REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, JUNE 4, 2019
6:00 PM
COMMISSION CHAMBER – 2ND FLOOR
201 WEST WATER STREET
PIQUA, OHIO  45356

CALL TO ORDER

THE PLEDGE OF ALLEGIANCE

ROLL CALL

OATH OF OFFICE – PIQUA FIRE DEPARTMENT
➢ ASSISTANT FIRE CHIEF – PAUL H. BROWN
➢ FIRE CAPTAIN – DUSTIN A. LACY

ANNOUNCEMENTS

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES
   Approval of the minutes from the May 21, 2019 Regular City Commission Meeting

OLD BUSINESS

2. ORD. NO. 3-19 (3rd Reading)
   An Ordinance amending Chapter 51 of the Piqua Municipal Code (Sewers)

NEW BUSINESS

3. RES. NO. R-55-19
   A Resolution fixing the time and place for a public hearing on the proposed city tax budget for Miami county
   for the calendar year 2020 and draft appropriation ordinance.

4. RES. NO. R-56-19
   A Resolution approving the community development block grant (cdbg) community development allocation
   program and neighborhood revitalization program applications for program year 2019 and authorizing the
   City Manager to submit the applications to the Ohio Development Services Agency, Office of Community
   Development.

5. RES. NO. R-57-19
   A Resolution authorizing a purchase order to the KE Rose Company for purchase and installation of
   specialized equipment in police vehicles
6. RES NO. R-58-19
   A Resolution authorizing a purchase order to Lebanon Ford for the purchase of three Ford police interceptor utility vehicles.

PUBLIC COMMENT
(This is an opportunity for citizens to address the City Commission regarding agenda items, issues, or to provide information. Comments are requested to be limited to five (5) minutes and specific questions should be addressed to the City Manager's office.)

CITY MANAGER'S REPORT

COMMISSIONERS COMMENT

ADJOURNMENT
PIQUA CITY COMMISSION
MINUTES
Tuesday, May 21, 2019
6:00 P.M.

Piqua City Commission met at 6:00 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Hinds called the meeting to order.

Roll Call as follows: Present: Mayor Hinds, Commissioners Lee, Martin and Vogt. Absent: Commissioner Short.

Commissioner Martin made a motion to excuse Dave Short, seconded by Commissioner Vogt. Motion carried unanimously.

Mayor Hinds reported that Commissioner Short is excused and made the announcement that Commissioner Short has resigned from the Piqua City Commission because of a job that he now has he is unable to attend meetings, his resignation is effective June 1 and a motion needed to be made to accept his resignation. Motion made by Commissioner Lee, seconded by Commissioner Martin. Motion carried unanimously and resignation is regretfully accepted.

ANNOUNCEMENTS:

Larry Hamilton, 1104 Maplewood Drive, encouraged the citizens of Piqua to support the 400th anniversary observance of the arrival of the first African enslaved laborers into Jamestown, Virginia. Support from Edison Community College and Piqua City Schools has lagged or faltered and been deferred to the start of the next school year. The Inaugural event has already taken place at the Randolph Founded Church site located on Park Avenue. Mr. Hamilton would like the leaders of the community to participate in a leadership type capacity holding year round activities.

Mayor Hinds commented that the end of the school year was tough to get things going because of graduation and other activities, but Mr. Hamilton does have the support of the Commission, the schools and Edison to do some type of event in the Fall.

Lorna Swisher, Executive Director of Mainstreet Piqua. Thanks to the City of Piqua and the employees who were part of the amazing support in helping with the Taste of the Arts celebration held on May 10th in downtown Piqua.

City Manager Huff introduced Kyrsten French, our new City Planner who comes to us from Manatee County, Florida where she was a planner. She is a graduate of Ohio State University with a Bachelor's Degree and a Masters from the University of South Carolina.

RESIDENCE PRIDE AWARDS

Mayor Hinds recognized the following property owners which have received the Residence Pride Awards. None of the recipients were in attendance at the Commission meeting. Mayor Hinds thanked these residents for working to keep their property beautiful.

Jessica & Jerry Elliott       601 N. Downing Street
Tracy & Bent McKinney        640 W. North Street
Susie & Wayne Pope           220 W. Greene Street
Robin & Mike Skaggs          1544 Edge Street
Leann Brenda Welch           223 South Street
PROCLAMATION FOR BIKE MONTH IN THE CITY OF PIQUA
Mayor Hinds read the proclamation for Bike Month and presented it to two members of Bike Piqua, President Susan Curtis and Jim Hemmert. Ms. Curtis thanked the City of Piqua for their work to keep the trails in good shape and reported that over 900 students in Piqua City Schools and the Piqua Catholic Schools went through a bike safety program and participated in the Kiwanis Bike Rodeo teaching bike safety to youngsters in the city. Upcoming events: Slow rolls, easy bike-riding all over the city, the first one being June 10th embarking on the new path that goes across the river on Ash Street and several other events planned for July, August and September.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the Minutes from the April 16, 2019 Regular City Commission Meeting

RES. NO. R-48-19
A Resolution appointing a member to the Civil Service Commission

Commissioner Lee moved for the approval of the Consent Agenda; motion was seconded by Commissioner Martin.

Motion was carried unanimously, and Mayor Hinds declared the Consent Agenda approved.

OLD BUSINESS

ORD. NO 3-19 (2nd Reading)
An Ordinance amending Chapter 51 of the Piqua Municipal Code (Sewers)
This is the second reading and the staff report was presented by Chris Melvin. Mr. Melvin reiterated information presented in first presentation of the Ordinance.

Mayor Hinds replied that basically the EPA is telling us we need to do this correct?

Mr. Melvin stated that was correct.

Mayor Hinds asked for any questions or comments from the Commission. There were none.

Mayor Hinds asked for any questions or comments from the Public.

Bill Jaqua, 607 N. Sunset Drive asked what the Ordinance does?

City Manager Huff responded that it complies with state requirements on how language has to be in our wastewater treatment.

Mayor Hinds stated that this will stand as the 2nd reading of the Ordinance.

NEW BUSINESS

RES. NO. R-49-19
A Resolution awarding a contract for the purchase of a 15 KV Cable for the Power System.

Ed Krieger, Power Systems Director provided the staff report.
The Riverfront Redevelopment project requires the relocation of two (2) Power System underground circuits that are located within the project footprint. The underground cable is 750 MCM, copper conductor, the largest capacity cable carried in the Power System inventory. The Power System advertised and solicited bids to purchase cable for the Riverfront Redevelopment project and to replenish inventory. Bids were received from two electrical distributors on April 12, 2019.

The lowest and best bid was received from Brownstown Electric Supply. The Power System is requesting authorization to purchase 15 kV cable from Brownstown Electric Supply for a not to exceed price of $125,000. The Piqua Energy Board unanimously recommended Piqua City Commission approve this purchase at its regular meeting on April 23, 2019. Basically this cable will be used to replenish inventory once the projects for the year are completed.

Mayor Hinds asked for any questions or comments from the Commission. There were none.

Mayor Hinds asked for any questions or comments from the Public.

No one came forward to speak for or against RES. NO. R-49-19

Motion was made by Commissioner Vogt to adopt RES. NO. R-49-19; motion seconded by Commissioner Martin, motion was carried unanimously and Mayor Hinds declared RES. NO. R-49-19 adopted.

RES. NO. R-50-19

A Resolution awarding a contract to Pohktak Inc. in the amount not to exceed $150,000 for 2019 for removal and disposal of lime residual from the City of Piqua Water Plant Lime Lagoon with the option to renew for 2020 and 2021.

Bob Jennings provided the staff report. Every three years we go out for bids to have the lime lagoon cleaned out. The only bid this year was from Pohktak Inc. They have been the low bidder for at least the last 12 years. We budgeted $150,000 for this project. This contract is good for the next two years with less than a 5% increase.

Mayor Hinds asked for any questions or comments from the Commission.

Commissioner Martin asked what they do with the lime after they take it. Mr. Jennings responded that they dry it out and then it is applied to farmer's fields.

Commissioner Lee commented that several other places did not respond to the bid? Mr. Jennings replied that the bid was sent to 8 companies in total and Pohktak was the only bidder.

Mayor Hinds asked for any questions or comments from the Public.

No one came forward to speak for or against NO. R-50-19

Motion was made by Commissioner Lee to adopt NO. R-50-19, motion seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared RES. NO. R-50-19 adopted.

RES. NO. R-51-19

A Resolution requesting consent to award a contract to LJ DeWeese Company Inc. for construction services for the 2019 Catch Basin Replacement Project.

Sky Schelle, Water Quality Coordinator provided the staff report.
The City has been awarded a $200,000 Ohio Public Works Commission Grant to replace failing catch basins. The Utility Department has identified the worst catch basins and through a competitive bidding process requested quotes to replace 104. LJ DeWeese was the only bidder and submitted a price of $311,510.00. We will add a 10% contingency to this quote.

LJ DeWeese will replace each of the 104 catch basins as well as repair curb and sidewalk damaged during basin replacement. They have stated they can be finished by the stated project end date of November 30, 2019. Work cannot begin, however, until the grant money becomes available in late July.

The cost of the project is $343,510. That includes a 10% contingency. We have $143,510 in the storm water budget. The remaining $200,000 is being supplied through a grant from the Ohio Public Works Commission.

Mayor Hinds asked how many catch basins we have in the City? Mr. Schelle responded we have close to 2,500.

Mayor Hinds asked for any questions or comments from the Commission. There were none.

Mayor Hinds asked for any questions or comments from the Public.

No one came forward to speak for or against RES. NO. R-51-19.

Motion was made by Commissioner Lee to adopt RES. NO. R-51-19; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared RES. NO. R-51-19 adopted.

**RES. NO. R-52-19**

A Resolution authorizing the City Manager to sign a Revolving Loan Fund Waiver Request to use Community Development Block Grant Economic Development Revolving Loan Funds to pay for the update to the City of Piqua’s Analysis of Impediments to Fair Housing Choice Report as required by the Ohio Development Services Agency for the program year 2019.

Janel Ranley, Development Program Manager provided the staff report. In order to comply with the Program Year 2019 grant cycles for Community Development Block Grant funds we are required by the Ohio Development Services Agency to update our current Analysis of Impediments to Fair Housing Choice. The update will be in effect for up to five years (July 1, 2024). The report is due by July 1, 2019. The revolving loan funds that we are asking to use, the City Manager simply has to sign off on a waiver to access those funds. These funds are set up to loan to businesses for upgrades, etc. for their businesses and we need to sign the waiver in order to use it for administrative purposes.

Mayor Hinds asked for any questions or comments from the Commission. There were none.

Mayor Hinds asked for any questions or comments from the Public.

No one came forward to speak for or against RES. NO. R-52-19.

Motion was made by Commissioner Vogt to adopt RES. NO. R-52-19; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared RES. NO. R-52-19 adopted.
RES. NO. R-53-19

A Resolution authorizing a purchase order to Ohio CAT for the purchase of a Caterpillar Wheel Loader for the Public Works Department.

Brian Brookhart, Public Works Director provided the staff report. The Public Works Department would like to purchase a 2018 Caterpillar 926M wheel loader for the Street Department from Ohio CAT of Troy. $175,000 was budgeted and the price for the new loader will be $149,488. This loader is on the State of Ohio Purchasing Contract. The Caterpillar was the better machine for our use compared to the Volvo and John Deere we looked at. The other loaders were also more expensive on STS pricing contract for this and it came in under budget. This is replacing a 2004 John Deere Loader. This loader can be delivered 10 days after a purchase order is submitted to Ohio CAT.

Mayor Hinds asked for any questions or comments from the Commission.

Commissioner Martin asked if this loader was about the same size as the old one?

Mr. Brookhart replied that it was slightly bigger than the previous loader. It will allow us to move some of our hard fill easier than we have previously been able to. It does have the same size bucket.

Commissioner Lee asked what will happen to the old one?

Mr. Brookhart replied that due to the age of the old one it had several maintenance issues. Mr. Brookhart received an estimate to make several needed repairs as well as some future repairs and the expense well exceeded what the loader was worth. The loader was sold on Gov Deals for $8,000 more than what the trade-in estimate was.

Mayor Hinds asked for any further questions or comments from the Commission. There were none.

Mayor Hinds asked for any questions or comments from the Public.

No one came forward to speak for or against RES. NO. R-53-19

Motion was made by Commissioner Lee to adopt RES. NO. R-53-19; motion seconded by Commissioner Martin; motion was carried unanimously and Mayor Hinds declared RES. NO. R-53-19 adopted.

RES. NO. 54-19

A Resolution for consent to enter into a contract with Fishbeck, Thompson, Carr & Huber (FTC&H), Inc. for Professional Services pursuant to Ohio EPA Water Treatment Asset Management Planning.

