage course, ditch, flood routing path or drainage system on their property that will damage or cause flooding to adjacent, upstream or downstream property owners.

(3) All stormwater drainage systems, including conveyances, within a development shall be designed to have capacity and depth, including sufficient invert elevations to permit future connections, to serve that total tributary area at the design storm frequency, and based on the rate of single family, residential runoff except as noted in subsection (4) below. The system for the upstream tributary area must be extended through the development.

(4) All proposed development with a runoff rate greater than that which the downstream system has capacity for, or will be designed for, will be required to control the rate of stormwater discharge.

(5) All developments having existing controls located downstream from the site will be required to control the flow rate of stormwater discharge to that rate which existed prior to development.

(6) All information necessary shall be submitted to the Municipality to determine how stormwater runoff should be controlled within the development prior to its release to downstream properties. The tributary area and the upstream watersheds should be determined using natural land divides unless man-made alterations are approved by the Municipality's Engineer as the basis for watershed delineations.

(7) The Stormwater Management Policy applies to all land developments not specifically exempted or granted a waiver as provided under the appropriate section of this Policy.

(Ord. 08-021. Passed 4-14-08.)

935.03 DRAINAGE REQUIREMENTS.

(a) Purpose. These design standards and specifications shall serve as the minimum requirements for the handling of surface water and drainage. These procedures and standards shall govern the development of all new or modified drainage systems. The development of such drainage systems shall include the conveyance of surface water to an adequate outlet, which is capable of carrying the flow. The design engineer's highest design priority shall be to eliminate the possibility of any loss of life or major loss of property.

(b) Master Drainage Plan Requirement. A Master Drainage Plan for the total development area shall be prepared for all sites and shall be presented to the Municipality's Engineer for review and preliminary drainage approval prior to initiating detailed engineering designs. The Master Drainage Plan does not constitute a detailed working design or plan from which storm sewer improvements can be constructed, nor is such detail necessary to meet the objectives of preliminary drainage review. The Master Drainage Plan shall be reviewed by the Municipality's Engineer prior to initiating detailed site engineering designs. The required content of the Master Drainage Plan is as follows:

(1) A topographic contour map, with the drainage area delineated, with a plan for draining the total upstream tributary watershed through the proposed development.

(2) A topographic map with at least 2-foot contours, with general layout of the proposed inlets and storm sewers for the total development showing all existing drainage structures with size and invert elevations.

(3) The capacity of the downstream open channel, culvert or storm sewer that may be used for an outlet.

(4) The points downstream that may be used as a control to affirm the maximum allowable release rate of stormwater runoff for the design storm.

(5) The routing path to be provided for runoff in the event the drainage facilities' capacity is exceeded. This path will become part of a grading plan, which will be submitted with detail plans. The routing path should be continuous from one development to the next.

(6) Stormwater management basins shall be located on the plan and shall become part of the routing path.

(7) Excess stormwater shall be kept out of proposed habitable structures.

(c) Adequate Drainage Outlet. Surface water runoff from a development shall be drained off site to an adequate drainage outlet. The location of the outlet shall be approved by the Municipality's Engineer and may consist of a ditch, stream, storm sewer, or approved detention basin having sufficient capacity to accommodate the surface water runoff in an engineered manner.

(d) Stormwater Management Design Report. A stormwater management design report shall be prepared for all developing sites by a professional engineer registered in the State of Ohio and shall be presented to the Municipality's Engineer for review and approval as part of the site plan approval process. No site improvement activities shall occur until this design report is approved by the Municipal Engineer. This report shall include a general summary describing the proposed stormwater water quality and quantity management features that are proposed for the site development and shall include design documentation and back up calculations demonstrating general compliance with appropriate sections of this chapter.

(e) Drainage Easements.

(1) An adequate utility easement conveyed to the Municipality that provides access for Municipal personnel shall be required along any tile, pipe, detention basin, drainage way, flood routing path, ditch, watercourse, natural stream, man-made

stream, storm sewer or any other watercourse deemed necessary by the Administrator which is not already within the street right-of-way. The easement shall be of sufficient width to allow cleaning, widening, deepening, replacing or other general maintenance of such drainage course or piped system. Dimensions of required easements are defined in the City of Groveport Municipality's Subdivision Regulations, Section 1112.12.

(2) When it is necessary to convey stormwater outside the property lines of a proposed improved area in order to discharge into an adequate outlet, the Developer:

A. Shall be responsible to obtain easements and/or maintenance agreements, in a form and substance satisfactory to the Administrator, from abutting property owners,

B. Shall remain responsible for the maintenance of such drainage course unless the easements and/or maintenance agreements require the abutting property owners to repair and maintain the drainage course satisfactorily.

(3) All drainage easements, preservation areas, reserves and other similar areas shall be shown on the "final engineering and construction plan(s)". Drainage easements for all on-site drainage system improvements shall be recorded for public use by final plat. For off-site drainage systems improvements, easements should be recorded for public use by either final plat or separate instrument. The maintenance of such drainage easements shall be undertaken in the manner set forth in subsection (e)(4) below.

(4) In addition to any applicable provision of Section 935.12, The Administrator, or their designee, is hereby authorized to inspect such drainage easement areas and if the Administrator determines that maintenance is needed, the Administrator shall notify the property owner whose property requires maintenance and/or any other parties who, in the sole determination of the Administrator, directly benefit from such easement. The manner in which notice of the required maintenance, and the carrying out thereof, shall be as follows:

A. The Administrator shall cause written notice to be served on the property owner and/or any other parties benefiting from the easement notifying such parties that maintenance and/or repair of the drainage course is necessary and that a contract with a contractor acceptable to the Administrator for such repair and/or maintenance must be delivered to the Administrator within fourteen (14) days of said notice. The notice shall be served upon the property owner and/or benefited parties at the tax billing address for such premises reflected upon the records of the Franklin County Auditor. Service shall be accomplished by any means permitted for service of summons under the Ohio Rules of Civil Procedure. Each property affected by such notice shall also be posted with such notice by the Administrator or their designee.

B. In those instances where the address of the owner is unknown, it shall be sufficient to publish a notice once a week in a newspaper of general circulation in Franklin County, Ohio setting forth the substance of the notice and time frame for compliance. The time frame for compliance shall be no less than fourteen (14) days after the publication.

C. If the property owner and/or benefiting parties fail to comply with the notice, the Municipality shall cause such repairs, replacement, maintenance and abatement procedures to be implemented as determined appropriate by the Administrator. The cost of such repair, replacement, abatement and other procedures deemed appropriate by the Administrator shall be immediately due and payable to the City in the amounts and in the proportions determined by the Administrator. Additionally, the Administrator may assess an administrative fee as the Administrator deems appropriate against all benefiting property owners or benefiting parties in an amount not to exceed ten percent (10%) of cost of such repair, replacement, abatement and other procedures, as determined by the Municipality's Engineer. Such cost shall be reimbursed to the Municipality by all benefiting property owners or benefiting parties in an amount equally apportioned amongst each respective property owner, for each instance where a notice is served under this section. The cost and administrative fee shall be due and payable within thirty (30) days after the same are assessed.

D. If any fees or costs remain unpaid for a period in excess of thirty (30) days, in addition to any other remedy available to the Village Municipality, the Village Municipality may authorize placement of a lien on the real estate to be certified to the Franklin County Auditor in the amount assessed together with interest thereon from the date of such certification at the then existing rate for payment of judgments in the State of Ohio. Such interest shall continue on an annualized basis until paid.

E. Any owner or benefiting party aggrieved by an action of the Administrator under this section may take an appeal to the Board of Zoning Appeals within (30) days of the date service of notice of such action upon the property owner and/or benefiting party.

(Ord. 11-015. Passed 5-9-11.)

935.04 EXEMPTIONS.

Exemptions are appropriate for certain land use activities that clearly do not generate significant increases in stormwater runoff. Where exemptions are granted under this Section, they shall apply to the requirements for runoff volume control only and do not in any way imply a relaxation of requirements for adequate and proper on-site drainage or the ability of the system to accept runoff from tributary land. The following land uses and developments are exempted from stormwater runoff controls:

(a) Land preparation for agriculture crops, orchards, woodlots, sod farms, and nursery operations.

(b) Land grading or leveling for erosion control under direction of the local soils conservation district.

(c) Land subdivisions for residential purposes with a minimum lot size of five acres.

(Ord. 08-021. Passed 4-14-08.)

935.05 WAIVERS.

(a) It is conceivable that development situations not automatically subject to exemptions may exist such that development will have none of the harmful effects associated with increases in runoff rates and volume. Such developments are eligible for a waiver. The waiver applies only to the requirement that runoff be controlled, and does not in any way imply a relaxation in the requirement for adequate on-site drainage or the ability to accept runoff from land tributary to the development.

(b) The waiver applicant must request in writing that said requirements for stormwater runoff control be waived. The application shall

include sufficient technical detail to determine that granting a waiver will not result in increased flooding and that the added volume of runoff will not damage the receiving stream or system.

(c) A condition of the waiver shall be that any addition, extension, or modification of a development for which a waiver has been granted shall be required to provide stormwater runoff control for the entire site if preceding limitations are exceeded by subsequent additions, extensions, or modifications.

(d) The following land uses and developments are eligible to apply for a waiver on stormwater runoff control requirements contained in this Policy:

(1) Single family residential developments:

Min. Lot Size	Max. Subdivision Size
1 acre	19 acres
½ acre	5 acres
15,000 square feet	2 acres

(2) Multi-family residential developments which total one acre or less.

(3) Buildings, their related parking lots, and structures where one acre or less is to be altered by grading, draining, removing existing ground cover, or paving; and of which ½ acre or less will be impervious areas, such as roofs, walks, and parking areas.

(4) Situations where existing and adequate off-site stormwater runoff control facilities provide the required control. However, this shall not be construed to imply the first development requesting use shall have full use of available capacity. Rather, such waiver may grant a proportional use of available storage capacity to ensure that later developments have a similar opportunity to utilize a portion of the storage capacity.

(5) Development areas immediately abutting Blacklick Creek, Big Walnut Creek and Little Walnut Creek, on which surface watershed flows directly into these streams' channels.

(e) All waiver applications shall be submitted to the Administrator. The application shall be reviewed by the Municipality's Engineer, who shall review the application for technical accuracy and competence. The Administrator shall be responsible for approving or denying the application.

(Ord. 08-021. Passed 4-14-08.)

935.06 STORMWATER RUNOFF CONTROL CRITERIA.

(a) Quantitative Control. Editor's Note: Stormwater quantity control shall be implemented pursuant to the criteria outlined as follows:

(1) Stormwater runoff control shall address both peak rate and total volume of runoff. The peak rate of runoff from an area after development shall not exceed the peak rate of runoff from the same area before development for all storms from one year up to a 100-year frequency, 24-hour storm. In addition, if it is found a proposed development will increase the volume of runoff from an area, the peak rate of runoff from certain more frequent storms must be controlled further. There are two reasons why increases in volume of runoff require a control standard more restrictive than controlling to the predevelopment condition. First, increases in volume mean runoff will be flowing for a longer period of time. When routed through a watershed, these longer flows may join at some point or points downstream thereby creating new peak flows and problems associated with peak flow (flooding). This is known as the "Routing Problem". Second, longer flow periods of large runoff quantities place a highly erosive stress on natural channels. This stress can be minimized by reducing the rate of discharge. The permissible peak rate shall be determined as follows:

A. All development sites located outside the Hendron Ditch Watershed:

1. For the purpose of determining site pre-development condition a runoff curve number (RCN) of 77 shall be used.

2. Determine the total volume of runoff from a 1-year frequency 24-hour storm, occurring over the area before and after development.

3. Determine the percentage of increase in volume due to development and using this percentage, pick the critical storm from the following Table A:

TABLE A

If the percentage of increase in VOLUME [of] runoff is		The Critical Storm for discharge limitations will be
Equal to or greater than	and less than	
- -	10	1 year
10	20	2 year
20	50	5 year
50	100	10 year
100	250	25 year
250	500	50 year
500	- -	100 year

4. The peak rate of runoff from the critical storm occurring over the development shall not exceed the peak rate of runoff from a 1-year frequency storm occurring over the same area under predevelopment conditions. Storms of less frequent occurrence (longer return period) than the critical storm, shall have a peak rate of

runoff not greater than for the same storm under predevelopment conditions. As an example, if the total volume is to be increased by 35%, the critical storm is a 5-year storm. The peak rate of runoff for all storms up to this intensity shall be controlled so as not to exceed the peak rate of runoff from a 1-year frequency storm under predevelopment conditions in the area. The runoff from a more intense storm up to a 100-year storm need only be controlled so as not to exceed the predevelopment peak rate from the same frequency of storm.

B. All development sites located within the Hendron Ditch Watershed:

1. For the purpose of determining the predevelopment runoff coefficient and RCN, undeveloped land within the Hendron Ditch Watershed shall be considered as undeveloped wooded land, in fair condition.

2. For single-family residential detached development:

a. The critical storm shall be as determined in Table A.

b. All other criteria as stated in above subsections 935.06(a)(1)A.1. through 935.06(a)(1)A.4. shall apply, notwithstanding these requirements.

OR

3. For non-single family residential detached developments:

a. The critical storm shall be the 25-year frequency 24- hour storm event or the critical storm determined in Table A, whichever is greater.

b. All other criteria as stated in above subsections 935.06(a)(1)A.1. through 935.06(a)(1)A.4. shall apply, notwithstanding these requirements.

(2) Storage volume, generally, does not have to be provided for off-site upstream drainage areas. However, flow from such areas will be routed through the drainage systems in the development under consideration, at its existing rate of flow.

(b) Qualitative Control. Stormwater quality control shall be implemented into sites within developing areas in accordance with general and specific requirements outlined in the latest edition of the Ohio EPA general (NPDES) permit for stormwater discharges associated with construction activity (See Part IIIG2e of the Ohio EPA's NPDES Permit).

(Ord. 08-021. Passed 4-14-08.)

935.07 STORMWATER SYSTEM GENERAL DESIGN CRITERIA.

(a) Design Storms:

(1) The initial drainage system is that part of the storm drainage system which is used regularly for collecting, transporting, and disposing of storm runoff from frequent and low magnitude storm events, snowmelt, and miscellaneous minor flows. The capacity of the initial drainage system should be equal to the maximum rate of runoff expected from a design storm of established frequency (i.e., Initial Storm). For purposes of design, the initial drainage system portion of the overall storm drainage system shall be designed to contain the runoff from a storm with a return period of not less than five-years.

