

Ordinance No. 95-09

Passed October 12, 20 09

10/9/09-gmk
(Water, Sewer & Rubbish)

Ordinance No. 95-09

An ordinance amending Section 923.04 CONNECTION PERMITS of the Codified Ordinances of the City of North Canton to permit installment payment of required remuneration for sanitary sewer lines, repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

WHEREAS, failure of private sewage treatment facilities creates hazards to the public health and welfare.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Chapter 923 Sewerage System, specifically Section 923.04 CONNECTION PERMITS of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

“ SECTION 923.04 CONNECTION PERMITS.

(a) All connections thereto must have proper City approval. All property owners are required to take out and pay for the necessary permits for making connections to existing sanitary sewer lines.

(b) The City shall not issue permits for connections to properties when the owner has not contributed to the construction cost of the line to which they are connecting, until the owners have remunerated those who constructed or had the line constructed in accordance with the following requirements:

(1) The remuneration shall be paid to the person, persons or corporation responsible for the initial construction of the sanitary sewer line.

(2) The remuneration shall be based on one-half of the actual cost per foot of the original construction of the sanitary sewer line, that is, one-half per each side of the street serviced.

(3) Evidences, in writing, must be furnished to the City that satisfactory remuneration has been made before a permit shall be issued.

(4) In the event of a disagreement between the parties regarding the amount of remuneration, the Board of Control, shall have the authority to determine the amount of remuneration which must be paid before a permit shall be issued.

(5) If the person, persons or corporation responsible for the initial installation of the sanitary sewer line is deceased, or if the corporation is dissolved, their rights for remuneration shall cease to exist and shall not vest to their heirs, successors and assigns.

(6) When the conditions or circumstances as set for in subsection (b)(5) hereof exist, the property owner desiring to connect to sanitary sewer lines they did not pay for shall be required to remunerate the City at Twenty-Five (\$25.00) dollars per front foot before a permit shall be issued.

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(7) The remuneration, as set for in subsections (b)(1) and (6) applies only on lines installed after December 31, 1955.

(8) Where (b) (6) above applies, upon application by the property owner of residential single, owner occupied premises and upon authority of the Director of Finance and the Director of Administration, on a case by case basis, a payment plan or payment plans not to exceed one (1) year, may be established for the payment of the required remuneration, in lieu of immediate remuneration, as additional sewer rental charges which are subject to certification to the County Auditor. "

Section 2. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the reason that failure of private sewage facilities create health hazards; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed: 10/12/09


MAYOR

SIGNED: 10/16, 2009

ATTEST:


CLERK OF COUNCIL