Sky Schelle, Water Quality Coordinator provided the staff report. Last year Ohio EPA finalized a rule requiring the water treatment plant to have an Asset Management Plan that has 19 requirements detailing everything from what types of water mains you have, how old they are, down to how the valves are exercised. We entered into a contract last year for just under $10,000 with FTC&H. They got about 30% of the requirements done last year and water treatment budgeted this year, $50,000 to continue on some of the outstanding requirements in this new mandate from Ohio EPA. We have decided to move forward with the Fixed Asset List which is the most complicated part of the asset management plan. With regard to Water Intakes, WTP, Booster Station, and Storage Tanks they will be doing the following: Visually survey and take photographs of major pieces of equipment, record nameplate information (unless that information is provided by the City), Incorporating maintenance schedules, manufacturer's information when it comes to useful life for each of those assets. They will be doing the same for the water mains and then they will be working with OHIO EPA. The state has a formula that they use to determine a useful life evaluation along with a criticality evaluation. In essence what that means is for each of those assets that they are going to visit for us and get data off.
of the end result will be a database showing us how much of the useful life is left in that asset if it were to fail, what type of exposure from a criticality standpoint and from a public safety standpoint are we exposed to and what is the business risk of that asset failing. For instance, how much does it take to replace it. Are there other costs associated with that asset failing. The quote from FTC&H is $53,750. We are going to use the $50,000 budgeted. We also have a $10,000 grant for asset management from the State of Ohio and that will go toward the $53,750.

Commissioner Martin asked if they will have it done then. Mr. Schelle stated they will have the fixed asset list done. That is just one piece of asset management. We will have to keep working on it in 2020 and beyond.

Commissioner Martin asked how much we spent on that last year. Mr. Schelle responded $9,500. Commissioner Martins responded that they got about 30% done. Mr. Schelle responded, roughly speaking, yes.

Mayor Hinds stated that this is what the EPA is asking us to do right? Mr. Schelle replied, us and every other water system in the state.

Commissioner Martin stated that the only bad thing is that last time we got 30% for $10,000 and now we aren’t going to get 70% and it is still going to be $53,000, so they must not have gotten 30% done in the first place.

Mr. Schelle replied that there are 19 requirements and they got whatever 30% of that is. They got 8 or 9 of them done.

City Manager Huff stated that they got the largest components of that now and that is quite a bit.

Mayor Hinds asked for any further questions or comments from the Commission. There were none.

Mayor Hinds asked for any questions or comments from the Public.

No one came forward to speak for or against RES. NO. R-54-19.

Motion was made by Commissioner Lee to adopt RES. NO. R-54-19; motion seconded by Commissioner Vogt; motion was carried unanimously and Mayor Hinds declared RES. NO. R-54-19 adopted.

PUBLIC COMMENTS

Jay Roman, 406 W. High Street, Thanks to the City Manager and Chris Lee for meeting and recognizing his issues. A month ago yesterday he received a utility bill that he did not agree with. He had less usage than the prior month prior and the bill was higher. Mr. Roman called the office and was told the reason why but he did not agree with it. In his anger he went to social media and started the group Citizens for Fair Piqua Utilities Pricing and within a month he has amassed over 1,200 followers. He said that they have a petition on change.org with over 800 signatures seeking changes to utility rates, fees and billing processes. According to that petition they are asking the city to lower the price charges per kilowatt hour closer to standard companies, abolish estimated bills and provide at least three weeks’ notice of bill statements before late fees occur, provide payment options and replace the “smart readers” or the new automated meters which they allege have raised the rates of kilowatt hours for most residents. He stated that there is a family living in a hotel because they cannot pay the utility bills. Residents are having to pawn their personal items to pay the utility bills. Bills are erratic with no explanation. Mr. Roman noted that he has recently been made aware that citizens are charged $100 before they have even used any electricity or water. He does not think this is right. Mr. Roman presented to the Commissioners sheets of citizen requests.

Mayor Hinds asked Mr. Roman if these sheets addressed all of the questions that citizens have.
Mr. Roman stated a good majority but there are a couple that Mr. Roman and Mr. Huff spoke about last week like solar panels and so on. That litigation is not even close to being ready so he left that particular issue off for the time being.

Mayor Hinds stated that this is helpful to give the City the time to go back, answer these questions and get that information back to Mr. Roman. We will take this list and we will get answers to this and give Mr. Roman the answers but also going to do some type of public information for people that may not be following Mr. Roman's Facebook page, just to educate people as to why things are the way they are or to look more into that, whatever the issues are. The list is appreciated, as it helps so the City may know how to respond.

Tonya Blair, local real estate agent, and owns three other buildings in the City of Piqua. Ms. Blair currently has a house that is setting empty. She has received two $200 utility bills for the house. There is a de-humidifier running and a realtor who is showing the house may leave a light on, other than that there is nothing going on. She has checked the specs with her de-humidifier and it should be costing $30 - $40 per month. Electric has been updated, all new service and new meter and Ms. Blair came to talk to City of Piqua to find out what is going on. Bills before the meter was changed were $70. Ms. Blair compared her current rate for electric services through Pioneer Electric of $158 for a house, a barn and a home actively being lived in, with the City of Piqua rates and does not understand how the rate can be so much more with no electric usage at all other than the de-humidifier.

Mayor Hinds asked how long the property has been vacant, and Commissioner Lee asked for the address of the house. Ms. Blair responded 134 Linden. It has been vacant since August. The house was renovated and is now on the market, but cannot sell the house due to the history of the utility bills. Ms. Blair noted that she does not think it is right for "them" to try to charge her $50 to come out and check the brand new meter that they put in. A lot of money has been spent into the updated electrical system. It has been checked by the county, the City, and an electrician.

Mayor Hinds asked when the meter was put in. Ms. Blair responded between February and January of this year. Commissioner Lee inquired as to why it costs $50 to check and Mrs. Blair responded that is what she wanted to know. She said she was told that was the rule and that is what you have to do.

Mike __________, 528 New Street. Retiree of 65 years old, single dwelling by himself and got a $360 utility bill and was told that there was a mistake if there is just you living there you should be under 1.0 instead of a 2.0. Mike did not understand that.

Mayor Hinds has if someone could explain the 1.0 and 2.0?

City Manager Huff stated that we would have to get Mayor Hinds the information and asked Mike what his address was. Mike stated 528 New Street. Mayor Hinds said we will check on it. Mike stated that at the time of the billing irregularities he was residing on Wilson Street and that he would need to obtain that address.

Leslie Lewis, 510 Second Street, stated a few years back there were 8 people occupying the home during a heat wave, had air conditioning on 24/7, filled up a 3,000 gallon swimming pool which they had to pay the sewer for even though they did not use the sewer for, and the bill that month was $413. This past winter their bill for December was over $400 with no air conditioning on and a gas furnace. When they put the new meter in the utility bill about doubled the following month from $260 to almost $500 the next month. No major changes from previous month and bill went from $380 last month to $260 this month. Ms. Lewis stated that she was in line to pay her electric bill and the gentleman at the front of the line was 50 cents short on his bill. He was told "sorry, we are still going to have to shut you off tomorrow". Another friend owned business and paid the electric bill for the business on month and check was 10 cents short and got a disconnect notice form the city for a dime.
Bill Jaqua, 607 N. Sunset Drive, At previous meeting he brought up the fact that there was an inordinate amount of shootings in Downton Piqua. Mr. Jaqua stated he did some research and the only thing he could find was shots fired, which also included calls that were firecrackers and some other things but it definitely includes the shooting off of gun. Mr. Jaqua stated that Piqua had 200 shots fired in a 2 year period.

Commissioner Lee asked what year period? Mr. Jaqua stated that this was recent in the last several weeks, says go back two years so that’s what they chose. Mr. Jaqua went to Troy and did a request for public information, they have 60 in the same period of time. Mr. Jaqua went to Oakwood, and they had zero. Mr. Jaqua stated he feels we are doing a disservice to our community and are not looking at the problem. Mr. Jaqua stated in his point of view the problem is drug-related. Mr Jaqua is asking for a copy of Piqua’s drug enforcement policy?

After numerous interruptions by Mr. Jaqua, Mayor Hinds stated that she does know that there is a task force in Miami County with regard to drug issues and Chief Jamison is part of that and Mayor Hinds knows that there is a lot of work that has been going on with that. Mayor Hinds deferred to Chief Jamison for comment.

Chief Jamison states that as far as the drug policy and public records, we are looking for some consistent examples of shots fired as it means something different with every community. There are standards for what the fines are for the offenses, drug offenses, offenses of violence, property crimes and those type of things that we look at in order to compare trends that are happening in comparison to other cities. Chief Jamison stated we have the stats to show that our drug offenses are going down, we have wonderful community engagement with regard to people willing to provide drug information. Chief Jamison stated that the last he knew with regard to specifically providing a drug enforcement policy was that Mr. Jaqua was going to check with some other cities and show Chief Jamison. Chief Jamison did not refuse to give him anything, we don’t have anything called a drug enforcement policy and much of what we do is related to drug enforcement. Chief Jamison is looking for something that is less vague and more specific and Chief Jamison’s understanding was that Mr. Jaqua would be back with some policies from other places that Chief Jamison could see exactly what he was talking about. Chief Jamison will not provide Mr. Jaqua information about specific drug investigations.

City Commissioner Huff stated that the Public Information Law requires a document request has to be specific. Mr. Jaqua stated that was exactly his request, that could we provide to Mr. Jaqua any public documents that will show him the policy on drug enforcement. City Commissioner Huff stated that there is no document.

Kevin Jenkins, ________ N. Downing Street, owns rental properties in Piqua. Mr. Jenkins made comments and asked questions with regard to the City’s trash and recycle items pick up policies. Mr. Jenkins also feels that there is a problem with the utility system that has been an ongoing problem. Mr. Jenkins states he has been told maybe there is water running or a bad electrical outlet from the utilities department. Mr. Jenkins stated that he does not feel that the City is actually looking into any of these problems.

Jay Roman stated that there was a lot of confusion over the yellow papers that have been coming out. Nobody really knows what is happening with the new trash system. Residents are not clear as far as what will be picked up and what isn’t. Mr. Roman thought some transparency might help the citizens to understand. Mr. Roman then stated that as far as getting excuses from the utilities department that maybe they should be told to stop telling people that phone chargers are responsible for high utility bills, as $2 a year is the maximum usage for a phone charger.

Mayor Hinds stated that we try the best we can to get that information out.

Commissioner Lee stated that maybe we should try social media.

Mayor Hinds said we have those trash cans sitting at the utilities office, so you can see the different sizes of what you can get.
Dennis Scheer, 1616 W. Grant Street, asked how do we get rid of the old trash cans? Mayor Hinds responded to write "Please dispose of" on the side of the trash can.

Dave Janson, 207 Maryville Lane, asked why we can't get DP&L electric service.

City Manager Huff stated that it is in the state code that municipalities control the utilities. Ed Krieger responded that we no longer have lines for DP&L.

Dave Janson inquired about the solar wind farm. Is that money that will be generated for the community?

City Commissioner Huff stated that they are all privately owned.

Ed Krieger responded that there are two solar generating facilities, Staunton Street and Manier field which is being built on 85 acres. They are both projects that have come to Piqua due to our membership in American Municipal Power. The power that is generated from those projects directly feeds into our system and we get an allocation of that power which basically helps lower our utility bills. The power that comes from this project is going to be the second cheapest source of power we have for our electric utility.

Nick Ventura, 108 Jean Drive asked what is the red light on the electric meters. Ed Krieger responded that the red light shows that the meter is energized.

**CITY MANAGER’S REPORT**

South Street project. The street actually collapsed due to a lot of rainfall. In taking out all the asphalt it was found to be filled with concrete, wood, and bricks and railroad tracks, trolley tracks had been dumped in to fill without compaction and over a period of time the water got in there and caused the road to fail. We had to camera all the utility lines to make sure there were no issues that were causing any additional water to get into the base. We took everything out and rebuilt the entire base and then wait for the weather to dry it out enough to where it could be paved. Weather permitting, the street will be paved tomorrow.

McCulloch statue dedication on Thursday, May 23 at 11:00 a.m. That statue was donated by Jim Dicke of Crown Equipment and he will speak at the dedication.

**COMMISSIONERS COMMENTS**

Commissioner Lee thanked everyone who came out tonight and for all the questions and stated that nothing gets accomplished if you don’t come out. Commissioner Lee stated that it is important to him that we get back to the citizens with regard to their utility issues. Thank you to everyone who attended the Taste of the Arts. Lorna does a good job. Thanks to Dave Short for his time on the commission. His work circumstances changed and he could not continue in his present role as commissioner but his time on the commission he was very knowledgeable, helpful and we will miss him.

Commissioner Vogt congratulated the citizens on the residence pride award. Commissioner Vogt stated that he is on a fixed income as well and suggested that citizens check their outlets and breaker boxes for excessive heat, which indicates an issue with too much electricity being drawn into the outlet.
Commissioner Martin stated that he would like to thank Dave Short for his service. He also mentioned that with regard to the utility issue, that it might help to switch out the light bulbs for LED bulbs. Commissioner Martin congratulated the Residence Pride Award Recipients.

Mayor Hinds shared some upcoming events; Piqua High School graduation will be this Friday. There will be a Memorial Day Parade on Monday and the farmer’s market in front of the library will open May 30th.