(2) The major drainage system is that part of the storm drainage system which carries the runoff which exceeds the capacity of the initial drainage system. The major drainage system shall have the capacity to carry runoff from a storm with a return period of not less than 100-years (i.e., Major Storm) without posing significant threat to property or public safety.

(b) Initial Storm - Physical Design Criteria for On-Site Improvements:

(1) Depth of flow in natural channels shall not exceed bank full stage with backwater effects considered.

(2) Depth of flow in man-made channels shall not exceed 0.8 bank full stage. Velocity of flow shall be determined in accordance with the design criteria for open channels and shall not exceed 5 feet per second, or a rate determined by the Municipality's Engineer to be detrimental to the watercourse. Where flows exceed this rate, special channel lining and erosion protection shall be provided. See Section 935.08(d) for specific design criteria for open watercourses.

(3) Depth of flow in road-side ditch swales shall not exceed one foot or be of such depth that flow would extend out of the right-of-way if the side ditch is less than one foot in depth. Velocity at this depth shall not exceed six feet per second for grass swales or ten feet per second for paved ditches.

(4) Depth of flow in streets with curb and gutter shall not exceed the curb height. Velocity of flow in the gutter at design depth shall not exceed ten feet per second. In addition to the above, the following are maximum encroachments of the minimum five-year initial design storm onto the pavement. See Section 935.08(c) for specific design criteria for curb inlet design.

A. For minor streets carrying traffic from the individual residence to collector and secondary streets, the flow may spread to the crown of the street.

B. For collector and secondary streets, one lane shall be free from water.

C. For primary streets, one lane in each direction shall be free from water.

D. For freeways, no encroachment is allowed on traffic lanes.

(5) In design of conduit, the conduit may be designed on the basis of flowing full with surcharge to gutter line. Backwater effects shall be considered.

(c) Major Storm - Physical Design Criteria for On-Site Improvements:

(1) The major storm floodway and floodway fringe for natural streams shall be as defined by the Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers, the Ohio Department of Natural Resources, or where such determinations have not been made by these agencies, the major storm floodway and floodway fringe for natural streams may be estimated through a technical analysis by a registered Professional Engineer in the State of Ohio, in a manner found acceptable by the Engineer.

(2) Many of the drainage ways associated with the major storm system are in areas beyond those designated as floodway or floodway fringe. For these areas, the major storm flood limits shall be determined by the U.S. Corps of Engineers' HEC-2 method or other accepted methods of determining water profiles using the major design storm runoff. One- half foot elevation shall be added to the flood profile as freeboard for protection in the event of future encroachments into the floodway fringe or in the drainage way.

(3) In order to protect the integrity of the non-street drainage rights-of-way, the design engineer is encouraged to design routing paths for multi-purpose functions. Pedestrian and bicycle paths lend themselves naturally to this application. Linear parks aligned along the major drainage corridor are also very effective, but usually require greater width than would normally be necessary for drainage purposes.

(4) Where the street is designed as the major drainage system, the depth of flow shall not exceed 12-inches at gutter line for minor, collector and secondary streets, and shall not exceed 6-inches depth at crown for primary streets and freeways. The same maximum depth criteria will apply where a major drainage way crosses the street. Where a major drainage way is located outside a street, right-of-way easements will be provided.

(5) In determining the required capacity of surface channels and other drainage ways provided for the major storm runoff, the street storm inlets and conduit provided for the initial design storm may be assumed to carry a portion of the total runoff volume, if appropriate. The following equation shall be used to determine the required capacity of surface channels and drainage ways in their design, when a portion of the runoff is conveyed within the initial piped system:

$$Q_{100} = C\ I_{10}\ A + 0.96\ (I_{100} - I_{10})\ A$$

and

$$Q_{\text{flood routing path}} = Q_{100} - Q_{\text{pipe}}$$

Where:

$Q_{\text{flood routing path}}$ = Design flow, major storm runoff (cfs)

Q_{pipe} = Peak flow within piped system (i.e., 5-year event) (cfs)

Q_{100} = Peak flow for 100-year event (cfs)

C = Rational runoff coefficient, site developed condition

I_{10} = rainfall intensity for 10-year storm event (inches/hour)

I_{100} = rainfall intensity for 100-year storm event (inches/hour)

A = Drainage area contributory to design point (acres)

(d) Retention and Storage: Areas designed for storage of stormwater by retention should be incorporated into the natural features of the general area, when possible. Cooperative planning and joint owner construction of detention or retention facilities and use of natural land contours is encouraged. No such facilities will be permitted which may be or become aesthetically unpleasing, or which may result in construction, or maintenance problems. The Municipality encourages that detention or retention facilities be designed as multipurpose spaces such as open space, recreation and/or scenic areas. The Municipality encourages use of fountains for aeration and reserves the right to require such an appurtenance as a condition to plan approval.

(e) Methods of Calculation: The methods of calculation as listed in Table E (located at the end of this chapter) shall be used unless otherwise approved by the Municipality's Engineer:

(1) Rainfall volumes shall be in accordance with data for Central Ohio provided in "*Bulletin 71: Rainfall Frequency Atlas of the Midwest*", 1992 and any subsequent updates thereto.

(2) Rainfall distribution for stormwater management systems is to be in accordance with SCS Type II Rainfall Distribution.

(3) The appropriate Runoff Curve number (i.e., "RCN" factor) may be determined by using Technical Release No. 55 (S.C.S.) or its Ohio Supplement.

(f) Drainage Area Determination: The drainage area shall be determined from any of the following sources, which are listed in order of priority preference:

(1) Actual field investigation.

(2) Franklin County Auditor, topographic maps;

(3) U.S. Geological Survey quadrangle (7.5-minute series) contour maps; or

(4) Soil Survey of Franklin County, Ohio, U.S.D.A.

(Ord. 08-021. Passed 4-14-08.)

935.08 STORMWATER SYSTEM SPECIFIC DESIGN SPECIFICATIONS.

(a) Roadway Culverts.

(1) General specifications. The size and shape of the culvert should be such that it will carry a predetermined design peak discharge without the depth of water at the entrance or the velocity at the outlet exceeding allowable limits.

(2) Design procedure. The culvert design procedure recommended for use is Hydraulic Design Series No. 5, U.S. Department of Transportation.

(3) Preferred construction. Single span culverts, including concrete box and slab top are preferred. Multiple cell pipe culverts, when they are the only structures that will meet the physical requirements introduced by rigid headwater controls, will be acceptable

(4) Material. The culvert material shall be concrete, at a minimum diameter of 12 inches. Corrugated steel or metal pipe material will not be allowed.

(5) Drainage area. The drainage area in acres, and the estimated runoff or design discharge in cubic feet per second, and the storm frequency in years shall be shown on the plan for each culvert.

(6) Inlet elevation. The flowline elevation at the culvert inlet should be set deep enough to provide an adequate outlet for future storm sewer improvements upstream.

(7) Design storm frequency (roadway culverts), shall be:

A. 10-year frequency 24-hour storm event for private drives, local and collector streets.

B. 25-year frequency 24-hour storm event for arterial streets.

(8) Design flow. For method of calculation, refer to Table E.

(9) Maximum allowable headwater. The maximum allowable headwater for the design storm shall not exceed or cause any of the following:

A. 18-inches below the top of curb;

B. 12-inches below the edge of pavement;
C. 1.2 times the diameter of culvert; or
D. Diameter or rise plus two feet, in deep ravines.
E. Property Damage – 100-year frequency headwater plus 1-foot, shall not exceed any existing or proposed building first floor elevation.

(10) Manning's roughness coefficient (n). (See Table F at end of this chapter) Manning's Roughness Coefficient (n) should be as given in Table F unless an alternate value is approved by the Engineer.

(11) Entrance loss coefficient (Ke). (See Table F) The Entrance Loss Coefficient (Ke) should be as given in Table F based upon the headwall configuration unless an alternative value is approved by the Engineer.

(12) Minimum cover to subgrade. Should be 30 inches from top of pipe to subgrade.

(13) Maximum allowable outlet velocity, shall be:

Turf Channel 5 f.p.s.
Rock Protection 18 f.p.s.
Notes:

A. When the outlet velocity exceeds 18 feet per second, a stilling basin or other such energy dissipation structure must be used.
B. The downstream channel must have the ability to handle the flow satisfactorily.

(14) Structural design criteria. The structural design criteria for culverts shall be the same as that required by the Ohio Department of Transportation (ODOT).

(15) Emergency flood routing. The manner in which flows greater than the design storm will route over or around the culvert, shall be demonstrated to not create a hazard or to cause potential for erosion or personal property damage. Additional scour protection may be required.

(16) End protection should be as follows:
A. 12-inch through 36-inch culverts – full-height headwall.
B. 42-inch through 84-inch culverts – full height headwall with flared wings.
C. Other special type headwalls must be approved before use.

(b) Storm Sewers. The criteria for designing storm sewer systems are listed:

(1) All storm sewer systems shall be designed using Manning's Equation:

$$Q = \frac{1.49}{n} R^{2/3} S^{1/2} A$$

and

$$Q = AV$$

where :
Q = Rate of discharge (c.f.s.)
A = Area of cross-section of flow (sq.ft.)
V = Mean velocity of flow (f.p.s.)
n = Manning's roughness coefficient
R = A/wp = Hydraulic radius (ft.)
S = Slope of pipe or hydraulic grade line if surcharged (ft./ft.)
wp = Wetted perimeter (ft.)

(2) Design Storm Frequency: shall be
A. 72" and under - flowing full for 2-year storm
B. Over 72" diameter - flowing full for 10-year storm

(3) Hydraulic Gradient requirement: shall be
A. Based on 5-year storm, shall not exceed window or grate elevation for an inlet or catch basin.
B. Grade line based on tailwater or 0.8 D at outlet (whichever is greater) or other critical points within the system.

(4) Design Flow:
A. Areas under 200 acres use Rational Method Q = CiA.
B. Areas between 200 and 300 acres transition between Rational Method and Technical Release 55.
C. Areas over 300 acres use Technical Release 55.
D. Minimum times of Concentration:
1. Curb inlet - 10 minutes
2. Catch basin - 10 minutes

(5) Runoff Coefficient: Based on Table F, with 0.4 as a minimum.

(6) Manning's "n" Value: All storm sewers shall be based on an "n" of 0.013.

(7) Off-site Area: The sewer must be deep enough to receive the flow from all its sources within the watershed.

(8) Size - The size of the sewer must be adequate for flowing full, based on the design storm (see subsection (b)(2), listed above) with the 5-year storm hydraulic grade line contained to the system

(9) Solids: The gradient of the sewer must be sufficient to avoid deposition of solids.

(10) Material: The storm sewer material for municipally maintained sewers shall be concrete, 12-inch minimum size. 8-inch through 15-inch PVC or polyethylene may be used on privately maintained storm sewers. Other material may be used for special design, only if approved for use by the Administrator. Corrugated metal or steel material will not be allowed.

(11) Manholes: The main conduit, if over 24-inches in diameter, will be required to be separated from all curb and gutter inlets unless a special design is approved by the Municipality's Engineer. Furthermore, the main conduit will be

required to be separated from all deep curb and gutter inlets, which have a depth greater than 6.5 feet from invert to the top-of-casting elevation.

(12) Flow Line: Unless otherwise approved by the Municipality's Engineer, the flow line of pipes should be set such that the crown of pipes, at junctions, are at the same elevation; if the outlet elevation permits, the crown of the outlet pipe may be lower. The flowline elevations of sewers should be set to avoid using concrete encasement.

(13) Specifications: Methods of construction and trench backfill shall be as per the requirements of the Municipality and the City of Columbus "Construction and Materials Specifications", latest edition, as approved for use by the Municipality's Engineer.

(14) Submerged pipe outlets: The submergence of a permanent pool of water above the flowline invert elevation of a storm sewer at the outlet is discouraged and shall not be permitted to a depth greater than the ½ the pipe diameter or a depth of two-feet at the outlet, whichever is less. When submergence is allowed upon approval by the Municipality's Engineer, special requirements shall include, but may not be limited to:

A. Submergence "zone" shall not extend beneath pavement.
B. Submergence "zone" shall not extend beyond the first manhole.
C. "O-ring" sealed gasketed pipe joints shall be installed along the storm sewer for the full length of the submergence zone.
D. Anti- seepage collars shall be installed in the submergence "zone".

(15) End protection should be as follows:

A. 12-inch through 36-inch culverts – full-height headwall. If the outlet is not located within a channel bank or within the direct flow path of crossing floodwaters, half-headwalls at the outlet may be used if approved by the Municipality's Engineer. In no instance will half-headwalls be allowed on non-concrete conduit.
B. 42-inch through 84-inch culverts – full height headwall with flared wings.
C. Other special type headwalls must be approved before use.

(16) Minimum Cover to Subgrade:

A. Desirable, under pavement and within influence of traffic load - 30 inches from top of pipe to subgrade.
B. Desirable, beyond influence of traffic loads (standard strength pipe) – 18-inches from top of pipe to ground surface.

(17) Maximum Cover over pipe:

A. The supporting strength of the conduit, as installed, divided by a suitable factor of safety must equal or exceed the loads imposed upon it by weight of earth plus any superimposed loads.
B. The design procedure recommended for use in structural design of storm sewers is outlined within the Design Manual Concrete Pipe, available from American Concrete Pipe Association, wide trench installation.

(18) Encasement: Class A concrete encasement shall be required within the limits of existing or proposed paved areas inside right of way, in areas influenced by traffic loading, or under paved driveway entrances adjacent to right of way as directed by the Municipality's Engineer, where the minimum cover during construction or proposed cover over the outside top of the pipe to top of subgrade is 30 inches or less. In addition, all PVC and polyethylene pipe allowed to be installed in the right of way shall be concrete encased per CMS 910. Any concrete encasement of flexible pipe shall extend from structure to structure.

(19) Velocity in Sewer for Design Flow:

A. 3 fps Minimum
B. 15 fps Maximum
C. No minimum for outlets from ponding areas.

(20) Maximum Length Between Access Structures

A. Pipes under 60-inch – 350 feet
B. Pipes 60-inch and over 500 feet

(c) Curb Inlets.

