

ORDINANCE NO. 52 - 87

By: James H. Rumpf

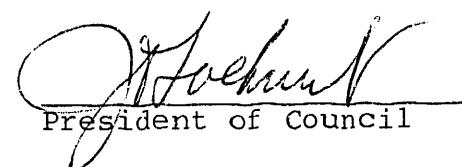
An Ordinance to authorize the Mayor and Auditor to sign an amended sewerage service agreement with the City of Columbus, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor and Auditor be and they hereby are authorized and directed to execute an amended sewerage service agreement with the City of Columbus, Ohio, said agreement to be in the form attached hereto as Exhibit A and incorporated herein by its reference.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: July 28, 1987

  
John H. Hocken  
President of Council

Attest: John H. Hocken  
Clerk of Council

APPROVED: Jul 28, 1987

  
David H. Madison  
Mayor

June 23, 1987 - 1<sup>st</sup> reading  
July 14, 1987 - 2<sup>nd</sup> reading  
July 28, 1987 - 3<sup>rd</sup> reading  
Adopted

AMENDED SEWERAGE SERVICE AGREEMENT

WHEREAS, the City of Columbus, Ohio, and the City of Bexley, Ohio, entered into a Sewerage Service Agreement on May 25, 1971, providing for the discharge, by the City of Bexley, Ohio, of sewage, industrial wastes, water or other liquid wastes, into, and the transportation, pumping and treatment of the same by the Sewage System and Sewage Treatment Works of the City of Columbus, Ohio, for a period expiring by the terms of the Agreement on May 2, 1996, and;

WHEREAS, it is the determination of the parties hereto that the terms and provisions of that Agreement shall be modified to include the following as hereinafter provided, now, therefore,

This Amended Agreement entered into this 1st day of Sept., 1987, by and between the City of Columbus, Ohio, acting by and through its Director of Public Utilities and Aviation, pursuant to and under authority of Ordinance No. 922-87 passed and approved May 11, 1987, and the City of Bexley, Ohio, acting by and through its duly authorized officer or officers, pursuant to and under authority of Ordinance No. 52-87 passed or adopted on July 28, 1987, by the City of Bexley, Ohio, copies of which are attached hereto and made a part hereof, the parties hereto agree that, effective September 1, 1987, Section 2.1 shall be added to the current Sewerage Service Agreement and shall read and operate as follows:

SECTION 2.1. That the City of Columbus may administer and enforce Sections 1145.01 - 1145.99 of the Columbus City Codes and all amendments thereto within the boundaries of the City of Bexley in order to prohibit or limit the discharge of toxic and other substances into the sewage system. It is also agreed that the City of Columbus representatives may enter industrial establishments, perform inspections, and sample waste streams for the purpose of enforcing Sections 1145 and 1147 of the Columbus City Code, as amended, the City of Bexley agrees that the requirements of Sections 1145.01 - 1145.99 of Bexley shall apply to all premises in the City of Bexley which are or later become tributary directly or indirectly to the sewage system of the City of Columbus to the same extent as they apply to premises within the City of Columbus.

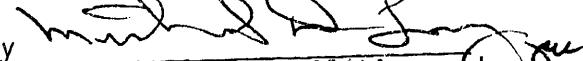
a) That the City of Bexley agrees that all fees for administering and enforcing Chapter 1145 shall be collected in accordance with Chapter 1147 of the Columbus City Codes, as amended.

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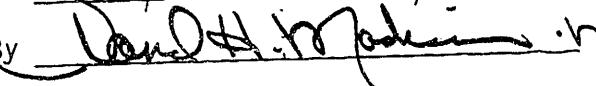
It is further agreed and understood by the parties to this Amended Agreement that all other terms, covenants, conditions and provisions of the current Agreement shall remain in full force and effect until or unless changes by further and additional Amended or Supplemental Agreements.

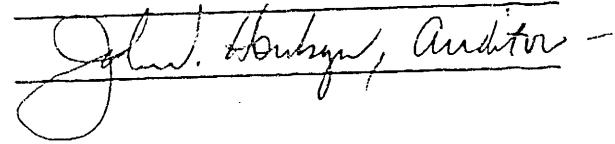
IN WITNESS WHEREOF, the parties hereto have set their hands on this 5 day of March, 1987.

THE CITY OF COLUMBUS, OHIO

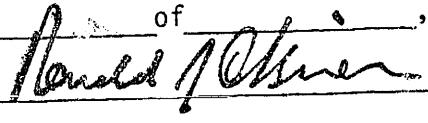
By   
Director of Public Utilities and Aviation

THE CITY OF BEXLEY, OHIO

By   
Donald H. Maden Mayor

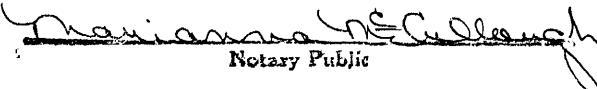
  
John A. Bubby, Auditor

Approved as to form:

  
Donald J. O'Brien

City Attorney, Columbus, Ohio

Certified to be a true copy of  
the original

  
Marianna McCullough  
Notary Public

MARIANNA McCULLOUGH  
Notary Public - State of Ohio  
My Commission Expiring 6-6-90

WHEREAS, Ordinance No. 2802-85 passed December 16, 1985, authorized and directed the Director of Public Utilities and Aviation to modify certain agreements; and, whereas, it has been recommended by the City Attorney's office and the Ohio E.P.A. that certain portion of said agreement be deleted; and,

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities and Aviation, in that said agreement must be modified to be in compliance with the Federal Clean Water Act of 1977, thereby preserving the public health, property, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the title and Section 1 of Ordinance No. 2802-85, passed December 16, 1985, are hereby amended to read as follows:

"To authorize and direct the Director of Public Utilities and Aviation to modify the Sewerage Service Agreements between the City of Columbus and all of its contracting entities for all of the sewerage contract areas, as required, to administer and enforce the Industrial Pretreatment Program in those areas, and to declare an emergency."

