

ORDINANCE NO. 2019-37

INTRODUCED BY: Mr. Emerman

AN ORDINANCE AMENDING SECTION 931.07, "MAYOR TO REGULATE" OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MORELAND HILLS REGARDING SEWER ACCESSIBILITY.

WHEREAS, periodically, the Cuyahoga County Board of Health requests an opinion from the Village as to whether a dwelling is accessible to an existing sanitary sewer; and

WHEREAS, the Mayor and the Village Engineer have established a "Sanitary Sewer Connection Policy in Moreland Hills Where Public Sewers Are Available" to be used in making this determination; and

WHEREAS, the Mayor has recommended that a reference to the policy be included in Section 931.07, "Mayor to Regulate," of the Codified Ordinances of the Village of Moreland Hills to assist in the administration of the Village's sanitary sewer ordinances; and

WHEREAS, Council believes it promotes the public health, safety and general welfare of the Village and its residents to amend Section 931.07, "Mayor to Regulate," of the Codified Ordinances of the Village of Moreland Hills as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MORELAND HILLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

Section 1: Existing Section 931.07, "Mayor to Regulate," of Chapter 931, "Sewers," of the Codified Ordinances of the Village of Moreland Hills, Ohio is hereby amended as follows:

931.07 MAYOR TO REGULATE.

(a) The Mayor shall make and enforce such rules and regulations as are necessary for the enforcement of this chapter, for the collection of the charges herein provided and for the safe, efficient, and economical management of the waste-water treatment municipal sewer systems. Such rules and regulations, when not repugnant to existing ordinances of the Municipality or the laws of the State, shall have the same force and effect as ordinances of Council.

(b) Pursuant to the authority provide for in this section, the Mayor has established a "Sanitary Sewer Connection Policy in Moreland Hills Where Public Sewers Are Available" which is on file at Village Hall and/or available through the Village's website and sets forth a policy regarding sewer lateral availability and sewer accessibility.

Section 2: Existing Section 931.07, "Mayor to Regulate," of Chapter 931, "Sewers," of the Codified Ordinances of the Village of Moreland Hills as it existed prior to the effective date of this Ordinance is hereby repealed.

Section 3: The actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings held in compliance with all legal requirements.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.



MAYOR

PASSED: June 12, 2019

ATTEST:



CLERK

Sanitary Sewer Connection Policy in Moreland Hills Where Public Sewers Are Available

Sewer Lateral Availability

For properties that are accessible to the sanitary sewer, the Village shall provide a 6” sewer lateral pipe at the Right of Way line in front of the property at a location if one does not already exist. For those property owners who have tied into the sewer and installed the 6” sewer lateral pipe from the sewer main to the Right of Way line to comply with the Cuyahoga County Board of Health requirements in 2019, the property Owner shall be reimbursed the Connection fee of \$5,500 to offset the cost for installing the lateral on their own.

Sewer Accessibility

The following is to be used when the Cuyahoga County Board of Health requests an opinion from the Village if a dwelling is accessible to an existing sanitary sewer. A dwelling will be considered accessible to the existing sanitary sewer the following applies:

The distance from the lateral at the Right of Way line at the property to the connection point on the property (discharge point at the foundation wall) is 400 feet or less subject to extraordinary site conditions as determined by the Board of Health, with input from the Village Engineer, such as extreme grade, the presence of wetlands, streams or ponds, which may affect accessibility to sewers on a case by case basis.

The Cuyahoga County Board of Health and/or the Ohio EPA requirements will take precedence over a Village determination of accessibility.

A system that has failed and cannot obtain coverage under the OHIO NPDES permit OHK000003 (and subsequent permits) shall connect to the sanitary sewer regardless of the determination of accessibility above.

A system that has been identified as failing and causing a public health nuisance shall be subject to the limitations of coverage in the Ohio EPA General Permit OHK000003 (and subsequent permits).

Adopted on this 4th day of September, 2019, as provided for in Ordinance 2019-37, passed June 12, 2019.

Susan Renda
Mayor Susan C. Renda

Em Acetta
Witness

Effective 9/4, 2019