(1) General. The satisfactory removal of surface water from curbed pavement is as important as any other phase of stormwater control. The spread of water on the pavement for the design storm is considered as the best control for pavement drainage. The design procedure recommended for use is Hydraulic Engineering Circular No. 12, available from the Superintendent of Documents, U.S. Government Printing Office. On combined runs of over 600 feet contributing to a sag vertical curve, an additional inlet may be required near the low point, plus or minus two- tenths foot above the inlet at the sag.

(2) Design storm (curb inlets). The following shall be used:

A. Two-year storm frequency.
B. Rational method of calculation.
C. Ten minutes for minimum time of concentration.
D. 0.015 for roughness coefficient for composite roadway paved and gutter section.
E. Maximum width of spread of flow:

Street Width	Width of Spread
≤ 26 ft.	8 ft.
> 26 ft.	9 ft.

(3) Underdrains: Four (4) inch curb drains connections shall be placed 30- inches below the top of the curb on the up-grade side of the inlet. It is desirable to have the storm sewers, draining to the inlets, set such that the elevation of the top of the sewer is not higher than the top of the 4-inch curb drain.

(d) Open Water Courses.

(1) General Requirement: The requirements in this section are applicable to newly constructed open watercourses that are intended to convey flow to stormwater inlets, stormwater control facilities, Tier I/ II streams, lakes, wetlands, or other water

bodies during precipitation events. A constructed channel shall be shaped or graded to the required dimensions and established with a suitable lining as necessary to convey stormwater runoff without allowing channel erosion. The following guidance documents may be used for evaluation, planning, and design of constructed open watercourses to supplement the design criteria provided in the Manual:

A. NRCS Ohio Practice Standard 412, Grassed Waterways,
B. NRCS Engineering Field Handbook (EFH) Part 650, Chapter 7 - Grassed Waterways,
C. Agricultural Handbook 667, Stability Design of Grass-lined Open Channels, and
D. Federal Highway Administration, 1988, Design of Roadside Channels with Flexible Linings. Hydraulic Engineering Circular No. 15.

(2) Channel Hydrology Requirements. The hydrologic computation methods specified in Table E, 935.07(e), or as specified by the Municipality's Engineer, shall be used to design open watercourses in the Municipality. In most cases, open watercourses shall be designed according to the same method used to design other onsite drainage facilities.

(3) Channel Hydraulic Requirements.

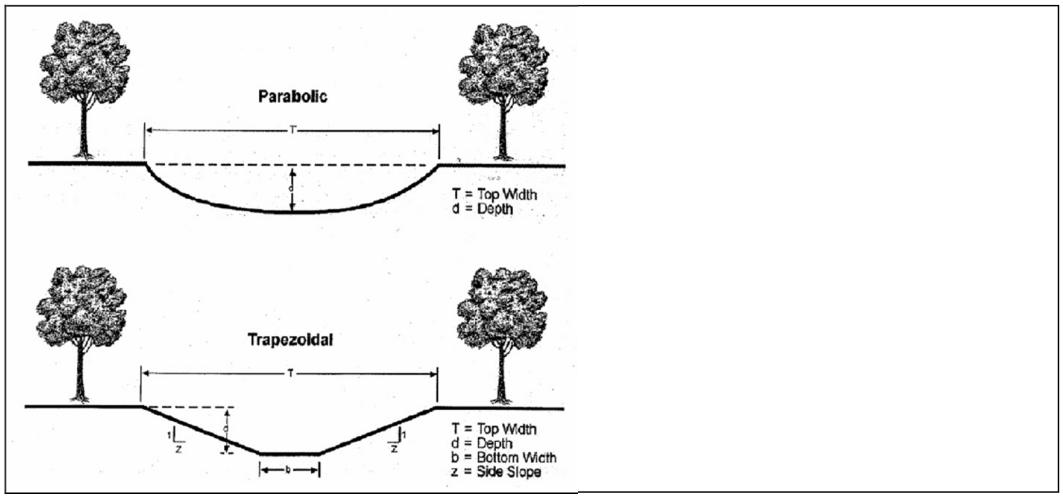
A. Design Storm Frequency: Constructed open watercourses shall be designed to convey the 10-year design storm without causing erosion, sedimentation, or overbank flooding within and along the channel. Criteria in 935.07 (c) shall be used if the channel will also serve as a flood routing channel for the 100-year design storm. Open watercourses may also be designed for stormwater quality control. ODOT's L&D Manual, Drainage Design aids may be used for sizing open conveyances (at various side slopes). A ditch computation sheet shall be used to present open channel calculations.

B. Cross Section Shape: Parabolic and trapezoidal channel shapes (Figure 1) shall be used for open watercourses within development projects. Side slopes shall be 4(H) to 1(V) or milder, with a minimum 2-foot bottom width for trapezoidal channels, unless alternative dimensions are approved by the Municipality due to specific project conditions. Channel cross sections shall be designed such that erosion and sediment deposition is minimized.

C. Design Velocity: An open channel is categorized by its lining. There are three main types of channel linings: vegetated, flexible, and rigid. A vegetative lining, such as grass with mulch and sod and lapped sod, is required where site constraints and flow velocity conditions allow. Flexible linings include rock channel protection and cellular soil retaining mats and are typically less expensive than a rigid lining. The use of flexible linings, however, may require the installation of a filter fabric or other means to protect the underlying soil, prevent washout, and prevent soil piping through the rock when using channel protection. Rigid linings include concrete and rigid block and are usually used where high velocities are unavoidable.

Final design of constructed open channels should be consistent with velocity limitations for the selected channel lining. Maximum velocity values for selected vegetated and non- vegetated lining categories are presented in Table B. The Manning's Equation shall be used to design an open channel that satisfies the maximum velocity criteria in the previous sections:

Figure 1



$V = (1.49/n)\ R^{2/3}\ S^{1/2}$

where:
V = average channel velocity (ft/s)
n = Manning's roughness coefficient
R = hydraulic radius (ft)
= A/P
A = cross-sectional area of the channel (ft^2)
P = wetted perimeter of the channel (ft)
S = slope of the energy grade line (ft/ft)

Recommended Manning's "n" values for open channels with vegetated and non-vegetated linings are provided in Table B.

D. Critical Flow: Open channels shall be designed to flow under subcritical flow conditions at all times. A subcritical flow regime is characterized by a Froude Number less than 1:

Table B
Manning's Roughness Coefficients (n) for Vegetative and Artificial Channels

Channel Lining Category	Roughness Coefficient
Vegetated Lining:	
Seeded	0.03 (for velocity determination only without erosion control matting on all channels) 0.04 (for depth determination along roadside channels only) 0.06 (for depth determination, except along roadside channels)
Sod	0.04 (for velocity determination on all channels) 0.04 (for depth determination along roadside channels only) 0.06 (for depth determination, except along roadside channels)
Flexible Lining:	
Slope Erosion Protection	0.04
Erosion Control Matting	0.04
Grouted riprap	0.02
Rock channel protection (Typical for Type C/D*) Small channels/ditches Large channels	 0.06 0.04
Rigid Lining:	
Concrete	0.015
Bituminous	0.015
Concrete block mat (tied)	0.021

- Note: Increase roughness coefficient by 15% for Type B RCP.

$F = V/(gD)^{0.5} < 1$

where:

F = Froude Number

D = hydraulic depth (ft)

=A/T

A = cross-sectional area of flow (ft^2)

T = top width of water surface (ft)

V = flow velocity (ft/sec)

g = acceleration due to gravity = 32.2feet/sec^2)

The Stormwater Management Report shall demonstrate that the calculated Froude Number is less than 1 over the anticipated range of flow conditions within the channel.

E. Rock Channel Protection Shear Stress Analysis: Type B, C or D rock channel protection shall be provided in accordance with City of Columbus CMSC Section 601.08. Type B, C or D rock channel protection shall only be placed outside of guardrails, barriers or other unobstructed areas provided outside of the traveled way for vehicles to stop safely or regain control. The actual shear stress (r_{ac}) must be less than or equal to the allowable sheer stress (r_a) listed in Table C for the rock channel protection type used. The actual shear stress shall be determined for the channel slope and the depth of flow during a 10-year design storm. The following equation is valid for discharges less than 50 cfs and with slopes less than 10%:

Table C
Allowable Shear Stress for
Rock Channel Protection

Type of Rock Channel Protection	r_{ac} (lbs/$feet^2$)
B	**6**
C	**4**
D	**2**

$r_{ac} = 62.4 * D * S$

where:

D = depth of flow (feet)

S = channel slope (feet/feet)

r_{ac} = actual shear stress (lbs/$feet^2$)

In extreme site conditions, Type B or C rock channel protection shall be utilized for lining channels with steep grades (slopes 10%- 25%) that carry flow from the end of a cut section down to the lowest elevation on the bottom of the channel. FHWA's HEC-15 procedures for steep gradient channels shall be used with a safety factor of 1.5. The Division of Sewerage and Drainage shall be consulted if rock channel protection is proposed in instances where the peak flow during the 10-year design storm is greater than or equal to 50 cfs.

F. Outlets: All constructed open watercourses shall have a structurally sound and stable outlet with adequate capacity to prevent ponding or flooding damage. Portions of open water courses affected by back water from Tier I or Tier II

streams during dry weather flow conditions shall be provided with a stable outlet.

(Ord. 08-021. Passed 4-14-08.)

(e) Stream Corridor Protection Zone:

(1) Purpose: The City has determined that establishing a Stream Corridor Protection Zone along streams is necessary to protect structures from damage caused by natural erosion. Unless otherwise exempt, all development and redevelopment projects that include a portion of a Stream Corridor Protection Zone must minimize alterations of the stream, keep new structures out of the Stream Corridor Protection Zone, and maintain a riparian corridor along the stream to minimize streambank erosion and to protect stream habitat.

(2) Requirements: With the exception of roadside ditches (that carry only immediate right-of-way drainage) and approved roadway crossings, no open channels (natural or man-made) will be enclosed within a storm sewer when an area is developed. This policy will apply even when the open watercourse is located on a property line.

A. Exceptions may be granted by the Administrator for streams when the total tributary drainage area is less than 100 acres, however, this shall not absolve the developer from complying with all applicable state and federal regulations.

B. If exceptions are granted on any project, it will be with the requirement that any enclosure will convey flow from the entire tributary drainage area up to the 10-year recurrence interval. A flood routing flow path must be provided through the development site for all storms greater than the 10-year recurrence interval. This flood routing path must be clearly shown on the site development plans. The applicant shall provide stormwater calculations for the proposed enclosure and flood routing to the Municipality for approval. The enclosure shall not raise the flood elevation on upstream property owners.

(3) Stream Identification: Streams covered under this requirement include all streams shown on USGS 7.5-minute Quad maps as solid or dashed blue or purple lines or a surface watercourse (either man-made or natural), with a well-defined bed and bank and channel and that conveys in part or in whole stormwater discharge, and which confines and conducts continuous or periodic flowing water. This definition does not include roadside drainage-ways that convey only immediate right-of-way drainage nor does this definition include channels of a temporary nature formed as part of an approved construction activity and that will be removed at the conclusion of construction.

The Applicant shall identify and label all streams within the project site and/or receiving stormwater discharges from the project site on the master drainage plan (see Section 935.03(b)) submitted as part of the Stormwater Management Report. The Applicant shall provide information that supports the classification of the stream on/adjacent to their site. Such information may include, but not be limited to, copies from USGS Quad sheets, photographs, FEMA maps, or soils maps showing the location of a stream and delineation of upstream tributary area.

If the City determines that the submitted evidence is inconclusive, then they may require a site inspection and input from other sources of information including the City Engineer, the U.S. Army Corps of Engineers, Ohio EPA, ODNR, or the Franklin Soil and Water Conservation District. Final determination regarding whether the watercourse or channel meets the classification of a stream for the purposes of this Chapter shall be at the discretion of the City Administrator or their designee.

(4) The Stream Corridor Protection Zone consists of the stream and the riparian area along the stream. Its purpose is to allow the natural, lateral movement of open water courses, provide sufficient area for flood conveyance, protect water quality and prevent structures from being impacted by natural streambank erosion. The Stream Corridor Protection Zone is established through designation of a riparian setback boundary that will be required on all natural streams and manmade open channels, as required under subsection 935.08(e)(2) and designated under subsection 935.08(e)(3). A Stream Corridor Protection Zone is not required for a roadside drainage ditch that carries only immediate adjacent right-of-way drainage. (Ord. 13-012. Passed 5-13-13.)

(5) The Stream Corridor Protection Zone shall be created with the establishment of a riparian setback boundary on each side of the open channel. The total width between the setback boundaries shall be established using the following criteria, whichever is greater:

A. The FEMA designated 100-year floodway, or

B. Using the equation below with a minimum of 50-feet (plus channel width; i.e., 25-ft each side of channel, measured from ordinary high water mark) to a maximum of 250-feet (plus channel width). The zone shall be centered on the stream valley generally located at the point where both zone boundaries intersect equal natural ground elevations on either side of the stream. Where topography is flat the zone shall be centered on centerline of the stream:

Stream Corridor Protection Zone, in feet of width[1] = $147(DA)^{0.38}$

Where DA = drainage area of the stream in square miles, or

C. 50-feet plus channel width (i.e., 25-ft each side of channel, measured from ordinary high water mark).

[1]Note: This equation is from Appendix 7 of the "Rainwater and Land Development Manual" by the Ohio Environmental Protection Agency based on regional curve analysis for various watercourses measured in the eastern region of the United States, in studies conducted by Ward (2001), Williams (1986) and Dunne and Leopold (1978).

The Stream Corridor Protection Zone shall consist of three subzones as follows:

Subzone 1 - The ***Stream Channel***: This is the main channel of the stream the banks of which are formed on either side of the stream centerline by the ordinary highwater mark, which is a field determination based feature.

Subzone 2 - The ***Streamside Buffer***: exists on each side of the stream channel and has a cross-sectional width equivalent to 10 % of the Stream Corridor Protection Zone (SCPZ) as determined above, but no less than 25-feet from the ordinary highwater mark. The outer edge of the streamside buffer (on either side of the stream channel) is measured from the ordinary highwater mark.