Section 1. That the Director of Public Utilities and Aviation be and he is hereby authorized and directed to execute contract modification of the Sewerage Service Agreements between the City of Columbus and Bexley, Brice, Dublin, Gahanna, Grandview, Grove City, Groveport, Hilliard, Marble Cliff, Minerva Park, Obetz, Reynoldsburg, Riverlea, Upper Arlington, Urbancrest, Valleyview, Westerville, Whitehall, Worthington, the Federal Government for the Defense Construction Supply Center, and the Franklin County Commissioners for Briarbank Subdivision, Brookside Estates, Clinton #2, Clinton #3, Franklin #1, Franklin #4 Amended, Hamilton Meadows, Mifflin #1, Truro #1, Worthington Hills, Rickenbacker Air Force Base, and Timberbrook Subdivision in substantially the following terms:

AMENDED SEWERAGE SERVICE AGREEMENT

WHEREAS, the City of Columbus, Ohio, and the \_\_\_\_\_, Ohio, entered into a Sewerage Service Agreement on \_\_\_\_\_, 19\_\_\_\_\_, providing for the discharge, by the \_\_\_\_\_, Ohio, of sewage, industrial wastes, water or other liquid wastes, into, and the transportation, pumping and treatment of the same by the Sewage System and Sewage Treatment Works of the City of Columbus, Ohio, for a period expiring by the terms of the Agreement on \_\_\_\_\_, \_\_\_\_\_, and;

WHEREAS, it is the determination of the parties hereto that the terms and provisions of that Agreement shall be modified to include the following as hereinafter provided, now, therefore,

This Amended Agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1987, by and between the City of Columbus, Ohio, acting by and through its Director of Public Utilities and Aviation, pursuant to and under authority of Ordinance No. \_\_\_\_\_ passed and approved \_\_\_\_\_, 1987, and the \_\_\_\_\_, Ohio, acting by and through its duly authorized officer or officers, pursuant to and under authority of Ordinance No. \_\_\_\_\_ passed or adopted on \_\_\_\_\_, 1987, by the \_\_\_\_\_, Ohio, copies of which are attached hereto and made a part hereof, the parties hereto agree that, effective \_\_\_\_\_, 1987, Section \_\_\_\_\_ shall be added to the current Sewerage Service Agreement and shall read and operate as follows:

SECTION . That the City of Columbus may administer and enforce Sections 1145.01 - 1145.99 of the Columbus City Codes and all amendments thereto within the boundaries of the \_\_\_\_\_ of \_\_\_\_\_ in order to prohibit or limit the discharge of toxic and other substances into the sewage system. It is also agreed that the City of Columbus representatives may enter industrial establishments, perform inspections, and sample waste streams for the purpose of enforcing Sections 1145 and 1147 of the Columbus City Code, as amended, the \_\_\_\_\_ of \_\_\_\_\_ agrees that the requirements of Sections 1145.01 - 1145.99 shall apply to all premises in the \_\_\_\_\_ of \_\_\_\_\_ which are or later become tributary directly or indirectly to the sewage system of the City of Columbus to the same extent as they apply to premises within the City of Columbus.

a) That the \_\_\_\_\_ of \_\_\_\_\_ agrees that all fees for administering and enforcing Chapter 1145 shall be collected in accordance with Chapter 1147 of the Columbus City Codes, as amended.

It is further agreed and understood by the parties to this Amended Agreement that all other terms, covenants, conditions and provisions of the current Agreement shall remain in full force and effect until or unless changes by further and additional Amended or Supplemental Agreements.

IN WITNESS WHEREOF, the parties hereto have set their hands on this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

THE CITY OF COLUMBUS, OHIO

By \_\_\_\_\_  
Director of Public Utilities and  
Aviation

THE CITY OF COLUMBUS, OHIO  
*David H. Madin, Mayor*

*John Stroh, Auditor*

Approved as to form:

\_\_\_\_\_  
of \_\_\_\_\_, Ohio  
*Donald J. O'Brien*  
City Attorney, Columbus, Ohio

Section 2. That the existing Title and Section 1 of Ordinance No. 2802-85 passed December 16, 1985, be and is hereby repealed.

Section 3. That for the reasons stated in the preamble hereeto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Certified to be a true copy of  
the original

*Marianna McCullough*  
Notary Public

MARIANNA McCULLOUGH  
Notary Public - State of Ohio  
My Commission Expires 6-6-90

ORDINANCE NO. 52 - 87

By: James H. Raney

An Ordinance to authorize the Mayor and Auditor to sign an amended sewerage service agreement with the City of Columbus, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor and Auditor be and they hereby are authorized and directed to execute an amended sewerage service agreement with the City of Columbus, Ohio, said agreement to be in the form attached hereto as Exhibit A and incorporated herein by its reference.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: July 28, 1987

John Jackson  
President of Council

Attest:

John H. Winkler  
Clerk of Council

APPROVED: Jul 28, 1987

David H. Madison  
David H. Madison  
Mayor

June 23, 1987 - 1<sup>st</sup> reading  
July 14, 1987 - 2<sup>nd</sup> reading  
July 28, 1987 - 3<sup>rd</sup> reading  
Adopted