ADJOURNMENT

Motion made by Commissioner Martin to adjourn from the Regular City Commission Meeting at 7:15 p.m. motion seconded by Commissioner Vogt motion carried unanimously. The Commission then adjourned to Executive Session which adjourned at 7:55 p.m. with Commissioner Vogt making the motion to adjourn, seconded by Commissioner Martin, the Commission meeting was then adjourned at 8:00 p.m. with Commissioner Martin making the motion to adjourn, seconded by Commissioner Lee, with unanimous approval.

KATHRYN B. HINDS, MAYOR

PASSED: _______________________

ATTEST: _______________________

KAREN S. JENKINS
CLERK OF COMMISSION
ORDINANCE NO. 3-19

AN ORDINANCE AMENDING CHAPTER 51 OF
THE PIQUA MUNICIPAL CODE SEWERS

WHEREAS, the Wastewater Department completed an Ohio EPA Pretreatment Program Audit; and

WHEREAS, the results of the Ohio EPA Pretreatment Program Audit indicated that the changes proposed to Sections of Chapter 51 of this Ordinance were necessary for the Piqua Municipal Code to be consistent with the Ohio Administrative Code regulations.

NOW THEREFORE, BE IT RESOLVED BY the Piqua City Commission, a majority of its members concurring that;

SECTION 1. That the City of Piqua hereby amends Chapter 51 Sewers Sections pertaining to Industrial Pretreatment as set forth below: (new language is highlighted with also being underlined and deleted language is indicated by strikethrough):

Piqua, Ohio Code of Ordinances

CHAPTER 51: SEWERS

Section

General Provisions

51.01 Purpose
51.02 Definitions
51.03 General prohibitions

Use of the Public Sewers

51.15 Connection required
51.16 Discharge of surface water
51.17 Discharge prohibitions
51.18 Enforcement

Private Sewage Systems

51.30 Private sewage systems
51.31 Application for construction permit
Compliance with recommendations

Operation and maintenance at owner's expense

*Building Sewers and Connections*

Permit required for connection

Permit application; fees

Responsibility for cost

Separate sewer for each building; exception

Construction standards and specifications

Grease, oil and sand interceptors

Waste emitted into public sewers

Pretreatment facilities maintenance expense

Control manhole

Monitoring; reports; test sites

Special agreements or arrangements

Protection from damage; accidental discharge; upsets

Wastewater discharge permits

*Inspections; Orders*

Authority of inspectors

Enforcement orders

*Rates; Meters; Administration*

Wastewater service charge

Wastewater service fees

Extra strength volume

Meters

Industrial exemptions

Payment of charges

Contracts outside city limits

Review of rates

Confidential information

Records retention

Falsification of information

Discount for senior citizens

Penalty
GENERAL PROVISIONS

§ 51.01 PURPOSE.

These regulations set forth uniform requirements for users of the Piqua wastewater system and enable the city to protect public health, safety, and welfare. The objectives of these regulations are:

(A) To prevent the introduction of pollutants into the wastewater system which will interfere with the normal operation of the system or contaminate the resulting municipal sludge; and

(B) To prevent the introduction of pollutants into the wastewater system which do not receive adequate treatment, and which will pass through the system into the receiving waters.

(‘97 Code, § 51.00) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed on Ohio Administrative Code (OAC) 3745-3-04. BMP’s also include treatment requirements, operating procedures and practices to control plant site runoff spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BIOCHEMICAL OXYGEN DEMAND or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in mg/l, as determined by Standard Methods.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

CATEGORICAL PRETREATMENT STANDARDS. Pretreatment standards promulgated by U.S. EPA, specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced to the wastewater system by specific industrial users. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

CITY. The City of Piqua, Ohio.
CITY MANAGER. The CITY MANAGER as provided for under the Charter of the city, or his or her duly authorized agent or representative.

COMBINED SEWAGE. A combination of sanitary sewage and storm water, with or without industrial wastes.

Connection. means the connection of all sanitary waste and drainage disposal lines from all development on a property to the public sewer and drainage system.

COOLING WATER. The water discharged from any system of condensation, air conditioning, cooling or refrigeration. It shall be free from odor and oil, and shall contain no polluting substances.

CONTROL AUTHORITY. (1) The POTW if it is under an approved pretreatment program; or (2) Ohio EPA if the POTW is not under an approved pretreatment program.

DEBT SERVICE CHARGE. The charge levied against the users of the sewage system for the retirement of and interest on bonds and/or notes authorized and issued by the city on construction of the sewage system facilities.

DEPARTMENT. The department established by the city for the purpose of managing and operating the wastewater system of the city.

ENGINEER. The City Engineer.


GARBAGE. Solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of products.

GARBAGE, PROPERLY SHREDDED. The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried under the flow conditions normally prevailing in public sewers.

GOVERNMENTAL/INSTITUTION CLASS USER. Hospitals, nursing homes, schools; city, county, state or federal building or facilities that discharge wastewater into public wastewater treatment system works and facility.

HEALTH OFFICER. The City Health Commissioner or his or her duly authorized agent or representative.

HOLDING TANK WASTE. Any sanitary waste from holding tanks or chambers used in connection with boats, chemical toilets, campers, trailers, or other facilities from which sanitary wastes emanate. The definition includes sanitary wastes from septic tanks and vacuum pump tank trucks.

INDUSTRIAL USER or INDUSTRIAL DISCHARGER. Any user who discharges to the wastewater system any liquid wastes resulting from processes employed in industry or manufacturing, or from development of any natural resource.

INDUSTRIAL WASTES. The solid, liquid or gaseous waste resulting from any industrial
manufacturing, trade or business process; or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.

**INTERFERENCE.** A discharge which (alone or in conjunction with a discharge or discharges from other sources) does both of the following:

1. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal.

2. Therefore is a cause of a violation of any requirements of the POTW’s NPDES permit (including an increase in the magnitude or duration of violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent local regulations): Section 405 of the Clean Water Act, being 33 USC 1345; the Solid Waste Disposal Act (SWDA), being 42 USC 6901 et seq. (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA)), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA, being 42 USC 6941 et seq., the Clean Air Act, being 42 USC 7401 et seq., and the Toxic Substance Control Act, being 15 USC 2601 et seq.

**LOCAL LIMITS.** Limits on industrial users, developed by the City, that are technically based on site-specific factors to protect the POTW’s operations from interference and pass through and to ensure that the POTW’s discharges comply with state and federal requirements. Local limits may be expressed as numerical values, narrative statements, best management practices, or a combination of these. Local limits are considered pretreatment standards upon approval by the Ohio EPA.

**MAY** is permissive.

**Mg/l.** Milligrams per liter.

**NATURAL OUTLET.** Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

**NEW SOURCE.** Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(C) of the Act, being 33 USC 1317(c), which will be applicable to the source if these standards are therefore promulgated in accordance with that section, provided that:

1. The building, structure, facility or installation is constructed at a site which no other source is located;

2. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source;

3. The production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site.

**NORMAL WASTEWATER.** Wastewater having an average concentration of not more than the following:
(1) BOD (biochemical oxygen demand): 200 mg/l

(2) SS (suspended solids): 250 mg/l

**NPDES.** National Pollutant Discharge Elimination System.

**OPERATION AND MAINTENANCE.** The cost incurred in the act of keeping all facilities for collecting, pumping, treating and disposing of sewage in a good state of repair and functioning properly including the replacement of the facilities when necessary.

**OEPA.** The Ohio Environmental Protection Agency.

**PASSTROUGH.** A discharge which exits the POTW into waters of the state in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation.)

**PERSON.** Any individual, firm, company, association, society, corporation or group.

**pH.** The logarithm (base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution. Low values indicate the presence of acids or acid-forming salts. High values indicate the presence of alkaline material. A pH of 7.0 is considered neutral.

**POTW or PUBLICLY OWNED TREATMENT WORKS.** That portion of the POTW that is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

**PREMISES.** Any parcel of real estate or portion of real estate, including any improvements, determined by the engineer to be a single user for purposes of receiving, using and paying for services.

**PRETREATMENT.** The reduction in the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state, prior to or in lieu of discharging pollutants to the wastewater system.

**PRETREATMENT REQUIREMENT.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

**PRETREATMENT STANDARDS.** Pretreatment standards **shall mean prohibited discharge standards (as specified in Chapters §51.03 and §51.17), categorical pretreatment standards, and local limits.**

**PRIVATE SEWER.** A sewer which is not controlled by a public authority. **PUBLIC AUTHORITY.** Any governmental entity having jurisdiction by law. **PUBLIC SEWER.**

A sewer owned and operated by a public authority.
REGULATIONS. Any word, provision, paragraph or section of this chapter unless otherwise defined.

RESIDENCE. A building or house erected or constructed on any lot, parcel of land or premises and used primarily for dwelling purposes.

SANITARY SEWER. A sewer which carries sanitary wastewater and/or industrial waste, and to which storm, surface and groundwaters are not intentionally admitted.

SANITARY WASTEWATER. Water-carried wastes from domestic conveniences such as toilets, urinals and sinks.

SEWER. A pipe, conduit, ditch or other device for carrying wastewater or storm water.

SHALL is mandatory.

SIGNIFICANT INDUSTRIAL USER.

(1) Except as provided in division (2) below, the term SIGNIFICANT INDUSTRIAL USER includes:

(a) All industrial users subject to categorical pretreatment standards.

(b) Any other industrial user that discharges an average of 25,000 gpd or more of process wastewater to the POTW, contributes a process waste stream with makes up 5% or more of the average dry-weather hydraulic or organic capacity of the POTW treatment plant, or has a reasonable potential, in the opinion of the Director, to adversely affect the POTW's operation or for violating any pretreatment standard or requirement.

(2) The Director may at any time, on his or her own initiative or in response to a petition received from an industrial user, determine that a noncategorical industrial user is not a SIGNIFICANT INDUSTRIAL USER if the industrial user has no reasonable potential to adversely affect the POTW's operation for violating any pretreatment standard or requirement.

SIGNIFICANT NONCOMPLIANCE. A violation which meets one of the following criteria.

(1) Occurs in 66% or more of the measurements of any magnitude taken over a six-month period.

(2) Exceeds the technical review criteria (TRC) for the same discharge limit in 33% or more of the measurements taken over a six-month period.

(a) TRC = 1.4 (40% exceedance) for BOD, TSS, fats, oils, grease.

(b) TRC = 1.2 (20% exceedance) for all other pollutants.

(3) Causes alone or in combination with other discharges, interference or passthrough, including endangering POTW personnel or the public.

(4) Endangers human health or the environment, or results in the POTW's exercise of its emergency powers.

(5) A delay in meeting a compliance schedule milestone, such as failure to begin or complete construction or attain final compliance by 90 days or more.
(6) Failure to submit any required report within 45 days of due date.

(7) Failure to report noncompliance.

(8) Any other violation(s) which the POTW considers significant.

**SLUGLOAD.** A discharge of any pollutant at a flow rate and/or pollutant concentration of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, that has a reasonable potential to cause interference (as defined in this section) or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

**STANDARD INDUSTRIAL CLASSIFICATION** or **SIC.** The classification of users based on the 1972 Standard Industrial Classification Manual, as amended and supplemented, Office of Manpower and Budget of the United States of America.

**STANDARD METHODS.** The laboratory procedures specified in the latest edition of Standard Methods for the Examination of Water and Wastewater, prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

**STORM SEWER** or **STORM DRAIN.** A sewer which carries storm and surface waters and drainage, but excludes sanitary wastewater and industrial wastes, other than unpolluted cooling water.

**SUPERINTENDENT.** The superintendent of the wastewater system or known as the POTW.

**SUSPENDED SOLIDS** or **SS.** Solids that either float on the surface of, or are suspended in, water, wastewater or other liquids; and which are removable by laboratory filtering as determined by standard methods.

**TOXIC POLLUTANT.** Any pollutant designated by federal regulations pursuant to Section 307 of the Act, being 33 USC 1317, as amended.

**UNPOLLENED WASTEWATERS** or **CLEAN WASTEWATERS.** Those liquid wastes which meet the criteria established by the OEP for effluents discharged to city watercourses.

**U.S. EPA.** The United States Environmental Protection Agency.

**USER.** Any person that discharges, causes, or permits the discharge of wastewater into a public sewer.

**WASTES.** Wastewater and all other substances (liquid, solid, gaseous or radioactive) associated with human habitation or of human or animal origin; or from any producing, manufacturing or processing operation of any nature, including substances placed within containers of any nature prior to, and for purposes of, disposal.

**WASTEWATER.** A combination of water-carried industrial waste, sanitary wastewater or any other waste, together with any ground, surface and storm water that may be present.

**WASTEWATER SYSTEM.** All facilities for collecting, pumping, treating and disposing of sanitary wastewater and industrial wastes.

**WWTP - WASTEWATER TREATMENT PLANT.** An arrangement of devices and structures used for treating wastewater.
WATERS OF THE STATE. Any water, surface or underground, including waters, within the boundaries of the state.

('97 Code, § 51.01) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 9-93, passed 2-15-93; Am. Ord. 9-95, passed 2-20-95; Am. Ord. 4-09, passed 4-20-09; Am. Ord. 21-12, passed 10-16-12; Am. Ord. 4-16, passed 5-17-16)

§ 51.03 GENERAL PROHIBITIONS.

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste.