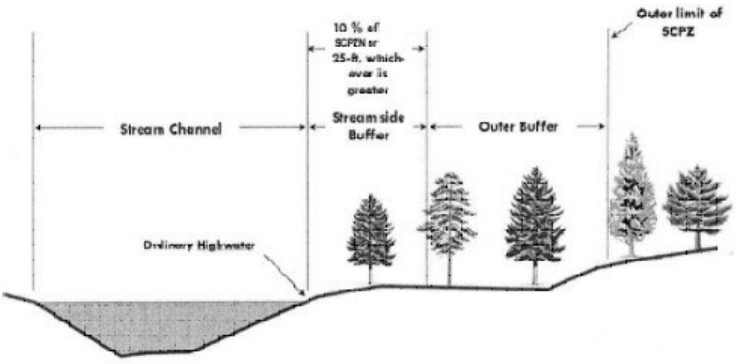
Subzone 3 - The ***Outer Buffer***: exists on each side of the stream channel. The inner edge is contiguous to the streamside buffer boundary and the outer edge establishes the outer boundary of the Stream Corridor Protection Zone.

Figure 2 displays the typical subzones within the Stream Corridor Protection Zone.

Figure 2

(showing only channel and one side of the SCPZ, for clarity)

10% of SCPZ or 25-ft, whichever is greater



The position of the outer boundary of the Stream Corridor Protection Zone may be modified at the Administrator's discretion to more accurately reflect local conditions such as to include known areas of environmental sensitivity in close proximity to channels banks, to include sensitive steep slopes adjacent to a channel edge or to exclude high terrain that is adjacent to a stream valley. Any proposed modifications to the Stream Corridor Protection Zone boundary shall be based on technical guidelines that are available in the office of the City Administrator.

The Stream Corridor Protection Zone must be clearly shown on site development plans.

(Ord. 2021-002. Passed 2-8-21.)

(6) Mitigation: Mitigation required for intrusion into the Stream Corridor Protection Zone shall be determined by the horizontal distance the intrusion encroaches into the Stream Corridor Protection Zone. The extent of horizontal encroachment represented by the intrusion into the Streamside Buffer and the Outer Buffer, will be used to determine the required mitigation. Encroachment into these subzones will require mitigation within the same Watershed Assessment Unit (14-digit HUC scale).

A. Mitigation resulting from State or Federal environmental regulations may be adjusted in recognition of these requirements. All mitigation shall, at a minimum include conserved or restored setback zone, and should be designed to maximize the ecological function of the mitigation. Including mitigation at the stream edge along with associated setback areas is one way to maximize ecological function. Mitigation shall be protected in perpetuity by binding conservation easements or environmental covenants. Granting of binding conservation easements or environmental covenants protected in perpetuity for land outside of disturbed area, but within a required riparian setback may in itself, at the discretion of the City Administrator, count towards required mitigation.

B. Unless otherwise approved by the Administrator, the standard form of mitigation for disturbance in the Stream Corridor Protection Zone shall at a minimum include reforestation/replanting activities within the Stream Corridor Protection Zone. The mitigation activity should include removal of invasive species and their replacement with native vegetation, if invasive species are a significant feature to the landscape within the Stream Corridor Protection Zone. Granting of binding conservation easements or environmental covenants protected in perpetuity for land outside of disturbed area and outside AND contiguous to the Stream Corridor Protection Zone, may count toward mitigation.

C. The City Administrator may at their discretion, allow for a stream restoration project to serve as the mitigation form, in lieu of or to supplement mitigation of land area by reforestation/replanting, provided that the proposed stream segment is in a degraded condition state (in the opinion of the City) and that it is in the public's best interest to restore this stream's form and ecological function. If this type of mitigation is allowed, it shall be designed by a registered Engineer in the State of Ohio. The design shall be subject to review and approval by the City Administrator or their designee.

D. Mitigation performance standards shall be met to the satisfaction of the City Administrator and based on Technical Guidelines for Mitigation, which are available in the office of the City Administrator.

E. Species selection for reforestation, if made part of a mitigation effort, shall follow the City's list of "Species of Plants and Shrubs recommended for stabilizing flood prone areas", which are included in the City's Technical Guidelines for Mitigation.

F. All mitigation activities and standards and specifications shall be illustrated on a plan that is to be submitted for review and approval to the City Administrator or their designee. The standard for plan content is contained in the Technical Guidelines for Mitigation document that is available in the office of the City Administrator. This document contains a mitigation protocol that outlines City preferences as to nature and extent of mitigation. Moreover, this document contains resources relating to stream restoration.

(7) Construction Requirements: The following conditions shall apply to all Stream Corridor Protection Zones:

A. Except as otherwise provided in this regulation, the Stream Corridor Protection Zone shall be preserved in its natural state.

B. Prior to any soil disturbing activity, the Stream Corridor Protection Zone shall be clearly delineated by the applicant or their designated representative on the site. Such delineation shall also be identified on the Erosion and Sediment

Pollution Control Plan (see Chapter 1399) and this delineation shall be maintained throughout soil disturbing activity.

C. No later than the conclusion of construction, the applicant shall permanently delineate the Stream Corridor Protection Zone in an aesthetically harmonious manner, approved by the Administrator, such that the location of the riparian setback boundary defining the Stream Corridor Protection Zone is apparent to the casual observer and that permits access to the zone.

D. Language preventing property owners from constructing facilities and performing activities that are prohibited within the Stream Corridor Protection Zone shall be shown on the plat or separate instrument and reflected on all deeds.

E. Land contained within the Stream Corridor Protection Zone may, at the applicant's option and if approved by City Council, be deeded in fee simple to the City. Alternatively, the land contained within the Stream Corridor Protection Zones shall be preserved via dedicated and binding conservation easement, environmental covenants, or reserve. If the land is deeded in fee simple to the City, then as a condition to acceptance the City may require the developer to provide an access improvement and/or access easement to be dedicated to the City through the subject development site, at the discretion of the City.

F. The applicant shall obtain all necessary permits from the Army Corps of Engineers, Ohio EPA, and other regulatory agencies. The applicant is responsible for all permitting fees.

(8) Post-Construction Requirements:

A. Permitted Uses and Activities. No use or activity permitted under these regulations shall be construed as allowing trespass on privately held lands.

1. Passive Uses. Uses that are passive in character shall be permitted in the Stream Corridor Protection Zone, including, but not limited to, passive recreational uses, as permitted by federal, state and local laws, such as hiking, fishing, picnicking, and similar uses. Construction of paved trails to further such passive recreation uses is also permitted; however, trails that become damaged due to natural erosion shall not be repaired but shall be moved upland or removed altogether.
2. Removal of Damaged or Diseased Trees. Damaged or diseased trees may be removed. Due to the potential for felled logs and branches to damage downstream properties and/or block watercourses or otherwise exacerbate flooding, logs and branches resulting from the removal of damaged or diseased trees that are greater than 6-inches in diameter at the cut end shall be cut into sections no longer than 6-feet, anchored to the shore or removed to a location no closer than 25 feet from channel bank.
3. Vegetation removal on existing levees and dikes.
4. Revegetation and/or Reforestation. Revegetation and/or reforestation of the Stream Corridor Protection Zone using species pursuant to the City's list of "Species of Plants and Shrubs recommended for stabilizing flood prone areas", which is contained in the City's Technical Guideline for Mitigation, available from the Office of the City Administrator. Proper species selection is dependent on soil conditions, available water and amount of sun exposure. Proper species selection will take into account these factors.
5. Public Utilities. Sanitary sewer, storm sewer pipe and/or water lines that are public utilities and public utility transmission lines may be located within the Stream Corridor Protection Zone and disturbances therein necessary to place and/or maintain such utilities are also authorized. The placement, construction and maintenance of such utilities shall minimize disturbance to riparian areas and shall mitigate any necessary disturbances per subsection 935.08 (e)(6) of this chapter. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type. Stormwater pipe outfalls may be allowed within the Stream Corridor Protection Zone only where it is shown that elevations do not accommodate their position at a point outside the Stream Corridor Protection Zone; the construction and location of a stormwater pipe outlet within the Stream Corridor Protection Zone must have prior approval of the City Administrator.
6. Private Utilities. New Private utilities such as electric or telecommunication lines being either elevated or running perpendicular to the stream, and gas or cable TV conduit that runs perpendicular to the stream may be located in the Stream Corridor Protection Zone and disturbances therein necessary to place and/or maintain such facilities are authorized, unless prohibited by existing conservation easements or environmental covenants. However, the following related private utility features are not permitted within the Stream Corridor Protection Zone: substations and their appurtenances that support private utilities. The placement, construction and maintenance of such above-described permitted private utilities shall minimize disturbance to riparian areas and shall mitigate any necessary disturbances per subsection 935.08 (e)(6) of this chapter. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type.
7. Public Roadways. Public roadways may cross the Stream Corridor Protection Zone and disturbances therein necessary to place and/or maintain the roadways are authorized. The placement, construction and maintenance of the roadway shall minimize disturbance to riparian areas and shall mitigate any necessary disturbances per subsection 935.08 (e)(6) of this chapter. There shall be no more than two roadway encroachments (including crossings) into the Stream Corridor Protection Zone within any proposed development. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type. Construction of Public Roadways in FEMA-designated floodplains shall conform with permitting requirements and standards contained in Chapter 1341 "Flood Damage Prevention".
8. Private driveways. Private driveways may be located in the Stream Corridor Protection Zone to access land uses not within the Stream Corridor Protection Zone, provided no feasible alternative that does not involve

encroachment is possible in the opinion of the City Administrator, and provided that the driveway width does not exceed 24-feet - unless otherwise approved by the City Administrator - and their placement within the Stream Corridor Protection Zone is minimized. No more than one private drive crossing of a stream within the Stream Corridor Protection Zone will be allowed on an individual tax parcel or if the development of that parcel is part of a larger common plan of development, then no more than two private drive crossings will be allowed for all tax parcels that are a part of that larger common plan of development. Private drive construction shall minimize disturbance to riparian areas and shall mitigate all disturbances per subsection 935.08 (e)(6) of this chapter. The developer and/or landowner shall secure the appropriate state and federal permits required for installations of this type. Construction of private drives in FEMA-designated floodplains shall conform to permitting requirements and standards contained in Chapter 1341 "Flood Damage Prevention". This permitted use shall not include parking lots, which are a prohibited use within the SCPZ.

9. Stormwater Detention Facilities. Detention facilities may be located within the Outer Buffer subzone, provided:
   a. The facility is not located in the existing 100-year floodplain area, and
   b. Riparian area disturbance will be minimized, and all disturbances shall be mitigated per subsection 935.08(e)(6) of this chapter.
10. Stream restoration and/or stream relocation projects: construction activities associated with these type of activities may be allowed, provided they are appropriately permitted.
11. Floodplain recovery/restoration projects. Projects that recover and otherwise restore the floodplain form and function are permitted provided they are appropriately permitted. Any lands within the Stream Corridor Protection Zone that are modified under this permitted use shall include reforestation of the impacted landscape per subsection 935.08 (e)(6) of this chapter.
12. Emergency Channel Maintenance Activity. Emergency activities intended to restore and/or maintain the function and flood carrying capacity of the main channel area may be permitted, subject to authorization by the City Administrator and, if applicable, by appropriate state and/or federal agency(ies). Such activity may include, but not be limited to removal of offending trees or brush or the accumulation of sediment in the main channel that is necessary to restore flow carrying capacity of the main channel.
13. Disturbance resulting from permitted stream and/or wetland mitigation projects is permitted, provided that mitigation is applied to offset impacts to local wetlands, per subsection 935.08(e)(6) of this chapter.
14. Disturbances in the Stream Corridor Protection Zone necessary to accomplish the uses described in paragraphs 1 through 12 of this subsection are also authorized. However, all such disturbances shall be minimized and any necessary disturbances shall be mitigated per subsection 935.08(e)(6) of this chapter

B. Prohibited Uses and Activities. Any use not authorized under these regulations shall be prohibited in the Stream Corridor Protection Zone. By way of example, the following uses are specifically prohibited, however prohibited uses are not limited to those examples listed here:

1. There shall be no buildings/structures (except permitted bridges), swimming pools, signs, billboards, fences, or other structures deemed unacceptable by the City Administrator.
2. Dredging or Filling. There shall be no drilling, filling, dredging, grading, or dumping of soils, spoils, or solid materials, except for fill associated with permitted uses listed in subsection 935.08 (e)(8)(A)(1 through 14) above. Floodplain fill activity must be compliant with the City's permitting requirements contained in the Chapter 1341 "Flood Damage Prevention".
3. Unless otherwise associated within a Permitted Use under subsection 935.08(e)(8)(A), no structural sediment controls (e.g., the installation of silt fence or a sediment settling pond) or structural post-construction controls shall be used in the following subzones of the Stream Corridor Protection Zone:
   a. Stream channel subzone
   b. Streamside Buffer subzone
   c. Areas in the Outer Buffer subzone that are within the existing 100-year floodplain area., as defined by FEMA. Activities and controls that would not impair the floodplain or stream stabilizing ability of the outer buffer can be considered.
4. Motorized Vehicles. There shall be no use of motorized vehicles except as needed for activities associated with those listed in subsection 935.08 (e)(8)(A)(1 through 14) above.
5. Parking Lots. There shall be no parking lots or storage of vehicles or other human made impervious cover except as allowed above.
6. Stormwater Detention Facilities. Stormwater detention facilities are not allowed within the following subzones of the Stream Corridor Protection Zone:
   a. Stream channel subzone
   b. Streamside Buffer subzone
   c. Areas in the Outer Buffer subzone that are within the existing 100-year floodplain area, as defined by FEMA.
7. Stormwater Pipe Outfalls, including headwalls, endwalls, and associated outlet open ditches should be located outside the Stream Corridor Protection Zone, where feasible and elevations permit, unless otherwise approved by the Administrator. Stormwater pipe outfalls shall discharge into a structural level spreader or a constructed open channel with appropriate protection from erosion that should also be outside the Stream Corridor Protection Area.
8. Private Utility lines and pipes that run parallel to the stream shall not be located in the Stream Corridor Protection Zone. Moreover, the following related private utility features are not permitted within the Stream Corridor Protection Zone: substations and their appurtenances that support private utilities.
9. Platted Lots. No part of any lot to be developed will be located within the Stream Corridor Protection Zone.

