

ORDINANCE NO: 44 - 2012  
INTRODUCED BY: Alexander

AN ORDINANCE ESTABLISHING A SANITARY SEWER SURCHARGE REDUCTION AND ELIMINATION POLICY; AND DECLARING AN EMERGENCY.

WHEREAS, the City recognizes that inflow and infiltration (“I & I”) of storm water into the sanitary sewer system during rain events exists and, therefore, it is desirous of working with the Cuyahoga County Department of Public Works, who is contracted to maintain the sanitary sewer system, to address problems related to I&I; and

WHEREAS, it shall be the goal of the City and County to remove I&I from the sanitary sewer system wherever possible and practical; and

WHEREAS, as a measure to afford residents some level of protection and relief from I&I backup into their basements while the City and County work to reduce and eliminate I&I from the system, the City hereby establishes a policy and procedure for the installation of backflow devices or other measures to reduce and/or eliminate the basement flooding caused by a surcharge by I&I of the sanitary sewer system;

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio; that:

Section 1. The City implements a Sanitary Sewer Surcharge Reduction and Elimination Policy which is incorporated herein and attached hereto as “Exhibit A” with the condition that such Policy shall only be in effect when funding for the program that is set forth in the Policy is available from the County of Cuyahoga.

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary for the reason that basement flooding for residents has been a recurring problem and the policy adopted herein will assist in the remediation of said sanitary sewer system infiltration and will benefit the City’s collection system infrastructure as a whole; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Daniel J. Ursu, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_  
David H. Roche  
President of Council

## EXHIBIT A

### **SANITARY SEWER SURCHARGE – REDUCTION AND ELIMINATION POLICY**

#### **BACKGROUND**

The City of Richmond Heights recognizes that inflow and infiltration (I&I) of storm water into the sanitary sewer system during rain events exists. It is the City's policy to work with the Cuyahoga County Department of Public Works, who is contracted to maintain the sanitary sewer system, to address problems related to I&I. It is the goal of the City and County to remove I&I from the system wherever possible and practical.

As a measure to afford property owners some level of protection and relief from I&I backup into their basements while the City and County work to reduce and eliminate I&I from the system, the City establishes the following policies and procedures for the installation of backflow devices or other measures to reduce and/or eliminate the basement flooding caused by an I&I surcharge into the sanitary sewer system.

#### **FUNDING**

- The City will establish an account to be used for the program.
- The account will be used to reimburse property owners a maximum of \$1,500.00 for costs incurred in the owner's installation of backflow devices and/or the reconfiguration of plumbing to eliminate or reduce basement flooding caused by I&I surcharge of the sanitary sewer main. It is noted that \$1,500.00 may not fully fund all measures that may be necessary to reduce and/or eliminate basement flooding.
- The total number of properties for which reimbursements are available in any calendar year shall be limited to the appropriation of funds for the program established in the City's yearly appropriations ordinance.
- The City will make requests to Cuyahoga County for reimbursements of the funds used for this program from sanitary sewer maintenance fees collected by the County for maintenance of the sewer collection system. If such funds are not made available by Cuyahoga County, no reimbursements will be made to owners under this program.
- Reimbursement for the installation of backflow devices and/or the reconfiguration of plumbing shall not exceed 100% of the total cost of labor and materials but the reimbursement amount **shall not exceed \$1,500.00 per property.**
- Property owners failing to follow the policies and procedures established by the City contemporaneously herewith may be deemed ineligible for reimbursement.

#### **PERMITTING**

- In order to qualify for this funding, property owners shall first be required to complete an application for reimbursement (max \$1,500.00) which application is available at the City Building Department.
- Prior to the commencement of any work to be performed, a permit shall be obtained from the City Building Department.

- The City's Building Department will make an inspection of the property's existing plumbing to determine the following:
  - 1) That all private plumbing is properly connected to the public system;
  - 2) Suitability of planned method of relief (i.e., a backflow device, stand pipe, overhead plumbing, etc.); and
  - 3) Verification that I&I surcharge from public sewer system may be an attributable cause of basement flooding.
- If the inspection reveals I&I emanating from private property or other causes which would prove the proposed relief method ineffective, the property owner will be required to correct the deficiency.
- Contractors are required to be registered with the Cuyahoga County Department of Public Works, Division of Sanitary Engineers, and with the City of Richmond Heights Building Department.
- There shall be verification of the completion of all work and approval of the reimbursement application to the satisfaction of the City's Building Commissioner and his/her recommendation that the City's Director of Finance make reimbursement to the property owner.

#### CLAIMS FOR INSTALLATIONS PRIOR TO POLICY ADOPTION

- Property owners who have installed or modified plumbing as a means to prevent a back up of the public sanitary sewer system prior to the adoption of this policy may seek reimbursement through a request made to the City Mayor's Office but must do so within 3 years of having completed the installation or modification and the owner shall permit inspection by the City of such completed installation or modification.