('97 Code, § 51.02)

(B) It shall be unlawful to discharge, or cause to be discharged, to any natural outlet within the city, or in any area under the jurisdiction of the city, any sanitary wastewater, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

('97 Code, § 51.03)

(C) (1) Except as provided in this chapter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sanitary wastewater, except that all properly operating septic tanks and leaching fields in existence as of January 1, 1985, within 200 feet of a public sewer, may continue to be used until such time as they are in need of repair, replacement or in violation of division (A) of this section.

(2) No person, firm or corporation shall be permitted to connect to or discharge wastewater to the city sewage system unless it has been determined by the city that there is sufficient capacity in the system to collect, convey and treat the proposed wastewater discharge of that person, firm or corporation.

(3) Notwithstanding anything to the contrary, nothing in this chapter shall prohibit the use of temporary porta-john type toilet facilities used during construction or sporting events, festivals or such other events that are approved by the Health Department.

(4) No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

('97 Code, § 51.04) (Ord. 35-84, passed 8-20-84; Am. Ord. 9-85, passed 3-18-85; Am. Ord. 9-95, passed 2-20-95; Am. Ord. 21-12, passed 10-16-12)
§ 51.15 CONNECTION REQUIRED.

The owner of all houses, buildings or premises used for human occupancy, employment, recreation or other purpose, situated within the city and abutting on any street, alley, easement or right-of-way in which there is or may, in the future, be located a public sewer, is required, at his or her expense, to install suitable toilet facilities therein, connected directly with the proper public sewer, in accordance with the provisions of this chapter within 90 days after date of official notice of a violation of § 51.03(A) and (C), provided that the public sewer is within 200 feet of the property line.

('97 Code, § 51.05) (Ord. 35-84, passed 8-20-84; Am. Ord. 9-85, passed 3-18-85; Am. Ord. 21-12, passed 10-16-12)

Cross-reference:

Plumbing Code, see §§ 150.015 et seq.

§ 51.16 DISCHARGE OF SURFACE WATER.

(A) (1) No person shall discharge or cause to be discharged, any storm water, surface water, groundwater, roof runoff, downspouts, subfoundation building drainage, unpolluted cooling water or unpolluted industrial process water to any sanitary sewer.

(2) Subfoundation building drains connected to sanitary sewers before the effective date of these regulations shall be removed if it is established by the engineer that the connections are detrimental to the satisfactory operation of the wastewater system and that removal is cost-effective. The connections shall be prohibited after the effective date of these regulations and shall be considered illegal.

('97 Code, § 51.06)

(B) Storm water and all other unpolluted drainage shall be discharged to sewers specifically designated as storm sewers, or to a natural outlet approved by the engineer. Unpolluted industrial cooling water or unpolluted process waters may be discharged, upon approval by the engineer, to a storm sewer or natural outlet.

('97 Code, § 51.07) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

Cross-reference:

Plumbing Code, see §§ 150.015 et seq.
§ 51.17 DISCHARGE PROHIBITIONS.

(A) Prohibitions. No person shall discharge, or cause to be discharged, any of the following described water or wastes to any public sewer:

(1) Any liquid or vapor which causes the influent temperature at the treatment plant to exceed 104°F (40°C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C).

(2) Any water, wastes, discharges of petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin, if discharged in amounts that can cause passthrough or interference, or which may contain more than 100 mg/l of fat, oil or grease.

(3) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(4) Any garbage that has not been shredded to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer.

(5) Any water or wastes containing substances that will solidify or become discernibly viscous at temperatures between 30 and 150°F, including but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the operation of the wastewater system.

(6) Any water or wastes having a pH lower than 5.5 or higher than 11.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and department personnel.

(7) Any water or wastes containing toxic pollutants in sufficient quantity to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the wastewater treatment plant.

(8) Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle the materials at the wastewater treatment plant.

(9) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems, or capable of creating a public nuisance, hazard to life, or sufficient to prevent entry into the sewers for maintenance and repair.

(10) Any water or wastes which cause unsuitable sludge reclamation.

(11) Any water or wastes which cause a detrimental environmental impact or a nuisance in the waters of the state, cause a condition unacceptable to any public authority having regulatory jurisdiction over the wastewater system, or cause the quality of the wastewater treatment plant effluent to violate the NPDES permit limitations.

(12) Any water or wastes which cause discoloration, such that receiving water quality requirements, established by law, cannot be met.

(13) Any radioactive waste, except when the person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive
materials.

(14) Wastewater containing concentrations for cadmium, cyanide, nickel, copper, lead, zinc, chromium, and mercury in excess of current local limits on record in the Industrial Pretreatment Program Local Limits Document available at the Wastewater Treatment Plant and in the office of the City Engineer. The city of Piqua has the right to develop local limits, with technical justification, to enforce compliance. The local limits for pollutants are established to protect against pass through and interference.

(15) Any water or wastes containing in excess of 0.02 mg/l total identifiable chlorinated hydrocarbons.

(16) Any water or wastes containing in excess of 1.0 mg/l phenolic compounds.

(17) Pollutants which create a fire or explosion hazard to the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F or 60°C using the test method specified in 40 CFR 261.21.

(18) Any trucked or hauled pollutants, including industrial and or septic wastes, into any location of the sewer systems or POTW at any time.

(19) Any slugload, as defined in § 51.02, including oxygen demanding pollutants (e.g., BOD), released in a single extraordinary discharge episode of such volume or strength as to cause interference in the wastewater system as described in § 51.02 of this chapter.

(B) National categorical pretreatment standards.

(1) National categorical pretreatment standards, as promulgated by the U.S. EPA, pursuant to the Federal Act, as amended, are hereby adopted and shall be met by industrial users regulated by such standards. Where categorical pretreatment standards promulgated by the U.S. EPA, pursuant to the Federal Act, as amended, are more stringent than those specified in these regulations, the regulations shall be amended to adopt the more stringent standards. All users regulated by the more stringent standards shall be notified of any proposed regulation change prior to the effective date. Any change or new provision in these regulations shall include a reasonable time schedule for compliance.

(2) All users regulated by categorical standards shall be notified of any proposed regulation change prior to the effective date. Any change or new provision in these regulations shall include a reasonable time schedule for compliance.

(3) Where an industrial user subject to categorical pretreatment standards has not submitted a discharge report as required in § 51.48, he or she shall file a completed discharge report within six months after the promulgation of the applicable categorical pretreatment standards. Where the user has submitted an acceptable discharge report, he or she shall submit to the department any additional information required by the categorical pretreatment standards.

(C) Dilution. No user shall increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in these regulations.

(D) Right of revision. The city reserves the right to amend these regulations to provide for more or less stringent limitations or requirements on discharges to the wastewater system where deemed necessary to comply with the objectives set forth in § 51.01 of this chapter.
(E) Review. These regulations shall be reviewed annually by the engineer. If, in his or her opinion, changes or additions are required, he or she shall submit them to the City Manager for approval. Upon approval, the amendments shall be submitted to the City Commission for ratification as part of the codified ordinances of the city. There shall be a public notice of any proposed changes in these regulations.

(97 Code, § 51.08) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 9-93, passed 2-15-93; Am. Ord. 3-98, passed 2-2-98; Am. Ord. 21-12, passed 10-16-12)

§ 51.18 ENFORCEMENT.

(A) Discontinuation of service. When an actual or threatened discharge presents a substantial danger to the health of persons or the environment, interferes with the operation of the wastewater system or violates any provision of these regulations, the department may discontinue wastewater treatment service or take any other lawful means to effect the abatement of any danger.

(B) Notification of violation. Whenever the department finds that any user has violated any provision of these regulations, the engineer shall notify the user stating the nature of the alleged violation. If a user who has been notified to cease wastewater discharges fails to comply within the time specified by the engineer, the department shall discontinue wastewater treatment service by suspending water service or other appropriate means.

(C) Show cause hearing. After receipt of notification to cease wastewater discharges or to abate any substantial danger to the health of persons or the environment, the user has the right to request a hearing before the department. If a hearing is requested, the department shall serve the user with a written notice specifying the time and place of the hearing.

(D) Right of appeal.

(1) Any decision rendered by the department can be appealed in writing within 15 days to the Health Officer. The written request shall state the reasons for the appeal and specify what remedies are sought.

(2) The Health Officer shall, within ten days after receipt of the written appeal notice, hold a hearing and decide the question. The hearing shall include testimony from all concerned persons. The Health Officer shall render a written decision within five days after completion of the hearing.

(3) Within 15 days of receipt of the Health Officer's decision, the user may appeal to the Board of Health of the city. The written appeal notice shall be directed to the Health Officer who shall promptly transmit the appeal to the Board of Health. Upon giving not less than five business days' written notice to the appellant, a hearing shall be held before the Board of Health. After the hearing, the Board may, by a majority vote, affirm, reject or modify the decision of the Health Officer. The decision of the Board shall be made in writing within seven business days after the hearing and shall be final, except that further recourse may be had through statutory procedures.

(E) Reinstatement of service. Prior to reinstatement of wastewater treatment service, all cost and expense incident to the city's discontinuation of service shall be borne by the user. The department shall reinstate service upon proof acceptable to the city that the noncomplying discharge condition has been eliminated.
(F) **Termination of service.** The department may terminate wastewater treatment service to any user who fails to do the following:

1. Report the wastewater constituents and characteristics of his or her discharge requested by the engineer.
2. Permit reasonable access to his or her premises by department personnel for the purpose of inspection or monitoring.
3. Comply with any provision of these regulations.
4. Comply with the conditions of any order issued by city, state or federal officials with respect to these regulations.

(G) **Annual publication.** Annually the engineer shall publish a list of all dischargers or significant industrial users which at any time during the previous 12 months were in significant noncompliance with applicable pretreatment requirements. For the purpose of this provision, an industrial user is in significant noncompliance if its violations meet one or more of the following criteria.

1. Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter.

2. Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of all the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease and 1.2 for all other pollutants except pH). Chronic and technical review criteria apply to SIUs but other SNC criteria can be grounds for finding a non-SIU in SNC. The chronic and technical review criteria are clarified as being applicable to each of an SIU's permitted monitoring points. The chronic and technical review criteria apply to violations of instantaneous limits. Violations of instantaneous limits or narrative standards that cause pass-through or interference are SNC. SNC criterions for violations that adversely affect the operation or implementation of the pretreatment program include violations of BMPs.

3. Any other violations of a pretreatment effluent limit (daily maximum or longer term average) that the engineer determines has caused, alone or in combination with other discharges, interference or pass-through (including endangering the health of POTW personnel or the general public).

4. Any discharge of a pollutant that has caused imminent endangerment of human health, welfare or to the environment or has resulted in the POTW's exercise of emergency authority to halt or prevent such a discharge.

5. Failure to meet, within 90 days after the schedule data, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.

6. Failure to provide, within 45 days after the due date, required reports such as Baseline Monitoring Reports, 90-day Compliance Reports, Periodic Self-monitoring Reports and reports on compliance with compliance schedules.

7. Failure to report noncompliance.

8. Any other violation or group of violations which the engineer determines will or has
adversely affected the operation or implementation of the city's pretreatment program.

(H) Schedules of compliance. When, in the opinion of the Superintendent, it is necessary for industrial users to install technology or provide additional operation and maintenance (O and M) to meet any condition of this chapter, the Superintendent shall require the development of the shortest schedule by which the industrial user will provide this additional technology or O and M.

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

(2) Not later than 14 days following each date in the schedule and the final date for compliance, the industrial user shall submit a progress report to the engineer including, at a minimum, whether or not it complied with the increment of progress to be met on that date and, if not, the date on which it expects to comply with the increment of progress, the reason for delay and the steps being taken by the industrial user to return to the schedule established.

(I) Remedies Nonexclusive. The remedies provided for in this ordinance are not exclusive. The Superintendent may take any, all, or any combination of these actions against a noncompliant user. The City is authorized to develop and implement an Enforcement Response Plan, which is titled “City of Piqua Industrial Pretreatment Enforcement Procedures,” which is available at the Wastewater Treatment Plant. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Superintendent may take other action against any user when the circumstances warrant. Further, the Superintendent is empowered to take more than one enforcement action against any noncompliant user.

(‘97 Code, § 51.18) (Ord. 35-84, passed 8-20-84; Am. Ord. 5-90, passed 1-15-90; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 9-93, passed 2-15-93; Am. Ord. 4-09, passed 4-20-09; Am. Ord. 21-12, passed 10-16-12)

PRIVATE SEWAGE SYSTEMS

§ 51.30 PRIVATE SEWAGE SYSTEMS.

Where a public sanitary sewer is not available under the provisions of § 51.15, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this subchapter.

(‘97 Code, § 51.10) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99.

Cross-reference:

Plumbing Code provisions, see § 150.036
§ 51.31 APPLICATION FOR CONSTRUCTION PERMIT.

(A) Before beginning construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the Health Officer.

(B) The application for the permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information deemed necessary by the Health Officer.

('97 Code, § 51.11) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.32 INSPECTION REQUIRED.

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Health Officer. He or she shall be allowed to inspect the work at any state of construction, and, in any event, the applicant for the permit shall notify the Health Officer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Health Officer.

('97 Code, § 51.12) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.33 COMPLIANCE WITH RECOMMENDATIONS.