10. Other prohibited uses, unless otherwise designated a permitted or conditional use by the City, including:
    a. Agriculture
    b. Industry/commercial
    c. Removal of topsoil, sand, gravel, rock, oil, gas
    d. Application of herbicides/pesticides

C. Non-conforming Uses and Structures within the Stream Corridor Protection Zone.

1. A non-conforming use, existing at the time of passage of this regulation and within a Stream Corridor Protection Zone that is not permitted under this regulation may be continued but shall not be changed to a new use or enlarged unless changed to a use permitted under this regulation.
2. A non-conforming use, existing at the time of passage of this regulation and within a Stream Corridor Protection Zone that is not permitted under this regulation may be continued but shall not have the existing building footprint or roofline expanded or enlarged.
3. A non-conforming use, existing at the time of passage of this regulation and within a Stream Corridor Protection Zone that has substantial damage and that is discontinued, terminated, or abandoned for a period of six (6) months or more may not be revived, restored or re-established. "Substantial damage" means damage of any origin sustained to a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred

D. Maintenance of the Stream Corridor Protection Zone.

1. Disturbance of Natural Vegetation. There shall be no disturbance of the natural vegetation at any time, including during construction of the remainder of the site, except for such conservation maintenance that the landowner deems necessary to control noxious weeds; for such plantings as are consistent with these regulations; for removal of invasive species and their replacement with native vegetation; and for the passive enjoyment, access, and maintenance of landscaping or lawns existing at the time of passage of these regulations except as need for activities associated with those listed above.
2. Recommended Vegetation for Stabilizing Flood-prone Areas. Proper selection of species for stabilization of flood-prone areas is dependent on several factors, including soil conditions, available water and amount of sun exposure. Proper species selection and installation will take into account these factors. Refer to the City's list of "Species of plants and shrubs recommended for Stabilizing Flood Prone Areas", which is contained in a Technical Guideline for Mitigation, available in the office of the City Administrator.

(9) Appeals relating to provisions of this subchapter involving the Stream Corridor Protection Zone. Any person may appeal decisions or interpretations of the City Administrator, or their designee, issued in connection with the enforcement of any provisions of Section 935.08 (Stream Corridor Protection Zone) or request variances therefrom, provided that such person shall file in the office of the City Administrator, along with the fees established by Council for appeals and variances, a written petition to the Appeals Board as provided below.

A. The Appeals Board. The Appeals Board established under Section 939.24, shall hear and determine appeals of or variances to this Section 935.08 (Stream Corridor Protection Zone) and relating only to requirements under Section 935.08 and, upon receipt of a petition setting forth the requirements of Section 939.26 and the required fee(s), the Appeals Board shall set a time and place for a public hearing and shall give the petitioner written notice thereof. At the hearing, the petitioner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified or denied or a variance granted.

After a hearing, the Appeals Board shall sustain, modify or deny any item appealed or grant a variance by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the petitioner and the City Administrator shall be notified in writing of such findings.

The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the City Administrator. The record shall also include a copy of every notice, order or variance issued in connection with the matter.

B. The failure of the petitioner or their representative to appear and state their case at any hearing shall have the same effect as if no petition had been filed.

C. Filing fees required by this section shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal unless such petition shall have been withdrawn prior to the date set for such hearing.

D. Contents of Petition for Appeal.

1. The complainant shall set forth in the petition for appeal, the interpretation, ruling or order appealed from, and the related provisions of this chapter or related laws or ordinances, and shall state wherein the interpretation, ruling, or order is erroneous. If the appeal is a request for variance, the petition shall point out the provision or provisions from which the variance is sought and how the request satisfies the requirements of this section.
2. Petitions to the Appeals Board, in appeals filed in accordance with Section 939.25(a), may only be based on one of the following grounds:
    a. The interpretation, ruling, or order is erroneous or constitutes an erroneous application of the particular provisions of this chapter or other related laws or ordinances pertaining to stormwater management, or is otherwise contrary to law, or
    b. A variance is necessary and feasible and meets all of the following conditions:
        i) Good and sufficient cause based on an unreasonable burden or hardship has been proven;

ii) The degree of variance is the minimum necessary to afford relief from the unreasonable burden or hardship imposed by this chapter or standards, specifications, requirements, regulations, and procedures adopted pursuant to this chapter;

iii) The variance may be granted without defeating the public health, safety, and welfare purposes and intent of this chapter or related laws or ordinances pertaining to stormwater management and finance.

(Ord. 13-012. Passed 5-13-13.)

(f) Detention Facilities.

(1) Ownership and maintenance. The owner and thus responsible party to provide maintenance and operation of a stormwater management facility (i.e., detention, retention basin, etc.), whether public or private, shall be determined to the satisfaction of the Municipality prior to the acceptance by the Municipality's Council of the relevant subdivision plat and the acceptance of the final engineering and construction plan. No lot sales will be permitted until this is done.

(2) Location. All stormwater management facilities will be located in a reserve/open space as shown on the preliminary plat and final plat and will be owned by a homeowners association or an entity otherwise approved by the Municipality's Council.

(3) Types of facilities. In development and developing urban and suburban areas, several means for controlling stormwater runoff could be used. This usually involves storing runoff on or below the ground surface. The following types of storage facilities may be considered for detention and are subject to approval by the Municipality's Engineer: rooftops, parking lots, underground tanks and surface basins or ponds (i.e., dry or wet detention) and man-made stormwater wetland systems:

A. Parking Lot Storage. Parking lot storage is surface storage where shallow ponding is designed to flood specific graded areas of the parking lot. Controlled release features are incorporated into the surface drainage system of the parking lot. Parking lot storage is a convenient multi-use structural control method where impervious parking lots are planned. Design features include small ponding areas with controlled release by pipe-size and slope, and increased curb heights.

The major disadvantage is the inconvenience to users during the ponding function. This inconvenience can be minimized with proper design consideration. Clogging of the flow control device and icy conditions during cold weather are maintenance problems. Parking lot design and construction grades are critical factors. This method is intended to control the runoff directly from the parking area, and is usually not appropriate for storing large runoff volumes.

1. Ponding areas in parking or traffic areas shall be designed for a maximum potential depth of twelve (12) inches.
2. Flood routing or overflow must occur after the maximum depth is reached.

B. Tank Storage Tank storage utilizes an underground tank or chamber, either prefabricated or constructed in place, which has a special controlled release feature. This method is most applicable where land area is valuable, such as in industrial and commercial areas. Construction cost and operation costs, make this method relatively expensive. Storage trenches, a variation on basic tank storage, are rock-filled underground storage tanks. The storage is provided within the void spaces between the rock material.

C. Surface Basin - Wet Detention (pond) Wet Detention Basins (Ponds) are permanent ponds where functional stormwater management storage is provided above the normal water level with special features for controlled release. Historically, wet detention basins have proven extremely effective in abating increased runoff and channel erosion from urbanized areas. They are a major Soil Conservation land treatment practice.

Some problems encountered with wet detention basins are: site reservation (land requirements), permanent easements, complexity of design and construction, safety hazards and maintenance problems. Because of large land requirements, and the necessity of maintaining a permanent pool of water, wet detention basins have a broader application for in-stream control where large watershed areas are involved compared to their use as on-site facilities for small urban areas. However, the recreational and aesthetic benefits of permanent wet detention ponds may justify certain on-site applications. A five (5) foot chain link fence may be required where a wet retention basin is to be constructed adjacent to an existing single-family development for that part along the existing single-family section.

1. The Municipality encourages use of fountains for aeration and reserves the right to require such an appurtenance as a condition to plan approval.
2. The steepest side slopes for a Wet Detention basin should be:
   i. 2:1 horizontal to vertical - below permanent storage, and
   ii. 6-foot wide, 2-foot deep submerged bench at waters edge around perimeter of pond, and
   iii. 5:1 horizontal to vertical - above permanent storage.
3. Unless otherwise approved by the Municipality's Engineer, a minimum of 20 % of the pool area should be ten-feet deep for water-quality benefit.
4. Rock Channel Protection Type D, may be required to be placed at the normal water elevation, around the entire perimeter of the basin, five feet wide, centered on the normal water elevation.
5. Debris-control structures: Debris-control structures may be required and should be considered as an essential part of the design. The procedure recommended for use is Hydraulic Engineering Circular No. 9, available from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. For dams and levees over ten feet in height, refer to Section 1521.062, O.R.C.

D. Surface Basin – Dry Detention Dry detention basins are surface storage areas created by constructing a typical excavated or embankment basin. There is no normal pool level and a specific controlled release feature is included to control the rate of discharge.

Dry detention basins are a widely used method of stormwater management. The soil permeability and

water storage potential are not as important with dry detention basins as with wet detention. Therefore, dry detention basins have the greatest potential for broad applications. They can be utilized in small developments because they can be designed and constructed as small structures or can be integrated into open, usable spaces for multi-use purposes such as recreation and parks.

1. The steepest side slopes for a Dry Detention basin should be 5:1.
2. Dry detention basin bottoms shall be sloped to drain, and such slopes shall be sufficient to mitigate against "flat spots" developing due to construction errors and soil conditions; or, bottoms shall be paved. The absolute minimum transverse slope the bottoms of such facilities shall be 0.50 %, and 2.0 % is the recommended transverse slope. All transverse bottom slopes flatter than 1 ½ % to and including 0.5 %, should be lined with 6-inch minimum thickness concrete, reinforced with steel mesh to accommodate temperature stresses, of air-entrained Class C concrete, and with synthetic linseed oil waterproofing treatment.
3. Invert ditches within dry detention basins, from the inlet to the outlet of all structures shall be paved if the slope is less than 0.50 %. Such ditches shall be paved with 6-inch minimum thickness concrete paving reinforced with steel mesh to accommodate temperature stresses, of air-entrained Class C concrete, and with synthetic or linseed oil waterproofing treatment. Minimum depth of paved invert ditch should be 1 foot.
4. Debris-control structures. Debris-control structures may be required and should be considered as an essential part of the design. The procedure recommended for use is Hydraulic Engineering Circular No. 9, available from the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. For dams and levees over ten feet in height, refer to Section 1521.062, O.R.C.

E. Man-made Stormwater Wetland system: This technique involves a stormwater management facility that is intended to provide a water-quality benefit and incorporates a wetland system for water treatment. Use of this type of system must first be discussed with and reviewed by the Municipality's Engineer prior to design to determine acceptance by the Municipality. Suggested design guidelines include:

1. Urban Runoff Quality Management: WEF Manual of Practice No. 23 and ASCE Manual and Report on Engineering Practice No. 87. Water Environment Federation and American Society of Civil Engineers, 1998.
2. Design of Stormwater Wetland Systems: Guidelines for Creating Diverse and Effective Stormwater Wetland Systems, Thomas R. Schueler, Anascotia Restoration Team, Department of Environmental Programs, Metropolitan Washington Council of Governments, October 1992.

(Ord. 08-021. Passed 4-14-08.)

935.09 ROUTINE AND REMEDIAL MAINTENANCE.

Owners of properties with stormwater Best Management Practices (BMPs) are responsible for operation and maintenance as specified in Section 935.12. The Municipality shall provide for inspection and routine maintenance of storm drainage facilities that have been accepted for maintenance by the Municipality. Maintenance may include stormwater conveyance-related structure cleaning and repair. For other storm drainage facilities not accepted for maintenance by the Municipality, the Municipality may provide for remedial maintenance of facilities based upon the severity of stormwater problems and potential hazard to public health and safety, through the abatement procedures described in Section 935.10. For the purposes of this Chapter, maintenance associated with privately owned retention/detention basins including, but not limited to, mowing, rivulet repair, basin bottom fill, seeding, fertilizing and/or algae removal, are neither considered "potentially hazardous" to the public nor are they considered "severe" stormwater problems, and maintenance will not be provided by the Municipality except in case of public emergency as determined by the Municipality.
(Ord. 11-015. Passed 5-9-11.)

935.10 ABATEMENT PROCEDURES.

(a) Notice To Correct Improper Drainage.

(1) Whenever the Municipality shall find that (i) a tract of land is inadequately drained, or (ii) there is excessive erosion or sedimentation upon such land or (iii) that there is an obstruction to or from a culvert, or water course upon such land that interferes with water naturally flowing therein or (iv) that such culvert, storm sewer or watercourse is of insufficient capacity to reasonably accommodate the flow of water, as required by this chapter, the Municipality shall notify the owner or person having possession, charge, or management of such land to remove the obstruction, provide adequate drainage, fill or drain such land, enlarge the culverts, drains or watercourses, mitigate excessive erosion or sedimentation and/or accomplish any other act determined by the Municipality's Engineer necessary to further the purposes of this chapter. Such notice shall be served to such persons by personal delivery, by registered mail at the last known place of residence, or by posting on the premises.

(2) The owner must comply with the Municipality's orders within the time specified and not to exceed 30 days. Failure to comply with such order shall constitute an unlawful act. Each additional day thereafter during which the owner fails to carry out the order of the Municipality shall constitute a separate offense.

A. In any case where a condition described above exists for more than 30 days after service of notice, the Administrator may direct the owner to fill or drain such land, remove any obstruction and, if necessary, enlarge the culverts, drains, or watercourses to meet the requirements of this chapter.

B. In the event an owner fails or refuses to comply with the Administrator's directive, the Municipality may provide for the performance of the required work and charge the owner the abatement costs.

C. Each and every owner of real property in the Municipality consents to the entry upon any real property in the Municipality for all reasonable times during normal business hours for the purpose of inspection, repair or maintenance required by this chapter.

(3) Non-action by the Municipality to observe or recognize hazardous or unsightly conditions or to recommend denial of a permit or zoning change shall not relieve the owner or person having possession, charge or management of such land from the responsibility for the condition or damage resulting therefrom, and shall not result in the Municipality, its

officers or agents being responsible for any condition or damage resulting therefrom.

(4) Nothing in this chapter shall be construed as authorizing any person to maintain a private or public nuisance on their property, and compliance with the provisions of this chapter shall not be a defense in any action to abate such nuisance.

(5) Nothing in this chapter shall be construed to prevent immediate action by the Municipality in emergency situations. In case of an emergency, the Municipality may direct that action be taken immediately to correct the condition or abate the activity to protect the public health, safety, and welfare. The Municipality may perform the required work and charge the owner the abatement costs.

(b) Abatement Costs.

(1) The Municipality shall account for all costs associated with an emergency or abatement including, but not limited to, administration, notification, inspection, serving of papers or documents, legal counsel, force account labor and/or materials, enforcement, operational services, and outside contracted services. These costs shall be billed at the discretion of the Administrator. This section shall not be construed to relieve the owner of any penalties prescribed by other sections of this chapter.

