

CITY OF OBERLIN, OHIO

ORDINANCE No. 19-15 AC CMS

AN ORDINANCE AMENDING SECTION 915.11 OF THE OBERLIN CODIFIED ORDINANCES TO PROVIDE FOR THE REPLACEMENT OF SANITARY SEWER SERVICE LATERALS SERVING PRIVATE PREMISES CONTEMPORANEOUSLY WITH CAPITAL CONSTRUCTION AND REPLACEMENT OF THE CITY'S PUBLIC SANITARY SEWER MAINS AND TO ASSESS THE COSTS THEREOF AND DECLARING AN EMERGENCY.

WHEREAS, the City desires to continue to repair, replace and improve the sanitary sewer collection system to ensure the safe and efficient removal of effluent from all premises served thereby; and,

WHEREAS, improvements to the sanitary sewer collection system will minimize the potential impacts to the premises served of storm water inflow and infiltration into the sanitary sewer collection system; and,

WHEREAS, Section 915.11(b) of the Codified Ordinances of the City of Oberlin provides that "The sewer user or owner shall maintain and keep in good working order the sewer lateral from the premises to the edge of the public right of way"; and,

WHEREAS, the cost and related responsibilities of maintaining, repairing and replacing said sewer laterals serving private premises may dissuade property owners from constructing said improvements; and,

WHEREAS, the replacement of sanitary sewer service laterals serving private premises will benefit both the City's sanitary sewer system and the property owner; and,

WHEREAS, the City desires to offer to replace deficient sanitary sewer laterals serving private premises in conjunction with its capital sanitary sewer replacement projects; and,

WHEREAS, in order to ensure recovery of the costs of sanitary sewer service lateral replacements performed by the City of Oberlin for the owners of private property, City Council desires to authorize a process for the assessment of any such unpaid costs to the real property serviced by the replaced sanitary sewer service lateral.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That Section 915.11 of the Codified Ordinances of the City of Oberlin, Ohio, is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption 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 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: in order to implement said service for the benefit of the customers of the City's sanitary sewer system as soon as possible. and shall take effect immediately upon passage.

PASSED: 1st Reading: March 18, 2019 (E)
2nd Reading: _____
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 03/19/2019

EFFECTIVE DATE: 03/18/2019