The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health of the State of Ohio.

(A) Minimum lot area. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the lot area is less than 1.5 acres. The foregoing area requirement may be altered by the Health Officer granting the permit when, in his or her judgment, the absorption characteristics of the soil on the lot justify such action. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet unless there is in connection therewith a proper leaching bed.

(B) Holding tank wastes. No person shall discharge holding tank, septic tank or cesspool wastes into a sanitary sewer unless a permit is secured from the Health Officer. This permit shall state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge and the wastewater constituents. If a permit is granted for discharge of waste into a sanitary sewer, the person shall pay the applicable user charges and fees and shall meet any other conditions required by the Health Officer.

(Ord. 35-84, passed 8-20-84; Am. Ord. 4-92, passed 2-3-92)

(C) Sewer design. The size, slope, alignment, construction materials, trench, excavation and backfill methods, pipe placement, jointing and testing methods used in the construction and installation of a building sewer shall conform to the building and plumbing code or other applicable requirements of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF shall apply.
§ 51.34 OPERATION AND MAINTENANCE AT OWNER'S EXPENSE.

(A) The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the city.

§ 51.45 PERMIT REQUIRED FOR CONNECTION.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining the necessary city permits.

§ 51.46 PERMIT APPLICATION; FEES.

(A) The owner or his or her agent shall make application for a building sewer permit. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Health Officer or his or her designated representative.

(B) A permit and inspection fee of as noted in the chart below, for a building sewer permit shall be paid to the city at the time the application is filed, based upon the size of the water service.

<table>
<thead>
<tr>
<th>Size</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-inch tap service</td>
<td>$420</td>
</tr>
<tr>
<td>1-1/2 inch tap service</td>
<td>$900</td>
</tr>
<tr>
<td>2-inch tap service</td>
<td>$1,680</td>
</tr>
<tr>
<td>3-inch tap service</td>
<td>$3,600</td>
</tr>
<tr>
<td>4-inch tap service</td>
<td>$6,000</td>
</tr>
<tr>
<td>6-inch tap service</td>
<td>$8,400</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------</td>
</tr>
<tr>
<td>8-inch tap service and above</td>
<td>$12,000</td>
</tr>
</tbody>
</table>

'(97 Code, § 51.21) (Ord. 35-84, passed 8-20-84; Am. Ord. 5-90, passed 1-15-90; Am. Ord. 18-07, passed 9-17-07; Am. Ord. 21-12, passed 10-16-12; Am. Ord. 20-16, passed 1-17-17) Penalty, see § 51.99

§ 51.47 RESPONSIBILITY FOR COST.

(A) All cost and expense incident to the installation and connection of the building sewer and lateral shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The owner of premises served by a sewer shall be responsible for the operation, cleaning, maintenance, repair and reconstruction of the building sewer from the building to the point of connection with the public sewer.

(B) Sewer main extensions, when constructed, shall be to the specifications of, and at no cost to the city. Waiver of the above minimum size requirements shall be considered by the City Commission upon request of the developer and recommendation of the City Engineer or his designee.

(C) The developer or owners of benefitted property shall pay 100% of the cost of installation of the required minimum size sewer mains and appurtenances. Sizing required by the wastewater system in excess of the minimums will be at the cost of the wastewater system.

(D) (1) Although the developer and/or owner is responsible for 100% of the cost for the construction of a new sewer main, the party who paid the construction costs may receive a prorated reimbursement for up to a ten year period commencing on the date the city accepts ownership of the sewer main. The reimbursement shall be from the new customer who will be serviced by the sewer main.

(2) The prorated reimbursement of the costs for the sewer main construction shall be based on lineal footage of the property frontage based on the formula defined herein. The total cost of the sewer main construction shall be divided by the lineal frontage to determine the cost per lineal foot. Said cost for per lineal foot shall then be multiplied by the total lineal frontage for the amount of reimbursement.

Example: Total cost of sewer main:

\[ \text{Total L.F.:} \times 500 \]

<table>
<thead>
<tr>
<th>6-inch tap service</th>
<th>$8,400</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-inch tap service and above</td>
<td>$12,000</td>
</tr>
</tbody>
</table>
$100,000 / 500 = $200 per L.F.

$200 x 75 L.F. (frontage) = $15,000 prorated reimbursement

(3) The city shall not be held in any way responsible for any consumer’s amount of prorated reimbursement should the reimbursement not be paid. Failure to pay would be subject to a civil action between the developer seeking reimbursement and the consumer who failed to pay.

(E) Sewer mains will be accepted into the water system, and ownership transferred to the city, after the project is complete, all inspections have been completed and passed, and the final punch-list has been satisfied by the City Engineer or his designee. Upon the city officially accepting the completion of the sewer main project, the maintenance bond will be executed, providing a minimum of a one-year period to ensure there is no construction or other defaults with the sewer main.

(‘97 Code, § 51.22) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.48 SEPARATE SEWER FOR EACH BUILDING; EXCEPTION.

(A) (1) A separate and independent building sewer shall be provided for every building.

(2) Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(‘97 Code, § 51.23)

(B) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Health Officer, to meet all the requirements of this chapter.

(‘97 Code, § 51.24) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99.

§ 51.49 CONSTRUCTION STANDARDS AND SPECIFICATIONS.

All construction standards, sewer specifications, connection regulations and inspections shall comply with the city's "Standard Drawings and Specifications for Construction" passed by Ordinance 41-81, July 6, 1981.

(‘97 Code, § 51.25) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.50 GREASE, OIL AND SAND INTERCEPTORS.

(A) Grease, oil and sand interceptors shall be provided when, in the opinion of the Health Officer, they are necessary for the proper handling of liquid wastes, containing grease in excessive amounts, or any inflammable wastes, sand and other harmful ingredients. However, interceptors shall not be required for
private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Health Officer and shall be located to be readily accessible for cleaning and inspection.

(B) Grease, oil and sand interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily movable covers which shall be gastight and watertight when bolted in place.

(C) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(‘97 Code, § 51.30) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99.

§ 51.51 WASTE EMITTED INTO PUBLIC SEWERS.

(A) The admission into public sewers of any water or wastes having any of the following properties shall be subject to the review and approval of the engineer or his or her designated representative.

(1) A five-day BOD greater than 200 mg/l.

(2) More than 250 mg/l of suspended solids.

(3) Any quantity of substances having characteristics or constituents in violation of the regulations contained herein, except that approval may not be given for any waste in violation of federal regulations.

(B) Where necessary in the opinion of the engineer, the user shall provide, at his or her expense, such pretreatment as may be necessary to do the following.

(1) Reduce the BOD and suspended solids to levels denoted in divisions (A)(1) and (2) of this section.

(2) Reduce objectionable characteristics or constituents in violation of the regulations contained herein.

(3) Control the quantities and rates of discharge of such water or wastes.

(4) Adjust the pH to fall within the range of 5.5 to 11.0.

(C) Plans, specifications, operating procedures, a completion schedule and any other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the engineer. No construction of facilities shall commence until written approval by the engineer is obtained. Any subsequent changes in the pretreatment facilities or operating procedures shall be submitted to and be approved by the engineer before the changes are made.

(D) In the case of categorical industries, as defined in § 51.02, a compliance report must be submitted within 90 days after the final compliance date of the categorical standards (40 CFR 403.12 (d)). In the case of new source dischargers as defined in §51.02, this report must be submitted within 90 days of commencing discharge. Baseline data reports for new source discharges must be submitted at least 90 days prior to discharging.

(‘97 Code, § 51.51) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 21-12, passed 10-16-12) Penalty, see
§ 51.99

§ 51.52 PRETREATMENT FACILITIES MAINTENANCE EXPENSE.

Where pretreatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the user at his or her expense.

('97 Code, § 51.32) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.53 CONTROL MANHOLE.

When required by the engineer, the owner of any premises served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the engineer. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

('97 Code, § 51.33) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.54 MONITORING; REPORTS; TEST SITES.

(A) Monitoring.

(1) All measurements, tests and analysis of the characteristics of water and wastes referred to in this chapter shall be determined in accordance with 40 CFR 136 methodology, as stated in the general pretreatment regulations (40 CFR 403.14(g)). Where 40 CFR 136 does not include sampling or analytical techniques for the regulated pollutants, alternative procedures shall be approved by the Superintendent. All measurements, tests, and analysis of the characteristics of wastewater performed by an industrial user shall be at the user’s expense.

(2) Where necessary, in the opinion of the engineer, a user shall provide, at his or her expense, all measurements, test and analysis of the characteristics of wastewater referred to in these regulations.

(3) The sampling requirements for initial compliance reports are the same as baseline monitoring report.

(4) Periodic compliance reports (IU self-monitoring reports) specifically require grab samples for pH, hexavalent chromium, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds.

(5) Except for those pollutants that are required to be measured by grab samples, all other pollutants will be measured by flow-proportional sampling unless justification for an alternate sampling type,
representative of the discharge, is documented in the industrial user file. The industrial user shall bear the cost of any and all control authority sampling that is done for flow-proportional sampling requirements and/or any other required or deemed necessary sampling.

(6) Multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for hexavalent chromium, cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; volatile organics and oil and grease samples may be composited in the laboratory. Protocols, including appropriate preservation, specified in 40 C.F.R. 136 and appropriate U.S. EPA guidelines shall be followed.

(7) The control authority may now require an industrial user to install flow monitoring facilities, instruments, and recording devices to enable accurate measurement of flows as determined to be necessary and the industrial user shall bear all costs of such requirements.

(8) If a violation is detected through sampling and analysis conducted by the control authority in lieu of the industrial user, the control authority shall perform the repeat sampling and analysis within 30 days of becoming aware of the violation, unless it notifies the user of any violation and requires the user to perform the repeat sampling and analysis.

(B) Discharge permit application.

(1) It shall be unlawful to discharge industrial wastes into the POTW without first submitting a complete discharge permit application. Existing industrial users shall submit a discharge permit application within 90 days of the effective date of this chapter. New source dischargers shall file a discharge permit application at least 90 days before connecting to or commencing discharge to the POTW. The information on the application shall include the following:

(a) Name and address of applicant.

(b) A list of any environmental control permits held by the facility.

(c) A description of operations, including the nature, rate of production and Standard Industrial Classification (SIC) of the operation(s). This description shall include a schematic process diagram which indicates the point(s) of discharge to the POTW.

(d) Measured average daily and maximum flows of regulated process streams and other non-regulated streams.

(e) Results of sampling and analysis of regulated pollutants from each regulated process. For pH, cyanide, total phenols, oil and grease, sulfide and volatile organics, a minimum of four grab samples must be analyzed. For all other pollutants a minimum of one 24-hour flow-proportional composite sample must be obtained. Samples shall be taken immediately downstream of pretreatment facilities if they exist or immediately downstream of regulated processes if no pretreatment facilities exist. The samples shall be representative of the daily operation.

(f) Raw materials utilized and their amounts.

(g) Type and amount of product produced. For industrial users subject to equivalent mass or concentration limits established by the Superintendent, this report shall include a reasonable measure of the user's long term production rate. For industrial users subject to production based standards, this report shall include the user's actual production during the appropriate sampling period.
(h) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this chapter, the discharger shall provide a declaration of the shortest schedule by which the discharge will provide additional pretreatment according to the conditions in § 51.18(H).

(i) This report shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in division (D) of this section.

(C) Compliance reports.

(1) Any industrial user subject to categorical pretreatment standards shall submit a report indicating whether the user has achieved compliance. This report is to be submitted to the Superintendent within 90 days following the date for final compliance with applicable categorical pretreatment standards or in the case of a new source discharger following commencement of the introduction of wastewater into the POTW. This report shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in division (D) of this section. The following information shall be included.

(a) The average daily and maximum flows of regulated process streams and other non-regulated streams.

(b) Results of sampling and analysis of regulated pollutants from each regulated process. For pH, cyanide, total phenols, oil and grease, sulfide and volatile organics, a minimum of four grab samples must be analyzed. For all other pollutants a minimum of one 24-hour flow-proportional composite sample must be obtained. Samples shall be taken immediately downstream of pretreatment facilities if they exist or immediately downstream of regulated processes if no pretreatment facilities exist. The samples shall be representative of the daily operation.

(c) For industrial users subject to equivalent mass or concentration limits established by the Superintendent, this report shall include a reasonable measure of the user's long term production rate. For industrial users subject to production based standards, this report shall include the user's actual production during the appropriate sampling period.

(d) A statement indicating whether pretreatment standards are being met on a consistent basis, and if not, a statement indicating whether additional pretreatment or operation and maintenance will be required to meet the pretreatment standards.

(e) When determined to be necessary by the Superintendent the report shall also have attached all documentation establishing compliance with a BMP.

(2) (a) All industrial users shall submit periodic compliance reports indicating the nature and concentration of pollutants in their discharge. The frequency of reporting shall be prescribed in the industrial user's discharge permit.

(b) Results of sampling above the minimum required shall also be reported if analyses were conducted according to the methodology in divisions (A) of this section. Where the results of self-monitoring indicate a violation of pretreatment standards, the industrial user shall notify the Superintendent within 24 hours of becoming aware of the violation. The user shall also resample for the pollutant(s) in violation, and report the results of resampling within 30 days of becoming aware of the initial violation.
(c) These reports shall include the certification statement and be signed by an authorized representative of the discharger as defined in division (D) of this section.