(2) Notice of such assessment shall be given to the owner of the lot or land charged therewith and the occupant by mailing such notice to the address utilized by the County Treasurer for billing purposes and by posting a notice of assessment at the subject premises. Service may also be made in any manner provided for service of summons by the Ohio Rules of Civil Procedure. All assessments not paid within ten days after such mailing and posting, after approval by Council, shall be certified by the Clerk of Council to the County Auditor to be placed on the tax duplicate and collected as other taxes are collected.

(Ord. 08-021. Passed 4-14-08.)

935.11 ILLICIT DISCHARGE TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM.

(a) A person commits an offense if the person introduces, or causes to be introduced, into the municipal separate storm sewer system (MS4), any discharge that is not composed entirely of stormwater.

(b) It is an affirmative defense to any enforcement action for a violation of subsection (a) that the discharge was composed entirely of one or more of the following categories of discharges:

(1) A discharge authorized by, and in full compliance with, an NPDES permit (other than the NPDES permit for discharges from the MS4);

(2) A discharge or flow resulting from fire fighting by the Fire Department;

(3) A discharge or flow of fire protection water that does not contain oil or hazardous substances or materials that the Fire Code requires to be contained and treated prior to discharge, in which case treatment adequate to remove harmful quantities of pollutants must have occurred prior to discharge;

(4) Agricultural stormwater runoff;

(5) A discharge or flow from water line flushing or disinfection that contains no harmful quantity of total residual chlorine (TRC) or any other chemical used in line disinfection;

(6) A discharge or flow from lawn watering or landscape irrigation;

(7) A discharge or flow from a diverted stream flow or natural spring;

(8) A discharge or flow from uncontaminated pumped groundwater or rising groundwater;

(9) Uncontaminated groundwater infiltration (as defined at 40 C.F.R. 35.2005(20)) to the MS4;

(10) Uncontaminated discharge or flow from a foundation drain, crawl space pump, or footing drain;

(11) A discharge or flow from a potable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;

(12) A discharge or flow from air conditioning condensation that is unmixed with water from a cooling tower, emissions scrubber, emissions filter, or any other source of pollutant;

(13) A discharge or flow from individual residential car washing;

(14) A discharge or flow from a riparian habitat or wetland;

(15) A discharge or flow from cold water (or hot water with prior permission of the Administrator) used in street washing or cosmetic cleaning that is not contaminated with any soap, detergent, degreaser, solvent, emulsifier, dispersant, or any other harmful cleaning substance; or

(16) Drainage from a private residential swimming pool or hot tub/spa containing no harmful quantities of chlorine or other chemicals. Drainage from swimming pool filter backwash is prohibited;

(17) A discharge or flow of uncontaminated storm water pumped from an excavation or existing pond.

(c) No affirmative defense shall be available under subsection (b) if:

(1) The discharge or flow in question has been determined by the Municipal Engineer to be a source of a pollutant or pollutants to the waters of the United States or to the waters of the State or to the MS4;

(2) Written notice of such determination has been provided to the discharger;

(3) The discharge has continued after the expiration of the time given in the notice to cease the discharge;

(4) A person commits an offense if the person introduces or causes to be introduced into the MS4 any harmful quantity of any substance.

(d) Definitions. For the purpose of this chapter, certain rules or word usage apply to the text as follows:

(1) Municipal Separate Storm Sewer System (MS4): “Municipal Separate Storm Sewer System” or “MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

A. Owned or operated by the Municipality;

B. Designed or used for collecting or conveying storm water;

C. Which is not a combined sewer; and

D. Which is not part of a Publicly Owned Treatment Works (POTW) as defined by Title 40 Code of Federal Regulations Part 122.2 (40 CFR 122.2).

(e) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 08-021. Passed 4-14-08.)

935.12 POST CONSTRUCTION STORMWATER BEST MANAGEMENT PRACTICES, OPERATION AND MAINTENANCE.

(a) Operation and Maintenance Plan.

(1) The developer/property owner shall prepare an Operation and Maintenance Plan meeting the minimum requirements of the latest version of the Ohio EPA NPDES Construction Stormwater Permit for redevelopment and new development projects wherein construction activities will result in the disturbance of one or more acres.

(2) The Operation and Maintenance Plan shall be submitted by the developer/property owner to the Municipality for review and approval prior to the Municipality issuing the building permit.

(3) The Operation and Maintenance Plan must be a stand-alone document which includes the following:

A. A designation of the entity responsible for with providing the Best Management Practices (BMP(s) inspection and maintenance.

B. An identification of the routine and non-routine maintenance tasks to be undertaken.

C. The establishment of a schedule for inspection and maintenance tasks.

D. The provision of any necessary legally binding maintenance easements and agreements that are necessary to properly inspect and maintain the BMP(s).

E. The provision of a map showing the location of the BMP(s) that are indicated on the Municipality approved Storm Water Pollution Prevention Plan (SWPPP) and any necessary access and maintenance easements.

F. The provision of detailed BMP drawings and inspection and maintenance procedures.

G. An assurance from the developer/property owner that the collected pollutants resulting from BMP(s) maintenance activities are disposed of in accordance with local, state and federal guidelines.

(b) Inspection and Maintenance Agreement. An Inspection and Maintenance Agreement shall be made between the Owner and the Municipality ensuring that the BMP(s) shall be properly inspected and maintained and shall be included within the Operation and Maintenance Plan.

(c) Inspection. Personnel identified within the Operation and Maintenance Plan shall inspect the BMP(s) to ensure proper functionality and determine if maintenance is necessary.

(1) At a minimum, inspections are to be conducted annually, or more frequently as specified within the Operation and Maintenance Plan.

(2) Written inspection reports summarizing the BMP(s) inspection observations and maintenance requirements are to be submitted to the Municipality within thirty days after each inspection.

(d) Maintenance. All BMPs are to be maintained according to the measures outlined within the Operation and Maintenance Plan.

(1) The Owner shall ensure that the collected pollutants resulting from BMP maintenance activities are disposed of in accordance with local, state and federal guidelines.

(2) The Owner shall make necessary repairs within thirty days of their discovery as identified within the inspection reports or through a request from the Municipality resulting from inspections conducted by the Municipality.

(3) Maintenance activities performed are to be documented on a written report and submitted to the Municipality.

(4) In addition to any applicable provisions of Sections 935.09, 935.10 and 935.99, the Owner shall grant permission to the Municipality to enter the property and inspect the BMP(s) whenever the Municipality deems necessary. In an event of any default or failure by the Owner in properly maintaining the BMP(s) in accordance with the approved Operation and Maintenance Plan, or should an emergency occur, the Municipality, in its sole discretion, after providing reasonable notice to the Owner, may enter the property and take whatever steps necessary to correct deficiencies and charge the cost of such repairs to the Owner. Nothing herein shall obligate the Municipality to maintain the BMP(s).

(Ord. 11-015. Passed 5-9-11.)

935.99 PENALTY.

(a) Any person or entity having been determined to violate this chapter or who enters a plea to a violation thereof shall be guilty of a minor misdemeanor. Each day such violation continues shall constitute a separate offense.

(b) The imposition of any fine or penalty pursuant to this chapter shall not preclude the Law Director from instituting any appropriate legal proceeding and pursuing any and all available legal remedies in a Court of proper jurisdiction to correct or abate a violation, require compliance with this chapter or other applicable chapters, ordinances, regulations or rules of the Municipality or State of Ohio as determined to be appropriate by the Law Director.
(Ord. 08-021. Passed 4-14-08.)

TABLE E
ACCEPTABLE METHOD OF CALCULATION

DRAINAGE AREA (ACRES)	STORMWATER QUANTITY				
	PEAK DISCHARGE ONLY	PEAK DISCHARGE AND TOTAL RUNOFF VOLUME		STORAGE VOLUME	
		HOMOGEN. LAND USE	NON-HOMOGEN.	HOMOGEN.	NON-HOMOGEN.
LESS THAN 200	RATIONAL OR PEAK DISCHARGE	PEAK DISCHARGE	(*)TABULAR HYDRO- GRAPH	GRAPHICAL	(*) STORAGE-INDICATION
200 TO 300	PEAK DISCHARGE				
GREATER THAN 300	(*) TABULAR HYDROGRAPH			(*)STORAGE-INDICATION	

*Note: The "Tabular Hydrograph" and "Storage-indication" methods are preferred and are normally used to check drainage calculations submitted to the Engineer

Method References:
Rational: (Q = CIA); M.O.R.P.C., Stormwater Design Manual, 1977
Graphical: Ibid., Pg. 143
Peak Discharge: U.S. Department of Agriculture, Soil Conservation Service, Urban Hydrology for Small Watersheds, Technical Release No. 55, 1986
Storage – Indication: M.O.R.P.C., Stormwater Design Manual, 1977, Pg. 143.
SCS TR-20 and US Army COE's HEC-1
Tabular Hydrography: SCS TR-55, Chap. 5
SCS TR-20
US Army COE's HEC-1
USGS regression equations for Central Ohio may be used, where applicable, for estimating peak flows for culvert design and to estimate peak release rates.

TABLE F
DESIGN COEFFICIENT FOR ROADWAY CULVERTS

TYPE STRUCTURE	MANNING'S ROUGHNESS COEFFICIENT (N)	ENTRANCE LOSS COEFFICIENT (Ke)*
CONCRETE PIPE	0.013	0.2
BOX: 4-sided BOX: 3-sided	0.013 weighted by wetted perimenter-minimum 0.018	0.2 TO 0.5 0.2 TO 0.5
SLAB TOP	0.03 TO 0.05	0.2 TO 0.5

* As a function of the headwall configuration.

RUNOFF COEFFICIENTS

Average values of developed runoff for various types of developments		
	(General Slope)	
	(Less Than)	(More Than)
	2%	7%
Unimproved areas	0.20	0.30
Parks and Cemeteries	0.10	0.25
Playgrounds	0.20	0.35
Residential		
Suburban	0.40	0.40
Single-family	0.40	0.40
Multi-family	0.50	0.70
Apartments	0.60	0.80
Commercial	0.80	0.95
Industrial		
Light	0.50	0.80
Heavy	0.60	0.90

CHAPTER 939

Stormwater Utility Rates, Extensions and Fees

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INTRODUCTION

939.00 GENERAL.

The purpose of the Stormwater Management provision contained in this chapter and other related provisions contained elsewhere in the Code is to provide for effective management and financing of a stormwater system within the City.

(a) In order to accomplish the purpose of effective financing of a stormwater system within the City, the chapter shall:

(1) Establish and maintain fair and reasonable stormwater management service charges for each lot or parcel in the City which bear a substantial relationship to the cost of providing stormwater management services and facilities. Such service charges shall be charged because each property contributes to stormwater runoff and benefits from effective management of stormwater by the City of Groveport.

(2) Ensure that similar properties pay similar stormwater management service charges which reflect the area of each property and its intensity of development, since these factors bear directly on the peak rate of stormwater runoff.

Charges for residential properties shall reflect the relatively uniform effect that such development has on runoff. Charges for all other properties shall be in proportion utilizing both relative area and intensity of development in setting rates;

(3) Provide a mechanism for consideration of specific or unusual service requirements of some properties, and special and general benefits accruing to or from properties as a result of providing their own stormwater management facilities;

(4) Provide for a service charge adjustment process to review stormwater charges when unusual circumstances exist which alter runoff characteristics, when either service or benefit varies from a normal condition or is of greater significance than contribution to runoff or to periodically ensure that rates reflect the current costs of effective stormwater management; and

(5) Provide a mechanism for the City to utilize stormwater management funds throughout the municipality, except where activities or facilities are clearly unusual and in excess of the normal level of service City wide and where developers are responsible for providing any new stormwater facilities required for their project.

(b) In order to maintain its effectiveness this chapter shall:

(1) Establish a mechanism for appeals and amendments to its provisions;

(2) Provide a procedure for abatement of conditions or activities which are not in the interest of public health, safety or welfare;

(3) Provide for its continuous validity through severability of its various portions; and

(4) Provide penalties for violations of its provisions.

(Ord. 12-022. Passed 5-29-12.)

939.01 DEFINITIONS.

For the purpose of this chapter, the words and phrases shall be defined as follows, unless the context clearly indicates or requires a different meaning.

(a) ABATEMENT. Any action taken to remedy, correct, or eliminate a condition within, associated with or impacting a drainage system, pursuant to Section 939.22 of this chapter.

(b) APPEALS BOARD. The Stormwater Management Utility Appeals Board whose duties shall be pursuant to Section 939.24 of this chapter. The Appeals Board shall be comprised of three (3) residents of the City, appointed by the Mayor and approved by Council.

(c) CITY. The City of Groveport, Ohio.

(d) CITY ENGINEER. A professional engineer designated by and representing the City of Groveport, Ohio or their authorized agent.

(e) COMMITTEE. The Stormwater Management Utility Advisory Committee whose duties are specified in Section 939.02 of this chapter. The City Planning and Zoning Commission shall be the Utility Advisory Committee for the City.

(f) COUNCIL. The Council of the City of Groveport, Ohio.

(g) CREDIT. Credit refers to a reduction in a non-residential customer's stormwater service fee given for certain qualifying activities which either reduce the impact of increased stormwater runoff or reduce the City's costs of providing stormwater management. The qualifying activities are prescribed herein.

(h) DETENTION BASINS. Surface stormwater storage areas created by natural contours or by constructing a basin by excavation or

embankment or by installing underground structures such as concrete pipes or chambers.

(i) DEVELOPER. A person, firm, partnership or corporation, which otherwise improves a specific parcel or tract of land, performs construction work of any kind in the "project area" as defined in this section or holds or is required to obtain a "permit" as defined in this section.

(j) EMBANKMENT. Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface or cut and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; a fill or the material used to make an embankment.

(k) ENGINEER, PROFESSIONAL. A person holding a certificate of registration under Ohio R.C. 4733.14 or 4733.19.

(l) EROSION. The wearing away of the land surface by the action of wind, water or gravity.

(m) EQUIVALENT RESIDENTIAL UNIT (ERU). is a value, equal to 2,760 square feet of measured impervious area and is equal to the average amount of impervious area of a typical residential property within the City

(n) EXCAVATION. Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom. The difference between a point on the original ground and designated point of lower elevation on the final grade; cut or the material removed in excavation.

