

Village of Mantua, Ohio
ORDINANCE 2021-04

AN ORDINANCE AMENDING CHAPTER 941 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE VILLAGE OF MANTUA, RELATING TO CONTROL AND OPERATION OF THE VILLAGE OF MANTUA WATER, WASTEWATER AND STORM SEWER SYSTEMS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance numbers 2019-49 and 2020-54, the ownership, operation and maintenance of the Village of Mantua Water and Sanitary Sewer utilities has been assumed by Portage County effective January 4, 2021; and

WHEREAS, this transfer of operational authority has rendered most provisions of Chapter 941 of the Streets, Utilities and Public Services Code of the Village of Mantua moot and of no effect; and

WHEREAS, said Chapter 941 must be amended in order to recognize this change.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, two-thirds or more of the members elected thereto concurring, that;

SECTION 1: Existing Chapter 941 of the Mantua Codified Ordinances is hereby repealed.

SECTION 2: Chapter 941 of the Mantua Codified Ordinances is hereby enacted as set forth in "Exhibit A", attached hereto and incorporated herein by reference.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared an emergency measure, effective immediately upon proper passage by the Mantua Village Council, in order to avoid conflict with the Portage County Water Resources Rules and Regulations now governing the water and sanitary sewer systems within the Village.

PASSED IN Council this 19th day of January, 2021.

ATTEST:

Linda Clark, Mayor

Jenny August, Clerk-Treasurer

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I hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on this the ____ day of January, 2021.

Jenny August, Clerk-Treasurer

Approval as to legal form by:

Michele Stuck, Village Solicitor

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"EXHIBIT A"

**CHAPTER 941
Storm Sewers**

- 941.01 Connection, Permit Required**
- 941.02 Permissible Uses**
- 941.03 Inspections**
- 941.04 Notice of Violation**
- 941.05 Regulations and Records**
- 941.06 Penalty**

941.01 CONNECTION; PERMIT REQUIRED.

No house sewer or drain shall be constructed to connect with a public storm sewer nor shall any connection be made to a public storm sewer within the village until the written permission of the Village Administrator has been obtained by the person, firm, or corporation proposing to or employed to perform the work. An application for a permit shall be signed by the owner, lessee, or agent of the property for which the connection is desired and by the person, firm, or corporation employed to perform the work. The application must describe the property and state the purpose for which the connection is desired, and shall be accompanied by a fee of \$30. Applications for a stormwater connection permit shall be obtained from the Village Administrator's office.

941.02 PERMISSIBLE USES

The written permission to construct a house sewer or drain connecting with a public storm sewer shall specify the permissible use of the house sewer or drain and the specifications shall be governed by the following requirements. The house sewer or drain may be used for the removal of surface water, rain water from roofs, subsoil drainage, building foundation drainage, cistern overflow, clear water from condensers, waste water from water motors and elevators, and any other clean and unobjectionable waste water. The house sewer or drain shall not receive sewage, floor drainage, industrial wastes, septic tank overflow, cesspool overflow, privy vault drainage, kitchen wastes, or any other liquid wastes of objectionable character.

941.03 INSPECTIONS

(a) Any stormwater pipes or connections to the village stormwater collection system shall be inspected and approved by the Village Administrator or designee before it is covered over and used.

(b) The Village Administrator of the village, or any deputy designated by him, is hereby authorized and empowered to enter and inspect, at any reasonable time, any premises, building, or structure within the village in regard to the condition, arrangement, capacity, efficiency and connections of all devices on or in such premises, building or structure, for the disposition of storm water, with regard to the existence of any violation of this chapter which may constitute a health hazard or, which may create such a hazard in case of rain.

(c) Pursuant to the inspection and in addition to the provisions of division (b), the Village Administrator is authorized to make or cause to be made on behalf of the village a dye test or other reasonable test of the house drains, driveway approaches, downspouts and other facilities and means for the disposition of the water of any such premises, building or structure.

941.04 NOTICE OF VIOLATION

The Village Administrator shall notify, by certified mail, the owner of any such premises, building or structure where a determination has been made that any drains, approaches, downspouts, facilities or means are faulty, improperly constructed or connected, or otherwise in, or facilitative of, violation of this chapter. The notice shall apprise the person of the conditions

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and violations found to exist and shall require correction of the same within 60 days from the mailing of the notice. The notified person shall comply with the requirement of the notice within the 60-day period. Failure to receive notice shall not relieve any person from compliance with the provisions of this chapter.

941.05 REGULATIONS AND RECORDS

The Village Administrator is authorized and directed to adopt and enforce specifications and regulations in accordance with the provisions of this chapter for the purpose of providing control of the installation of sewer connections and the inspection thereof. The Village Administrator shall maintain accurate and complete records of all permits issued and inspections made. The Village Administrator is hereby empowered to require the abandonment and removal of connections to the public storm sewers which violate the provisions of this chapter.

941.06 PENALTY

Whoever violates any provisions of this chapter shall be fined not less than \$50 nor more than \$150 for each offense. A separate offense shall be deemed committed each 24-hour period that the violation continues after a 30-day period following the first conviction.