(D) Reports to be signed by authorized representative.

(1) Baseline Monitoring Reports, 90-Day Compliance Reports and Periodic Compliance Reports must all be signed by an authorized representative. All reports required under this section shall include the following certification statement.

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

(2) Additionally, all reports shall be signed by:

(a) A president, secretary, treasurer or vice-president of the corporation;

(b) A general partner or proprietor if the industrial user is a partnership or sole proprietorship respectively; or,

(c) A duly authorized representative of this section if the authorization is previously made in writing to the Superintendent.

(3) In order to be eligible to sign, a manager is required to be authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and of initiating and directing other comprehensive measures, to assure long-term environmental compliance with environmental laws and regulations. The signatory must also be responsible for ensuring that the necessary systems are established or that the necessary actions are taken to gather complete and accurate information for control mechanism requirements. The signatory must be assigned or delegated the authority to sign documents in accordance with corporate procedures and meet the rule specifications as described in OAC 3745-306-6 Signatory Requirements.

(4) If an authorization under paragraph (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (3) of this section must be submitted to the Control Authority prior to or together with any reports to be signed by an authorized representative, 40 CFR 403.12(f)(4)."
§ 51.55 SPECIAL AGREEMENTS OR ARRANGEMENTS.

No statement contained in this chapter shall prevent any special agreement or arrangement between the city and a user whereby a waste of unusual strength or character may be accepted by the city for treatment, subject to payment by the user, except that in no case may any special agreement permit a violation of any federal regulation.

(’97 Code, § 51.35) (Am. Ord. 21-12, passed 10-16-12)

§ 51.56 PROTECTION FROM DAMAGE; ACCIDENTAL DISCHARGE; UPSETS.

(A) Protection from damage. No unauthorized person shall maliciously, willfully or negligently damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater system.

(B) Accidental discharge. Each user, at his or her expense, shall provide protection from accidental discharge of prohibited materials. Users shall notify the superintendent immediately upon the occurrence of a slugload, or accidental discharge of prohibited materials. This notification shall be followed, within five days of the date of occurrence, by a detailed written statement describing the cause of the discharge and the remedial measures in effect. Notification shall not relieve the user of liability for any expense, loss or damage to the wastewater system. The cost of treating the discharge shall be paid by the user.

(C) Operating upsets.

(1) Any industrial user who finds his or her pretreatment processes temporarily in a state of noncompliance with these regulations, due to factors beyond his or her reasonable control, shall inform the department as soon as possible, but not later than 24 hours following the start of the operating upset. Where information is given orally, the user shall file a written follow-up report with the department within five days. The report shall:

(a) Describe the incident, its cause and its impact on the user’s compliance status;

(b) Give the duration of noncompliance, including exact dates and times of noncompliance. If the noncompliance continues, the time by which compliance is reasonably expected to occur;

(c) All steps taken or to be taken to reduce, eliminate and prevent recurrence of the conditions of noncompliance.

(2) All industrial users shall promptly notify the city in advance of any substantial changes in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous waste for which the industrial user has submitted initial notification under 40 CFR 403.12 (p).

(3) Bypassing or diverting of wastewater from an industry is prohibited unless the following apply:

(a) Bypass is unavoidable to prevent lost of life, personal injury, or severe property damage.

(b) There were no feasible alternatives to the bypass.

(c) The permittee shall submit notification of bypass as follows:
1. If the permittee knows in advance of the need to bypass, it shall submit prior notice, if possible, at least ten days in advance of the bypass.

2. The permittee shall submit notice of any unanticipated bypass within one hour of the bypass, to the POTW.

   (d) That bypass is for essential maintenance to assure efficient operation.

   (4) The director may approve the discharge if it is determined that no adverse effects will harm the wastewater system.

   (5) The permittee may allow any bypass to occur which does not cause the effluent limitations to be exceeded.

(97 Code, § 51.36) (Ord. 35-84, passed 8-20-84; Am. Ord. 5-90, passed 1-15-90; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 9-93, passed 2-15-93; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.57 WASTEWATER DISCHARGE PERMITS.

Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits shall contain the following:

(A) Limits on wastewater constituents and characteristics;

(B) Limits on the rate and time of discharge or requirements for flow regulations and equalization;

(C) Requirements for installation and maintenance of inspection and sampling facilities;

(D) Monitoring and reporting requirements, based on federal, state, and local regulations:

   (1) List of pollutants (including best management practices) to be monitored;

   (2) Sampling location(s);

   (3) Sampling frequency;

   (4) Sample type; and

   (5) Deadlines, frequencies, and further instructions for submitting self-monitoring results to the City.

(E) Schedule of compliance;

(F) Notification requirements for accidental discharges, upsets and substantial changes in discharge; and

(G) Other conditions as deemed appropriate by the city to ensure compliance with this chapter.


(I) Requirements to control slug discharges, if determined by the Superintendent to be necessary. If a
slug load discharge control plan is determined to be required, the plan must be specifically referenced or otherwise incorporated into the IU's control mechanism permit. The review period for slug discharge control plans shall be once per permit cycle. If the POTW decides that a slug plan is needed, the plan shall, at a minimum, contain the following elements:

(1) Description of discharge practices, including non-routine batch discharges;

(2) Description of stored chemicals;

(3) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under paragraph (B) or rule 3745-3-04 of the Ohio Administrative Code, with procedures for follow-up written notification within five days; and

(4) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of wastewater discharge, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), or measures and equipment for emergency response.

(J) Each user must notify the Superintendent of any significant changes to the user’s operations or system that affects the potential of a slug discharge, which might alter the nature, quality, or volume of its wastewater at least 30 calendar days before the change.

(K) A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Superintendent. Each wastewater discharge permit will indicate a specific date upon which it will expire.

(L) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 51.57 (O) of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.

(M) A statement that the permittee shall comply with the record-keeping requirements specified in Chapter §51.89.

(N) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

(O) Individual Wastewater Discharge Permit Reissuance. A User with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application, a minimum of 180 days prior to the expiration of the User’s existing individual wastewater discharge permit.

(97 Code, §51.37) (Ord. 5-90, passed 1-15-90; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 4-09, passed 4-20-09; Am. Ord. 21-12, passed 10-16-12)
INSPECTIONS; ORDERS

§ 51.70 AUTHORITY OF INSPECTORS.

(A) The Health Officer, Engineer, Superintendent and other duly authorized employees of the city bearing proper credentials and identification, shall be permitted to enter upon all premises without advance notice to conduct inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(B) POTW personnel shall have authority to inspect and copy industrial user records, as specified in the general pretreatment regulations, 40 CFR 403.8(f)(1)(v).

(‘97 Code, § 51.40) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.71 ENFORCEMENT ORDERS.

(A) The city shall issue orders, through its authorized officials, to industrial users to convey industrial discharge requirements and reporting requirements.

(B) The City Manager may issue orders to any industrial user to require compliance with any requirements under this chapter, including applicable categorical pretreatment standards, other discharge limits and reporting requirements.

(‘97 Code, § 51.50) (Am. Ord. 21-12, passed 10-16-12)

RATES; METERS; ADMINISTRATION

§ 51.80 WASTEWATER SERVICE CHARGE.

(A) There is hereby levied and assessed wastewater service charges on each lot, parcel of land, building or premises having any sewer connections with the sanitary sewer system of the city, or otherwise discharging wastewater, industrial wastes, water or other liquids, either directly or indirectly into the city wastewater system. References in this chapter to the city shall mean the wastewater department, city manager, city engineer, finance director and their delegates. The wastewater service charges shall consist of the base charge, volume charge, strength surcharge and industrial waste surveillance charge as follows.

1) Base charge. The flat rate fee charged to each account regardless of volume of wastewater. This includes the first 1,000 gallons.

2) Volume charge.

(a) The service charge based on the volume of standard strength wastewater and charged to all accounts in addition to the base charge, for volume in excess of 1,000 gallons.

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(b) Standard strength wastewater shall include the
maximum strength as follows. BOD (5 day): 200
mg/l
Suspended Solids: 250 mg/l

(3) **Strength surcharge.** The charge based on the pounds of BOD and suspended solids in excess
of the amount in standards strength wastewater and charged to all industrial accounts in addition to all
other charges.

(4) **Industrial waste surveillance charge.** The flat rate fee charged to each industrial class
account in addition to all other charges.

(B) The classes of users shall be as follows. A user in the divisions listed may be excluded if it is
determined that it will introduce primarily segregated domestic wastes or wastes from sanitary
conveniences. The city engineer shall have the authority to determine the class of each user.

(1) **Domestic class.** Shall include all single or multiple-unit residential accounts with domestic type
wastewater only (defined as wastes from water closets, lavatories, sinks, bathtubs, showers, household
laundries, cellar floor drains, and other sources associated with domestic households). A residence which
includes a commercial establishment shall be considered a domestic account if the wastewater produced
is primarily domestic in nature, and the flow contributed by the commercial activities of the establishment
is a secondary flow of the sewer connection, and does not exceed the standards for standard strength
wastewater.

(2) **Commercial class.** Shall include all nonresidential accounts that are not required to be in the
industrial class.

(3) **Industrial class.** Shall include all accounts with nondomestic-type wastewater, the account meeting
the criteria of the Federal Water Pollution Control Act of 1972 (Pub. L. 92-500) as interpreted by the U.S.
EPA Rules and Regulations published in the Federal Register (Vol. 38, No. 161) on Tuesday, August 21,
1973, as follows: Sec. 35.905-19, Industrial user. Any nongovernmental user of publicly-owned treatment
works identified in the Standard Industrial Classification Manual, 1972, Office of Management and
Budget, as amended and supplemented, under the following divisions.

(a) Division A: Agriculture, forestry and fishing.

(b) Division B: Mining.

(c) Division D: Manufacturing.

(d) Division E: Transportation, communications, electric gas and sanitary services.

(e) Division I: Services.

(4) **Governmental/institutional class user.** Hospitals, nursing homes, schools, city, county, state or
federal buildings or facilities that discharge wastewater into public wastewater treatment works or
facilities.

(97 Code, § 51.60) (Ord. 35-84, passed 8-20-84; Am. Ord. 9-95, passed 2-20-95; Am. Ord. 21-12,
passed 10-16-12)
§ 51.81 WASTEWATER SERVICE FEES.

(A) Base charge per month - includes first 1,000 gallons:

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<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Base charge</td>
<td>$16.67</td>
<td>$20.00</td>
<td>$24.00</td>
<td>$28.80</td>
</tr>
</tbody>
</table>

(B) Volume charge (per 1,000 gallons):

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Class</td>
<td>$5.27</td>
<td>$6.32</td>
<td>$7.58</td>
<td>$9.10</td>
</tr>
<tr>
<td>Commercial Class</td>
<td>$4.99</td>
<td>$5.99</td>
<td>$7.19</td>
<td>$8.63</td>
</tr>
<tr>
<td>Industrial Class</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First 1,000,000 gallons</td>
<td>$4.24</td>
<td>$5.09</td>
<td>$6.11</td>
<td>$7.33</td>
</tr>
<tr>
<td>Over 1,000,000 gallons</td>
<td>$2.76</td>
<td>$3.31</td>
<td>$3.97</td>
<td>$4.76</td>
</tr>
<tr>
<td>Biochemical oxygen demand per 100 lbs</td>
<td>$18.97</td>
<td>$22.76</td>
<td>$27.31</td>
<td>$32.77</td>
</tr>
<tr>
<td>Suspended solids per 100 lbs</td>
<td>$20.53</td>
<td>$24.64</td>
<td>$29.57</td>
<td>$35.48</td>
</tr>
</tbody>
</table>

(C) Industrial waste surveillance charge (per month):
<table>
<thead>
<tr>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>$146.64</td>
<td>$175.97</td>
<td>$211.16</td>
<td>$253.39</td>
</tr>
</tbody>
</table>

(D) (1) All charges for users situated outside the corporate limits of the city (except for city departments) shall be 115% of the above charges.

(2) Customers who are located outside of the city corporate limits will receive city rates if all of the following are satisfied:

(a) The customer is a government entity legally created under the State of Ohio;

(b) The customer has signed an annexation agreement at the city's request that it will annex immediately on becoming contiguous to the city; and

(c) 75% of the primary business of the customer is physically located within the city limits at the time the customer commences using city water.

(E) Delayed payment charge. Five percent of the balance due shall be added if not paid within the net payable date for the service.

(F) Service call. For all service calls outside normal duty hours, a charge of $60 may be made. For all service calls within normal duty hours, a charge of $25 may be made. For non-routine service calls outside the normal duty hours, the city will bill the customer the full cost if not the responsibility of the city.

(G) Wastewater discharge from septic tank services, recreational vehicles, portable toilet services and other batch-type discharges to the wastewater treatment plant superintendent. Charges will be at a rate of $0.15 per gallon, based on tank size.

(H) Each user is to be notified at least annually, in conjunction with a regular bill, of the rate and that portion of the sewer service charge which is attributable to OM&R costs of the wastewater treatment services.