(o) EXISTING. Present or in effect as of the time of the adoption of this chapter.

(p) FACILITIES. Various drainage works that may include inlets, conduits, manholes, energy dissipation structures, channels, outlets, retention/detention basins, and other structural components.

(q) GRADING. Any stripping, cutting, filling, stockpiling, or any combination thereof and shall include the land in its cut or filled condition.

(r) MUNICIPAL. Property or facilities owned by the City of Groveport, Ohio.

(s) NOTICE. A written or printed communication conveying information or warning.

(t) ORDER. The whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) or any matter issued by the City Administrator or person designated by them pursuant to any provisions of this chapter.

(u) OWNER. Any person, business or organization that possesses real property.

(v) PERMIT. The "stormwater management permit" required by this chapter.

(w) PERSON. Any person, firm or corporation (public or private), the State of Ohio and its agencies or political subdivisions and the United States of America, its agencies and instrumentalities, and any agent, servant, officer, or employee of any of the foregoing.

(x) PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission of the City of Groveport, Ohio.

(y) PREMISES. A lot or parcel and the buildings and improvements situated thereon.

(z) PRIVATE. Property or facilities owned by individuals, corporations, and other organizations and not by local, state, or federal government.

(aa) PROJECT AREA. The land lying within the geographical limits of the tract(s) or parcel(s) under consideration and on which the work is to be performed.

(bb) PUBLIC. Property or facilities owned by local, state, or federal governments.

(cc) PUBLIC STORMWATER OPEN CHANNEL. Includes:

(1) All open channels which convey, in part or in whole, stormwater;

(2) Is an open channel which has a permanent drainage/stormwater easement owned by the City of Groveport or is located within City of Groveport owned property, and

(3) Drains an area which includes City of Groveport owned property or public right-of-way. A public stormwater open channel does not include roadside ditches which convey only immediate right-of-way (roadside) drainage.

(dd) RETENTION BASINS. Permanent ponds where additional stormwater storage capacity is provided above the normal water level.

(ee) ROUTING. An engineering technique described as computation of the movement and attenuation of an inflow hydrograph as it passes through the stormwater system, resulting in a discharge hydrograph at the downstream end of an element such as a pipe, channel, or detention basin, and accounts mathematically for the effects of storage on flow through the element. Level pool routing assumes that a retention/detention facility maintains an "even" or "level" surface water elevation.

(ff) SEDIMENT. Solid material both mineral and organic, that is in suspension, is being transported, or has been moved from its original site or origin by air, water, or gravity as a product of erosion.

(gg) SEDIMENT CONTROL PLAN. A plan required by an ordinance, rule, or regulation for controlling the movement of soils due to storm runoff created by construction activities.

(hh) STORM, STORMWATER. Storm and stormwater as used in this chapter are interchangeable terms.

(ii) STORM SEWER, STORM DRAIN. A sewer or drain which carries stormwaters, surface runoff, street wash waters, and drainage, but which excludes sanitary sewage and industrial wastes, other than unpolluted cooling water. Storm sewers begin at the grating or opening where water enters the structure, through the sewer and conduits to the outlet structure where water enters a channel or natural watercourse.

(jj) STORMWATER MANAGEMENT POLICY. Chapter 935 of Groveport City Code of Ordinances.

(kk) STORMWATER MANAGEMENT DESIGN POLICY. Chapter 935 specifies design methods, standards, and requirements for the design, construction, maintenance, and use of stormwater facilities written by and available from the City, as part of the City Code.

(ll) STORMWATER MANAGEMENT SYSTEM. All man-made facilities, structures, and natural watercourses used for collecting, transporting, detaining, storing or disposing of stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to any and all of the following: inlets, conduits and appurtenant features, canals, creeks, channels, catch basins, ditches, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, floodwalls, levees, and pumping stations.

(mm) TOTAL AREA. The square footage of a lot or parcel measured or estimated by using the outside boundary dimensions, in feet,

converted to acres (one acre equals 43,560 square feet), to obtain the total enclosed area, without regard for topographic features of the enclosed surface, as used in Section 939.16 for the purpose of determining the rate class for lot(s) or parcel(s) of real property. The boundary dimensions in feet of the enclosed surface area may be established by any of the following methods selected by the Utility for each lot or parcel:

(1) On site or photogrammetric measurements of the apparent outside boundary dimensions of the lot or parcel of real property made by the City or on its behalf; or

(2) Computation of the area using dimensions of lot or parcel of real property and/or existing area measurements which are set forth and contained in the records of the office of the City Recorder or Auditor.

(nn) UTILITY. The Stormwater Management Utility provided for by this chapter, which may be operated or organized as a department of the City of Groveport, Ohio.

(oo) WATER COURSE. A permanent or intermittent stream, river, brook, creek, channel, swale or ditch for water whether natural or manmade.

(Ord. 12-022. Passed 5-29-12.)

ORGANIZATION AND OPERATION

939.02 ORGANIZATION OF THE UTILITY.

(a) The Utility shall be administered by the City Administrator who shall have the responsibility for planning, developing, and implementing stormwater management or sediment control plans; financing, constructing, maintaining, rehabilitating, inspecting, and managing existing and new stormwater facilities; collecting fees and charges for the Utility; implementing and enforcing the provisions of this Code; and other related duties.

(b) The Utility may avail itself of the services of other City departments necessary for the discharge of its responsibilities. Services of finance, personnel, law, public service, engineering, and the like, which are used by the Utility shall be provided at cost.

(c) A Stormwater Utility Advisory Committee may be established at the discretion of the Council, to consider matters related to the Utility organization, operation, financial matters, and amendments. The Advisory Committee shall have no authority to bind the City or the Utility with respect to any matter including easements, expenditures or contracts.

(Ord. 12-022. Passed 5-29-12.)

939.03 STORMWATER FACILITIES.

(a) The Utility shall monitor the design, operation, maintenance, inspection, construction and use of Storm Sewers, Storm Drains, and Stormwater Facilities in the City. The Utility shall be responsible for the design and construction of public stormwater facilities in the City and shall inspect, operate, and maintain them as specified in Section 935.09.

(b) The Utility may accept overriding responsibility for permanent maintenance of stormwater facilities designed to control erosion when the benefiting area involves two or more property owners. The Utility may require facilities to be designed to reduce maintenance cost and will require adequate easements. (Ord. 12-022. Passed 5-29-12.)

939.04 EROSION, SILTATION, AND SEDIMENTATION.

The Utility shall be responsible for controlling erosion, siltation and sedimentation that will adversely affect storm sewers, drainage ditches, watercourses, and other drainage facilities.

(Ord. 12-022. Passed 5-29-12.)

939.05 MULTIPLE FUND PROJECTS.

Where a public improvement is funded by the City and other agencies or organizations, and storm drainage is not a primary part of that project, the Utility's responsibility for project costs shall be in proportion to the City's storm drainage related share of the total cost of the project unless otherwise determined by Council.

(Ord. 12-022. Passed 5-29-12.)

939.06 PRIVATE FACILITIES.

Any owner or possessor of Private Property upon which stormwater drainage facilities exist for the purpose of collecting, conveying, retaining or detaining stormwater within that property and which are not public facilities pursuant to Section 939.07 of this chapter, shall be responsible for the maintenance of these facilities as required to ensure proper operation and in accordance with Section 935.09.

When the Utility accepts responsibility for design, construction, inspection, operation or maintenance of private facilities in accordance with Section 939.03 of this chapter, all expenses incurred therewith shall be the responsibility of the Utility.

(Ord. 12-022. Passed 5-29-12.)

939.07 PUBLIC FACILITIES.

The Utility shall be responsible for stormwater drainage facilities and watercourses on all streets, boulevards, sidewalks, curbing, street and other municipal property and public easements, and highway structures and appurtenances belonging to the City.

Where public facilities and watercourses are located in easements on private property, the owner of the property is responsible for aesthetic maintenance such as lawn mowing, litter pick- up, and the like, unless otherwise determined by the Administrator. The owner shall neither place nor allow structures or plantings that interfere with the operation and maintenance of such drainage facilities and watercourses. (Ord. 12-022. Passed 5-29-12.)

939.08 ANCILLARY IMPROVEMENTS.

The Utility may authorize the construction of curbs, pavements, channels, watercourses, conduits, culverts, or other structures on Municipal property or public easements necessary to properly operate and maintain new and existing stormwater facilities.

(Ord. 12-022. Passed 5-29-12.)

939.09 ROUTINE AND REMEDIAL MAINTENANCE.

The Utility shall provide for inspection and routine maintenance of facilities that have been accepted for maintenance by the Utility as specified in Section 935.09. Remedial maintenance of bridge surface drainage systems shall remain the responsibility of agencies other than the Utility.

(Ord. 12-022. Passed 5-29-12.)

939.10 LAND AND FACILITIES AFFECTED BY LANDS OUTSIDE THE CITY.

Where stormwater drains from lands outside the City, facilities within the City shall be designed in accordance with Chapter 935 as if the entire drainage area was within the City, as determined by the City Engineer.
(Ord. 12-022. Passed 5-29-12.)

939.11 RULES AND REGULATIONS.

(a) In order to accomplish the purpose of this Chapter to protect the drainage facilities, improvements, and properties owned and maintained by the City, to secure the best results from the construction, operation, and maintenance thereof, and to prevent damage and misuse of any of the drainage facilities, improvements, or properties within the City, the Utility shall utilize existing rules, regulations or codes and may make and enforce additional rules and regulations that are approved by Council, and are necessary and reasonable:

(1) To prescribe the manner in which storm sewers, watercourses, channels, and other stormwater facilities are to be designed, installed, adjusted, used, altered or otherwise changed, as specified in Chapter 935;

(2) To recommend inspection and certain other fees permitted by this Chapter;

(3) To prescribe the manner in which such facilities are operated;

(4) To facilitate the enforcement of this Chapter;

(5) To prescribe the collection procedures and timing of service charge bills;

(6) To protect the municipal stormwater management system, improvements, and properties controlled by the Utility, and to prescribe the manner of their use by any public or private person;

(7) To protect the public health, safety, and welfare.

(Ord. 12-022. Passed 5-29-12.)

939.12 RIGHT OF ENTRY FOR SURVEY, EXAMINATION AND MAINTENANCE.

After presenting proper credentials and securing permission, the City Administrator or their designees, including contractors and their employees or consultants and their employees, may enter upon lands within the City to make surveys and examinations to accomplish the necessary findings to establish a master plan, for detailed analysis to prepare final plans and specifications for proposed improvements or for inspection or maintenance of stormwater facilities.
(Ord. 12-022. Passed 5-29-12.)

FINANCE PROVISIONS

939.13 FUNDING.

Funding for the Utility shall include, but not be limited to:

(a) Stormwater management service charges;

(b) Direct charges. This charge will be collected from owners, developers and others for the cost of designing and constructing stormwater facilities, and for administrative costs and related expenses where the Utility designs and/or constructs or contracts for the construction of such facilities, including costs associated with abatement procedures undertaken by the Utility;

(c) Direct assessment. This charge will be collected from owners in localized areas that desire stormwater drainage facilities not considered a part of the regional development or where an improvement is desired ahead of the priority status;

(d) Other income obtained from federal, state, local, and private grants, or revolving funds. (Ord. 12-022. Passed 5-29-12.)

939.14 STORMWATER UTILITY FUND.

All revenues generated by or on behalf of the Utility including stormwater management service charges and direct charges on those revenues shall be deposited in the Stormwater Utility Fund and used exclusively for Utility purposes.
(Ord. 12-022. Passed 5-29-12.)

939.15 STORMWATER MANAGEMENT SERVICE CHARGE.

A stormwater management service charge is imposed on each lot and/or parcel of land within the City, and the owner thereof, excepting only streets, boulevards, curbing, street crossings, grade separations, and other public rights-of-way, and highway structures belonging to the City, state and federal government. If individual adjacent lot(s) or parcel(s) in agricultural use and with a single farmstead of buildings serving all adjacent parcels are all owned by the same owner, they shall be considered to be a single parcel for determination of service charges.

(a) Public road and freeway rights-of-way shall be exempt from the stormwater management service charge because they function as part of the stormwater collection and conveyance system. Private rights-of-way will be charged as described herein.

(b) Properties that have existing stormwater detention facilities, or those planning such facilities, may have their stormwater management service charges reduced as determined by the Utility, as specified in Section 939.18. The detention facilities must be in accord with the hydrologic, hydraulic, and structural design requirements of the rules and regulations. Facilities of a temporary nature will not be allowed a decrease in their charges.

(c) The Utility may reduce or waive requirements for an individual detention/retention basin if a common or regional basin of adequate design is available or if the Utility is reasonably certain one will be constructed and if the major drainage system from the project area to such common or regional basin is such that the public health, safety and welfare will not be in jeopardy.

The stormwater management service charge is based on the usage of the stormwater system by each customer. It is predicated on the calculations listed below. These costs are a function of stormwater system usage (or impervious area).
(Ord. 12-022. Passed 5-29-12.)

939.16 CLASSIFICATION OF PROPERTY.

There shall be two classifications of property for determination of the stormwater management service charge:

(a) Class R. One-family and two-family (i.e., a duplex home) residential properties, used solely as a residence.

(b) Class C. All non-residential property and residential property not included in Class R. The total area (acres to the nearest 0.01) of each Class C property will be determined as defined in Section 939.01.

(Ord. 12-022. Passed 5-29-12.)

939.17 CUSTOMER SERVICE CHARGE.

The Utility is directed to prepare a list of all lots and parcels within the City. The Utility shall report, to the City Administrator, any applications of the provisions of Sections 939.15 through 939.17, which the Utility considers unjust or inequitable, and the matter shall be resolved in accordance with the provisions of Section 939.20.

(a) All properties having impervious area within the City of Groveport will be assigned an Equivalent Residential Unit (ERU) or a whole multiple thereof, with all properties having impervious area receiving at least one (1) ERU.

(b) Class R Properties will be assigned one ERU. A flat rate will apply to all Single- Family and two-family duplex properties.

(c) Class C Properties will be assigned an ERU whole multiple based upon the properties individual measured impervious area (in square feet) divided by 2760 square feet (1 ERU). This division will be calculated to the first decimal place and rounded to the nearest while ERU according to mathematical convention.

(d) The Customer Service Charge shall be prescribed in the rate schedule is as follows:

(1) $2.25 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2025 until December 31, 2025;

(2) $2.50 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2026 until December 31, 2026;

(3) $2.75 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2027 until December 31, 2027;

(4) $3.00 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2028 until December 31, 2028; and

(5) $3.25 per month per Equivalent Residential Unit (ERU) based on twelve (12) months per year applied to all bills rendered for billing periods beginning on and after January 1, 2029.

(Ord. 12-022. Passed 5-29-12.)

939.18 CREDITS.

Credits or adjustments can be made to Class C properties' service charges for qualified property owners performing activities that reduce the impact of stormwater runoff to the stormwater system, as follows:

(a) Education Credits.

(1) General Policies.

A. This program is available to all schools as defined in the zoning code, public or private that offer a compulsory education curriculum for grades pre-K through 12th grade or part thereof.

B. Credits will be issued on a building complex by building complex basis.

C. Where a site is jointly used by a school and another use (e.g. church) the stormwater fee will be prorated based on usage and the credit will be issued to the school portion of the fee.

D. In no case will the total credit amount be more than the cap identified in Section 939.18(f)

(2) Credits Available. Stormwater education credits of fifty percent (50%) of the stormwater bill may be granted for approved programs providing public awareness and education on stormwater issues as follows:

A. Stormwater Educational Curriculum (e.g. Project WET and Project Aquatic WILD) integrated into standard curriculum for thirty-five percent (35%) of the students in the school, or;

B. Stormwater Educational Activities (e.g. essay contest, poster contest) with participation of thirty-five percent (35%) of the students, or;

C. Public Service Activities (e.g. Adopt a Road, Adopt a Stream or inlet stenciling) involving five percent (5%) of the students or utilizing student recruited adults. Where adults are recruited, they shall be credited with 3 equivalent students per each adult participant, or;

D. In Kind Services (e.g. web site development, brochure development, public service announcements, videos or other program related work) as approved by the City Administrator or their designee, or;

E. A combination of the above items for an equivalent student participation of thirty-five percent (35%) or as approved by the City Administrator or their designee.

(3) Basic Procedures.

A. In order to receive educational credits, the school will need to submit an application including an education plan. The application will be due by October 1, of each year. The plan shall be reviewed and approved by the City Administrator or their designee. Once approved, the credit shall be placed on the appropriate stormwater bill.

B. Upon completion of the educational plan or no later than October 1 of each year, the school shall submit an annual report indicating compliance with the approved plan. The annual report shall be broken down by the types of activities and indicate the number of participants. If the school did not substantially comply with the plan, the report will include an explanation of the failure and any needed corrective action. Other reporting requirements may be required as part of the plan approval and shall be included in the annual report.

C. The annual report will be reviewed by the City Engineer. If upon review, the school did not substantially comply with the approved plan, the City may:

1. Require additional activities as a corrective action;
2. Reduce the education credit to a level comparable with the compliance;
3. Revoke the education credit and require repayment in accordance with Section 939.17;
4. Refuse approval of any new education plan.

(b) Retention/Detention Credit.

(1) General Policies.

A. This program is available to all Class C properties or part thereof.

B. Credits will be issued on a property by property basis for only the portion of the property tributary to the retention/detention facility.

C. When a facility is jointly used by several non-single-family properties under a joint use agreement, including deed restriction, the credit shall be prorated among the properties as a percentage of the tributary area.

D. In no case will the total credit be more than the cap identified in Section 939.18(f).

(2) Credits Available. Retention/Detention credits may be granted for approved facilities that reduce the quantity of stormwater and/or improve the water quality of stormwater as follows:

A. A credit of up to ten percent (10 %) may be provided for facilities that exceed the storage required by City design requirements as specified in Section 935.07, subject to successful completion of a credit application process. Credits will be issued on a property by property basis for only the portion of the property tributary to the retention/detention facility.

B. An additional credit of up to ten percent (10%) may be provided for facilities that provide additional detention/retention that benefits upstream or downstream properties without a joint use agreement. This additional credit will be calculated as one tenth of a percent for each one percent in detention/retention over the volume required by City Standards.

C. An additional ten percent (10%) credit may be available for demonstration projects of Best Management Practices, determined and approved by the City Engineer and designed to meet specific site situations.

(3) Application Process. The retention/detention credit is available upon successful completion of the application process, including the submittal of all necessary engineering calculations, documentation, and proof of required information, signed and stamped by a professional engineer registered in the State of Ohio.

A. Retention/detention credit is available only for those eligible properties whose retention/detention facilities exceed City design, construction and maintenance standards.

B. For facilities constructed after the effective date of this regulation, the credit will be made effective to the later of either the date of submittal of a successful application, or the date stormwater billing for that property began (if all requirements and conditions of this rule and regulation are met).

C. Failure to operate or maintain the facility as designed shall be reason for forfeiture of the credit. The City shall notify the property owner/operator of the facility's deficiencies.

(c) Maintenance Credit.

(1) General Policies.

A. This program is available to all Class C properties who maintain public stormwater open channels and are eligible to receive a direct cost reduction (credit) in the property's stormwater service fee.

B. Credits will be issued on a property by property basis.

C. In no case will the total credit be more that the cap identified in Section 939.18(f).

(2) Credits Available. Maintenance credits may be granted to properties that maintain public stormwater open channels or to property owners who participate in an approved Adopt-A-Road/Stream/Park or other sanctioned City cleanup program. Maintenance credits may be granted to reduce operation and maintenance costs to the City as follows:

A. A credit of up to thirty percent (30%) may be given for maintaining public stormwater open channels. The credit will be calculated as one half percent per lineal foot of channel maintained.

B. A credit of up to twenty percent (20%) may be given for participation in an approved Adopt-A-Road/stream/park program. The credit will be based on a signed contract to provide litter collection on a one-mile section of roadway, stream section or park area on a schedule to be approved by the City Administrator or their designee. The minimum term of the contract shall be three clean ups per year for a three-year period.

C. A credit of up to twenty percent (20%) may be given for participation in a sanctioned City cleanup program. The credit will be calculated as two percent (2%) for each five (5) participants in the cleanup program. The credit shall be granted for a period of no more than one year from the sanctioned program.

(3) Basic Procedures.

A. In order to receive a Maintenance credit, the non-single-family property owner will need to submit an application, right of entry easement, if applicable, a maintenance plan and any required engineering plans and calculation stamped by a registered professional engineer. If approved, the credit shall be placed on the appropriate stormwater bill.

1. For public stormwater open channels draining an area of 10 acres or larger, the property will receive a stormwater service fee credit of one dollar ($1.00) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.

2. For public stormwater open channels draining an area less than 10 acres, the property will receive a stormwater service fee credit of fifty cents ($0.50) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.

B. The City Engineer or their designee shall inspect the property to determine if the proposed maintenance will reduce operation and maintenance costs to the City. If the proposal is approved for maintenance credit, the City Engineer shall periodically inspect the property to insure compliance with the approved maintenance plan.

C. In order to receive credit for participation in an approved Adopt-A- Road Program, the property owner will need to submit an application and a request for roadway designation. Only roadways designated by the City Administrator or their designee, shall be approved for adoption and clean-up work must be completed in accordance with an approved schedule.

D. In order to receive credit for participation in a sanctioned clean-up program, the property owner will need to submit an application and tentative list of participants. Participants must register at the event and identify themselves as credit program participants.

E. Failure to maintain the open channel to the minimum standards set forth in this regulation shall be reason for forfeiture of a portion or all of this credit. The City shall notify the property owner of this forfeiture and actions necessary to receive full credit.

(d) Credit applications will not be accepted from any property that has a delinquent utility account.

(e) Credits apply only to the Class C properties in which the activity applies. Credits may not be transferred to other properties.

(f) The total amount of all credits issued under this Section shall not exceed sixty percent (60%) of the stormwater bill for the property.

(Ord. 12-022. Passed 5-29-12.)

939.19 COLLECTION OF STORMWATER MANAGEMENT SERVICE CHARGE.

The stormwater management service charge shall be paid, by the owner of each lot or parcel which is subject to this charge, on a periodic basis in accordance with regulations established herein. Billings will be mailed on a schedule to be determined by the Administrator or her/his designee, and will be included on water and/or sewer statements, or in the event water and sewer services are not provided, on a separate billing statement.

(Ord. 12-022. Passed 5-29-12.)

939.20 ADJUSTMENT OF CHARGE, APPEAL.

(a) Anytime the runoff situation on a parcel of property changes, the stormwater utility reserves the right to correspondingly adjust the Stormwater Management service charge.

(b) Persons who consider the charges applicable to their lot or parcel to be unjust or inequitable may apply, within 30 days after

receipt of the charge, to the Council for adjustment thereof, stating in writing the grounds of the complaint according to procedures and requirements set forth by the City Administrator.

(c) The Council shall, within 30 days, cause appropriate investigation thereof and determine whether an adjustment of the charges for any such lot or parcel is necessary to provide for the just and equitable application of the stormwater management service charge, and adjust such charge if appropriate. (Ord. 12-022. Passed 5-29-12.)

939.21 DELINQUENT CHARGES.

(a) All delinquent fees shall be assessed as provided by the Utility, or as provided by the Utility's contract billing agent, if any.

(b) Unpaid charges shall constitute a lien upon the real property affected from the date charges are incurred.

(c) Charges which remain unpaid for a period of two (2) consecutive billing cycles are subject to the filing of a suit or the City may pursue any and all remedies necessary to collect said unpaid charges.

(d) For delinquent charges, a special assessment may be filed with the Auditor of Franklin County, Ohio as a lien upon the real property. Penalty, see Section 939.99.

(Ord. 12-022. Passed 5-29-12.)

939.22 ABATEMENT PROCEDURES.

Whenever the Utility finds that a tract of land is inadequately drained or that there is an obstruction to a culvert or water course that interferes with water naturally flowing or that such culvert, storm sewer or watercourse is insufficient in capacity, the Utility shall notify the owner or person having possession, charge or management of such land and if necessary, follow abatement procedures specified in Section 935.10.

(Ord. 12-022. Passed 5-29-12.)

APPEALS AND AMENDMENTS

939.24 APPEALS BOARD.

(a) An Appeals Board is herein established to hear and determine any appeal filed under Section 939.25 of this chapter. The Appeals Board shall be comprised of three (3) residents of the City, appointed by the Mayor and approved by Council.

(b) The Appeals Board shall, in harmony with the general purpose of this chapter and to secure the public health, safety and welfare, have the power to affirm, modify, or revoke any notice or order and may grant an extension of time for the performance of any act required by this chapter, or may grant a variance, except as otherwise excluded herein, where there is practical difficulty or undue hardship connected with the performance of such notice or order, and its decision shall be final.

(Ord. 12-022. Passed 5-29-12.)

939.25 VARIANCES AND APPEALS.

Any person may appeal decisions or interpretations of the City Administrator, or their designee, issued in connection with the enforcement of any provisions of this chapter or request variances therefrom, provided that such person shall file in the office of the City Administrator, along with the fees established by Council for appeals and variances, a written petition to the Appeals Board as provided below.

(a) The Appeals Board. The Appeals Board shall hear and determine appeals or variances to of this chapter and, upon receipt of a petition setting forth the requirements of Section 939.26 and the required fee(s), the Appeals Board shall set a time and place for a public hearing and shall give the petitioner written notice thereof. At the hearing, the petitioner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified or denied or a variance granted.

After a hearing, the Appeals Board shall sustain, modify or deny any item appealed or grant a variance by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the petitioner and the City Administrator shall be notified in writing of such findings.

The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the City Administrator. The record shall also include a copy of every notice, order or variance issued in connection with the matter.

(b) The failure of the petitioner or their representative to appear and state their case at any hearing shall have the same effect as if no petition had been filed.

(c) Filing fees required by this section shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal unless such petition shall have been withdrawn prior to the date set for such hearing. (Ord. 12-022. Passed 5-29-12.)

939.26 CONTENTS OF PETITION.

(a) The complainant shall set forth in the petition for appeal, the interpretation, ruling or order appealed from, and the related provisions of this chapter or related laws or ordinances, and shall state wherein the interpretation, ruling, or order is erroneous. If the appeal is a request for variance, the petition shall point out the provision or provisions from which the variance is sought and how the request satisfies the requirements of this section.

(b) Petitions to the Appeals Board, in appeals filed in accordance with Section 939.25(a), may only be based on one of the following grounds:

(1) The interpretation, ruling, or order is erroneous or constitutes an erroneous application of the particular provisions of this chapter or other related laws or ordinances pertaining to stormwater management and finance, or is otherwise contrary to law, or

(2) A variance is necessary and feasible and meets all of the following conditions:

A. Good and sufficient cause based on an unreasonable burden or hardship has been proven;

B. The degree of variance is the minimum necessary to afford relief from the unreasonable burden or hardship imposed by this chapter or standards, specifications, requirements, regulations, and procedures adopted pursuant to this chapter;

C. The variance may be granted without defeating the public health, safety, and welfare purposes and intent of this chapter or

related laws or ordinances pertaining to stormwater management and finance.

(Ord. 12-022. Passed 5-29-12.)

939.27 AMENDMENTS.

Whenever the public necessity, convenience, general welfare or good stormwater management practice requires, an amendment, supplement, or change may be considered by Council.

(Ord. 12-022. Passed 5-29-12.)

LEGAL ISSUES

939.97 FLOODING, LIABILITY.

Floods from stormwater runoff may occasionally occur which exceed the capacity of storm drainage facilities constructed, operated, or maintained by funds made available under this chapter. This chapter does not imply that property subject to the fees and charges established herein will always be free from stormwater flooding or flood damage, or that stormwater systems capable of handling all storm events can be cost effectively constructed, operated, or maintained. Nor shall this chapter create a liability on the part of, or cause of action against, the City or any officer or employee or the City's agent thereof for any flood damage that may result from such storms or the runoff thereof. Nor does this chapter purport to reduce the need or the necessity for obtaining flood insurance. (Ord. 12-022. Passed 5-29-12.)

939.98 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. Council declares that it would have passed this chapter and each section, subsection, sentence, clause and phrase hereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.
(Ord. 12-022. Passed 5-29-12.)

939.99 PENALTIES.

Specified in Section 935.99.
(Ord. 12-022. Passed 5-29-12.)