(I) Meter test fee. If a meter registers within the accuracy limits, a $50 fee will be charged.

(97 Code, § 51.61) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 14-94, passed 3-21-94; Am. Ord. 9-95, passed 2-20-95; Am. Ord. 15-06, passed 8-7-06; Am. Ord. 18-07, passed 9-17-07; Am. Ord. 5-11, passed 7-19-11; Am. Ord. 21-12, passed 10-16-12; Am. Ord. 20-16, passed 1-17-17)

§ 51.82 EXTRA STRENGTH VOLUME.

The standard strengths for BOD and suspended solids, as shown in § 51.80, shall be subtracted from the strengths measured by appropriate sampling to determine the extra strengths of each industrial class user for each strength surcharge billing period. These results shall be used to determine the weight in pounds for BOD and suspended solids to be charged for strength surcharge. The extra
strengths shall be determined by the wastewater treatment plant from tests by the city or such other tests as may be approved by the city.

(97 Code, § 51.62) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 21-12, passed 10-16-12)

§ 51.83 METERS.

(A) In the event a lot, parcel of land, building or premises discharging wastewater, industrial wastes, water or other liquids into the city's wastewater system either directly or indirectly is a user of water, the quantity of water used shall be measured by a water meter acceptable to the city. In each case, the quantity of water used, as measured by the meter, shall be used to determine the wastewater charge or rental as provided in this chapter.

(97 Code, § 51.63)

(B) In the event a lot, parcel of land, building or premises discharging sanitary wastewater, industrial wastes, water or other liquids into the city's wastewater system, either directly or indirectly, is a user of water and the quantity of water used is not measured by a water meter or is measured by a water meter not acceptable to the city, then, in each case, the owner or other interested party shall, at his or her own expense, install and maintain a water meter acceptable to the city. The quantity of water used, as measured by the meter, shall be used to determine the wastewater charge or rental as provided in this chapter.

(97 Code, § 51.64) (Ord. 35-84, passed 8-20-84)

(C) (1) Upon request, the city may determine that additional metering may be installed to measure water usage that does not enter the sanitary wastewater system. The cost of additional meters and all installation costs shall be paid by the user.

(2) All such meters shall be installed to city specifications and shall be located as near as practicable to the regular service meter. The water department may require relocation of the regular service meter for its convenience prior to approval of this type of installation.

(3) These meters shall be treated as separate services, with current published water rates applied. No charge for wastewater service will be made on water flowing only through the meters for water use.

(97 Code, § 51.65) (Am. Ord. 21-12, passed 10-16-12)

§ 51.84 INDUSTRIAL EXEMPTIONS.

In the event a lot, parcel of land, building or premises discharging sanitary wastewater, industrial wastes, water or other liquids into the city's wastewater system, either directly or indirectly, is an industry and it can be shown, to the satisfaction of the city, that a portion of the water, as measured by the water meter or meters, does not and cannot enter the wastewater system, that portion not entering the city's wastewater system may be exempt from the wastewater charge or rental. The city
shall make the final determination of any portion of water not entering the wastewater system and not subject to wastewater charge or rental.

(97 Code, § 51.66) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.85 PAYMENT OF CHARGES.

(A) The wastewater charge or rental provided in this chapter shall be payable monthly at the office of billing and collections in the Finance Department upon statements rendered in the method, manner and form as may be provided by the office.

(97 Code, § 51.67)

(B) Each charge or rental levied by or pursuant to this chapter is made a lien upon the corresponding lot, land or premises served by a connection to the sanitary wastewater system of the city, and if the same is not paid as hereinbefore provided, it shall be certified to the County Auditor, who shall place the same on the tax duplicate of the county with interest and penalties allowed by law, and shall be collected as other taxes are collected.

(97 Code, § 51.68) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.86 CONTRACTS OUTSIDE CITY LIMITS.

The City Manager is hereby authorized to enter into agreements to be ratified and confirmed by the City Commission with the county and with cities and villages and with corporations and individuals whose premises are located outside the corporate limits of the city, who desire to discharge wastewater, industrial wastes, water or other liquids into the city's wastewater system; which agreements shall fix the terms and conditions under which wastewater, industrial wastes, water or other liquids may be discharged into the wastewater system, and shall be in conformity with the other sections of this chapter and city service rules and regulations.

(97 Code, § 51.69) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.87 REVIEW OF RATES.

Each year the department and the City Manager or his designee shall consider service charges. These considerations shall be in accordance with the following requirements.

(A) The rates shall cause the distribution of the costs of operation and maintenance of the wastewater system within the city's jurisdiction to each user class in proportion to the user's contribution to the total wastewater loading of the wastewater system. Factors such as strength, volume and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution, to ensure a proportional distribution of operation and maintenance (including replacement) costs to each user's class.

(B) The rates shall be reviewed annually and revised periodically to reflect actual wastewater system operation and maintenance costs.
(C) The rates shall generate sufficient revenue to offset the costs of all wastewater system operation and maintenance. (‘97 Code, § 51.70) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.88 CONFIDENTIAL INFORMATION.

All information, data, questionnaires, applications, monitoring programs and inspections shall be available to the general public without restriction, unless the user specifically requests and demonstrates to the satisfaction of the engineer that the release of this information would divulge information, processes or methods which would be detrimental to his or her competitive position. Wastewater constituents and characteristics shall not be considered confidential information.

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Superintendent's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Superintendent, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

(‘97 Code, § 51.71) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12)

§ 51.89 RECORDS RETENTION.

All users subject to this chapter shall retain any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling, and chemical analyses made by or in behalf of a user in connection with its discharge, for a period of not less than three years. All records which pertain to matters subject to an administrative action or any other enforcement or litigation activities shall be retained by the user until all enforcement activities have concluded and all periods of limitations with respect to any appeals have expired.

(A) Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements.
Industrial users shall retain records of all information resulting from any monitoring activities, regardless of whether such monitoring activities were required by the wastewater discharge permit, including documentation associated with best management practices. Such records shall be retained for a minimum of three (3) years and shall include the following for all monitoring activities:

1) The date, exact place, method, and time of sampling and the name of the person(s) taking the samples;
2) The dates analyses were performed;
3) The name and address of the laboratory that performed the analyses;
4) The analytical techniques or methods used; and
5) The results of such analyses to include the chain of custody.

Industrial users shall retain records of all of the following for a minimum of three (3) years:

1) Any reports submitted to the City;
2) Any documentation of inspections conducted by the City; and
3) Any record of communication pertaining to compliance with the City’s pretreatment requirements.

Industrial users shall retain all control mechanisms and pollution prevention alternatives (e.g., slug control plan, toxic organic management plan) for as long as these documents are effective and for at least three years after the date on which these documents become ineffective. These documents are considered ineffective if replaced with a revised document or if the document is no longer applicable to the industrial user.

A records retention period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the Superintendent.

(’97 Code, § 51.72) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99

§ 51.90 FALSIFICATION OF INFORMATION.

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to these regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required herein, shall, upon conviction, be punished by the imposition of a civil penalty.

(’97 Code, § 51.73) (Ord. 35-84, passed 8-20-84; Am. Ord. 21-12, passed 10-16-12) Penalty, see § 51.99
§ 51.91 DISCOUNT FOR SENIOR CITIZENS.

All charges for wastewater consumers in the city (1) whose head-of-household and/or spouse is at least 62 years old or disabled, (2) qualifies for the most current income guidelines of Ohio’s Home Energy Assistance Program (HEAP), shall receive a 5% discount on the electric portion of their monthly utility bill. They shall be exempt from the 5% penalty assessed for late payment.

(Ord. 28-06, passed 12-18-06; Am. Ord. 16-10, passed 6-1-10; Am. Ord. 21-12, passed 10-16-12)

§ 51.99 PENALTY.

(A) Whoever violates any provision of this chapter, for which no other penalty is already provided, beyond the time limit provided in the notice, shall be fined not less than $100 nor more than $1,000 for each violation. Each day’s violation shall constitute a separate offense.

(B) Whoever violates any provision of this chapter shall become liable to the city for any expense, loss or damage occasioned the city by reason of the violation.

(C) When the Superintendent finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Superintendent may petition the Miami County Court through the City’s Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the User. The Superintendent may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

(97 Code, § 51.99) (Ord. 35-84, passed 8-20-84; Am. Ord. 54-91, passed 11-18-91; Am. Ord. 21-12, passed 10-16-12)

SECTION 2. All other sections of Chapter 51 of the Piqua Municipal Code not amended herein shall remain in effect as is and Sections affected shall be repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: __________________________

ATTEST: __________________________
KAREN S. JENKINS
CLERK OF COMMISSION
The Motion to adopt the foregoing Ordinance was offered by__________________
seconded by__________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds __________  Commissioner John Martin __________
Commissioner William Vogt __________  Commissioner Kris Lee __________

1st Reading 4/16/2019
2nd Reading 5/21/2019
3rd Reading 6/4/2019
**Commission Agenda**

**Staff Report**

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>April 16, 2019, May 21, 2019 and June 4, 2019</th>
</tr>
</thead>
</table>
| REPORT TITLE       | **AN ORDINANCE AMENDING CHAPTER 51 OF**  
|                    | **THE PIQUA MUNICIPAL CODE SEWERS**         |
| SUBMITTED BY       | Name & Title: Chris Melvin, Superintendent   
|                    | Department: Wastewater                      |
| AGENDA CLASSIFICATION | ![Consent](#) ![Ordinance](#) ![Resolution](#) ![Regular](#) |
| APPROVALS/REVIEWES | ![City Manager](#) ![Asst. City Manager/Finance](#) 
|                    | ![Asst. City Manager/Development](#) ![Law Director](#) 
|                    | ![Department Director](#) ![Other](#) |
| BACKGROUND         | The Wastewater Department had an EPA audit of its Industrial Pretreatment program and the findings yielded some necessary language changes. 
|                    | The EPA has reviewed these updates and has approved for the City Commission to adopt. 
|                    | These changes are verbiage that came directly from the EPA for some updating to definitions, records retention, handling of confidentiality, local limits authorization, and injunctive relief, if necessary. 
|                    | This language has always been within the required Industrial discharge permits. This update to the ordinance brings the permitted language into Chapter 51 and reflects Industrial Pretreatment rules for both control mechanisms. |
| BUDGETING AND      | Budgeted $: n/a  
| FINANCIAL IMPACT   | Expenditure $: n/a  
|                    | Source of Funds: n/a  
|                    | Narrative: |
| OPTIONS            | 1. Approve as presented  
|                    | 2. Disapprove and contact EPA with any concerns |
| PROJECT TIMELINE   | Back to Columbus EPA for their files after City Approval |
| STAFF RECOMMENDATION | Adopt these changes for incorporation in the Sewer Use Ordinance |
| REASON FOR SELECTING CONSULTANT/COMPANY | N/A |
| ATTACHMENTS        | N/A |
RESOLUTION NO. R-55-19

A RESOLUTION FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED CITY TAX BUDGET FOR MIAMI COUNTY FOR THE CALENDAR YEAR 2020 AND DRAFT APPROPRIATION ORDINANCE

WHEREAS, Section 5705.18 of the Revised Code requires that this Commission adopt a tax budget for the next succeeding year on or before July 15th; and

WHEREAS, Charter Section 49 requires the submission of the draft of an appropriation ordinance based upon said budget;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: A public hearing on the proposed city tax budget for Miami County for the year 2020 and draft appropriation ordinance shall be held at the next regular meeting of this Commission on July 2, 2019 at 6:00 P.M.; and

SEC. 2: The Commission Clerk is hereby directed to cause the publication of notice of said public hearing in the Piqua Daily Call;

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: ________________________

ATTEST: ________________________

KAREN S. JENKINS
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by ________________________ seconded by ________________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds
Commissioner John Martin
Commissioner William Vogt
Commissioner Kris Lee
# Commission Agenda

## Staff Report

**Meeting Date:** June 4, 2019

**Report Title:** A Resolution Approving the Community Development Block Grant (CDBG) Community Development Allocation Program and Neighborhood Revitalization Program Applications for Program Year 2019 and Authorizing the City Manager to Submit the Applications to the Ohio Development Services Agency, Office of Community Development.

**Submitted By:** Name & Title: Janel Ranly, Development Program Manager  
Department: Development

**Agenda Classification:**  
- [ ] Consent  
- [ ] Ordinance  
- [x] Resolution  
- [ ] Regular

**Approvals/Reviews:**  
- [x] City Manager  
- [ ] Asst. City Manager/Finance  
- [x] Economic/Community Development Department Director  
- [ ] Law Director  
- [ ] Other:

**Background:**  
Every two years the City of Piqua receives an Allocation from the Ohio Development Services Agency, Office of Community Development (ODSA, OCD) to implement local activities through the Community Development Block Grant (CDBG) program. The City’s Allocation for the Program Year 2019 Cycle is $150,000.

The City of Piqua is also eligible to submit a Neighborhood Revitalization program application for up to $750,000 for Program Year 2019. This application is due at the same time as the allocation application which is June 14, 2019.

Eligible CDBG activities must qualify under the national objective of Low-to-Moderate Income (LMI) or Elimination of Slum and Blight per project area.

Activities can include, but are not limited to:
- Demolition/Clearing Activities
- Sidewalk Improvements
- Street Improvements
- Parking Facilities
- Flood and Drainage Facilities

On February 28, 2019, the City’s first public hearing was held to review all of the CDBG programs and what the City of Piqua was eligible to apply for in 2019. The second public hearing to review this year’s Allocation and Neighborhood Revitalization programs will be held on June 6, 2019.

**Budgeting And**  
- Est. Budgeted $: $900,000  
- Est. Expenditure: $900,000
<table>
<thead>
<tr>
<th><strong>FINANCIAL IMPACT</strong> <em>(Includes project costs and funding sources)</em></th>
<th>Source of Funds:</th>
<th>$150,000 – CDBG Allocation; $750,000 Neighborhood Revitalization</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Narrative:</strong></td>
<td>This is for the application of funds, not for expenditure at this time.</td>
<td></td>
</tr>
<tr>
<td><strong>OPTIONS</strong> <em>(Include Deny/Approval Option)</em></td>
<td>1. Approve the Resolution – would allow the City to receive funding for these programs.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Deny the Resolution – would cause the City to forgo their CDBG Community Development Allocation for Program Year 2019 and not submit a Neighborhood Revitalization application for Program Year 2019.</td>
<td></td>
</tr>
<tr>
<td><strong>PROJECT TIMELINE</strong></td>
<td>The CDBG applications are due June 14, 2019. The City will be notified in September if grants are awarded. The City will receive a grant agreement later this fall and will work to implement the program throughout 2020-2021. All work will need to be completed by August 31, 2021.</td>
<td></td>
</tr>
<tr>
<td><strong>STAFF RECOMMENDATION</strong></td>
<td>Staff recommends that the City Commission approve the resolution.</td>
<td></td>
</tr>
<tr>
<td><strong>REASON FOR SELECTING CONSULTANT/COMPANY ATTACHMENTS</strong></td>
<td>Not Applicable</td>
<td>NONE</td>
</tr>
</tbody>
</table>
RESOLUTION NO. R-56-19

A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COMMUNITY DEVELOPMENT ALLOCATION PROGRAM AND NEIGHBORHOOD REVITALIZATION PROGRAM APPLICATIONS FOR PROGRAM YEAR 2019 AND AUTHORIZING THE CITY MANAGER TO SUBMIT THE APPLICATIONS TO THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT

WHEREAS, the City of Piqua is a unit of local government that possesses the legal authority to apply for Small Cities Community Development Block Grant funds available from the Ohio Department of Development, under the Federal Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the City of Piqua has housing and community development needs that can be improved and alleviated with this assistance; and,

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, a majority of all members elected thereto concurring that:

SEC. 1: The Program Year 2019 CDBG Community Development Allocation Program and Neighborhood Revitalization Program applications is hereby approved and the City Manager is hereby authorized and directed to submit the City’s program applications to the Ohio Development Services Agency, Office of Community Development, including all understandings and assurances therein.

SEC. 2: The City Manager is authorized to be the designate agent of the program in connection with the CDBG applications and is authorized to execute all agreements in conjunction with the Program Year 2019 CDBG Program.

SEC. 3: This Resolution shall take effect and be in force from the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: ______________________

ATTEST: ______________________
KAREN S. JENKINS
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by ____________________
seconded by ____________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds
Commissioner John Martin
Commissioner William Vogt
Commissioner Kris Lee


RESOLUTION NO. R-57-19

A RESOLUTION AUTHORIZING A PURCHASE ORDER TO THE KE ROSE COMPANY FOR PURCHASE AND INSTALLATION OF SPECIALIZED EQUIPMENT IN POLICE VEHICLES

WHEREAS, the City of Piqua Police Department requires the purchase and installation of specialized police vehicle equipment to fulfill their duties to the citizens of the City of Piqua, and;

WHEREAS, the City of Piqua has budgeted for replacement of Police vehicle equipment, and;

WHEREAS, the Piqua Police Department has determined for reasons of standardization and according to open bid IFB #1926 to use the KE Rose Company for the purchase, transfer and installation of Police vehicle equipment pursuant to PCO 34.19(C);

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: A purchase order is hereby authorized to the KE Rose Company, Huber Heights, Ohio, for purchase, transfer and installation of Police vehicle equipment not to exceed $32,050.

SEC. 2: The Finance Director certifies funds are available and is hereby authorized to draw her warrant on the appropriate account of the City treasury in payment for said equipment purchase.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: ________________________

ATTEST: ________________________
KAREN S. JENKINS
CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by ____________________ seconded by ____________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds
Commissioner John Martin
Commissioner William Vogt
Commissioner Kris Lee
<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>June 4, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>REPORT TITLE</td>
<td>Two resolutions authorizing purchase orders for three marked Police cruisers; and for the purchase and installation of specialized equipment in Police vehicles. Res. No. R-57-19 and R-58-19</td>
</tr>
<tr>
<td>SUBMITTED BY</td>
<td>Name &amp; Title: Thomas M. Steiner, Deputy Chief</td>
</tr>
<tr>
<td></td>
<td>Department: Police</td>
</tr>
<tr>
<td>AGENDA CLASSIFICATION</td>
<td>□ Ordinance  □ Resolution</td>
</tr>
<tr>
<td>APPROVALS/REVIEWS</td>
<td>□ City Manager  □ Asst. City Manager/Finance</td>
</tr>
<tr>
<td></td>
<td>□ Law Director</td>
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<tr>
<td></td>
<td>□ Department Director</td>
</tr>
<tr>
<td>BACKGROUND</td>
<td>As part of the ongoing strategic fleet replacement plan, the Police Department intends to purchase three new vehicles for use as marked police cruisers.</td>
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<tr>
<td></td>
<td>IFB#1914 was prepared for the purchase of the three new vehicles. All required options were included in the Invitation for Bid. Bid responses were compared to State Bid Contract #RS901519, with a quote received from the State Bid dealer (Lebanon Ford) for a vehicle with the same required options. The lowest cost bid did not meet all required options. The State Bid Contract dealer was the next lowest bid and lowest that met all required options with a cost of $32,121.00 per vehicle and a total cost of $96,363.</td>
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<tr>
<td></td>
<td>IFB#1926 was prepared for up-fitting the new vehicles in a substantially similar manner as previous year’s equipment up-fit. KE Rose submitted the only bid at $29,137.00. KE Rose has performed up-fit services for the department for the previous six years, with no issues regarding workmanship or service.</td>
</tr>
<tr>
<td>BUDGETING AND FINANCIAL IMPACT</td>
<td>Budgeted $: $97,272 + $65,850 = $163,122</td>
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<td></td>
<td>Expenditure $: $96,363 + $32,050 = $128,413</td>
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<tr>
<td></td>
<td>Source of Funds: 106-014-821-8805 Rolling Stock 106-014-821-7168 Cruiser Change-Over</td>
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<tr>
<td></td>
<td>Narrative: The upfit resolution includes 10% over the bid amount to cover unexpected costs.</td>
</tr>
<tr>
<td>OPTIONS</td>
<td>1. Approve the resolutions to replace three older marked police vehicles and install specialized equipment needed for Patrol use.</td>
</tr>
<tr>
<td></td>
<td>2. Deny the resolutions, delaying annual fleet modernization.</td>
</tr>
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<td>3.</td>
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<td></td>
<td>4.</td>
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<td>PROJECT TIMELINE</td>
<td>Vehicles would be ordered within days of the passage of the resolution. State Bid calls for delivery within 180 days and is typically less. After delivery, another four to six weeks are necessary for after-market up-fitting. The after-market equipment would be ordered at the same time and available on delivery of the vehicles.</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>Approve the expenditures by passing these resolutions.</td>
</tr>
</tbody>
</table>
| REASON FOR SELECTING CONSULTANT/COMPANY | 1. Vehicles – lowest bid that included all required options.  
                                           2. Up-fitting – only bid and positive history with the company.  |
| ATTACHMENTS                             | Bid tabulation #1914  
                                           Bid tabulation #1926 |
RESOLUTION NO. R-58-19

A RESOLUTION AUTHORIZING A PURCHASE ORDER TO LEBANON FORD FOR THE PURCHASE OF THREE FORD POLICE INTERCEPTOR UTILITY VEHICLES

WHEREAS, the City of Piqua Police Department requires the purchase of specialized police vehicles to fulfill their duties to the citizens of the City of Piqua, and;

WHEREAS, the City of Piqua has budgeted for replacement of Police cruisers, and;

WHEREAS, after an open bid #IFB #1914 and comparison to State Bid Contract #RS901519, the Piqua Police Department has determined to use State Bid Contract #RS901519 (10/26/2018) for the purchase of three new Ford Police Interceptor Utility Vehicles;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: A purchase order is hereby authorized to Lebanon Ford, Lebanon, Ohio, for Ford Police Patrol Vehicles not to exceed $96,363.00

SEC. 2: The Finance Director certifies funds are available and is hereby authorized to draw her warrant on the appropriate account of the City treasury in payment for said equipment purchase.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _______________________

ATTEST: _______________________

KAREN S. JENKINS

CLERK OF COMMISSION

The Motion to adopt the foregoing Resolution was offered by ________________________ seconded by ________________________ and on roll call the following vote ensued:

Mayor Kathryn B. Hinds
Commissioner John Martin
Commissioner William Vogt
Commissioner Kris Lee
## Commission Agenda

### Staff Report

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>June 4, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>REPORT TITLE</td>
<td>Two resolutions authorizing purchase orders for three marked Police cruisers; and for the purchase and installation of specialized equipment in Police vehicles. Res. No. R-57-19 and R-58-19</td>
</tr>
</tbody>
</table>
| SUBMITTED BY | Name & Title: Thomas M. Steiner, Deputy Chief  
Department: Police |
| AGENDA CLASSIFICATION | □ Ordinance  
□ Resolution |
| APPRovals/REviewS | □ City Manager  
□ Asst. City Manager/Finance  
□ Department Director |

### BACKGROUND

(Includes description, background, and justification)

As part of the ongoing strategic fleet replacement plan, the Police Department intends to purchase three new vehicles for use as marked police cruisers.

IFB#1914 was prepared for the purchase of the three new vehicles. All required options were included in the Invitation for Bid. Bid responses were compared to State Bid Contract #RS01519, with a quote received from the State Bid dealer (Lebanon Ford) for a vehicle with the same required options. The lowest cost bid did not meet all required options. The State Bid Contract dealer was the next lowest bid and lowest that met all required options with a cost of $32,121.00 per vehicle and a total cost of $96,363.

IFB#1926 was prepared for up-fitting the new vehicles in a substantially similar manner as previous year’s equipment up-fit. KE Rose submitted the only bid at $29,137.00. KE Rose has performed up-fit services for the department for the previous six years, with no issues regarding workmanship or service.

### BUDGETING AND FINANCIAL IMPACT

(Includes project costs and funding sources)

- Budgeted $: $97,272 + $65,850 = $163,122
- Expenditure $: $96,363 + $32,050 = $128,413
- Source of Funds: 106-014-821-8805 Rolling Stock  
106-014-821-7168 Cruiser Change-Over

Narrative: The upfit resolution includes 10% over the bid amount to cover unexpected costs.

### OPTIONS

(Include Deny/Approval Option)

1. Approve the resolutions to replace three older marked police vehicles and install specialized equipment needed for Patrol use.
2. Deny the resolutions, delaying annual fleet modernization.
3.  
4.  

### PROJECT TIMELINE

Vehicles would be ordered within days of the passage of the resolution. State Bid calls for delivery within 180 days and is typically less. After delivery, another four to six weeks are necessary for after-market up-fitting. The after-market equipment would be ordered at the same time and available on delivery of the vehicles.

### STAFF RECOMMENDATION

Approve the expenditures by passing these resolutions.
| REASON FOR SELECTING CONSULTANT/COMPANY | 1. Vehicles – lowest bid that included all required options.  
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<td>Bid tabulation #1914</td>
</tr>
<tr>
<td></td>
<td>Bid tabulation #1926</td>
</tr>
</tbody>
</table>
### IFB # 1914 Police Cruisers

**Opened 4/1/19 at 2:00 p.m.**

**City of Piqua, OH**

**Bid Tabulation**

<table>
<thead>
<tr>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>Engine</th>
<th>Lebanon Ford State Bid</th>
<th>Paul Sherry Piqua, OH</th>
<th>Paul Sherry Piqua, OH</th>
<th>Tim Lally Chevrolet Warrensville Heights, OH</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2020</td>
<td>Ford</td>
<td>V6</td>
<td>31,276.00</td>
<td>30,515.00</td>
<td>33,088.00</td>
<td>36,372.80</td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>Dodge</td>
<td>V6</td>
<td></td>
<td></td>
<td>225.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2019</td>
<td>Dodge</td>
<td>V8</td>
<td></td>
<td></td>
<td>225.00</td>
<td></td>
</tr>
</tbody>
</table>

**Base Price**

- **Options**
  - $ 845.00
  - $ 225.00
  - $ 225.00

**Total Price for 1 cruiser**

- **Total Price for 3 cruisers**
  - $ 96,363.00
  - $ 92,220.00
  - $ 99,939.00
  - $ 109,118.40