

Village of Bluffton Council Meeting Agenda

April 12, 2021 at 7:00 PM



Opening Ceremonies

Call to Order, Mayor Johnson presiding
Pledge of Allegiance

Minutes

Approval of the minutes for the Village Council meeting held on Monday, March 22, 2021.

Bills

Public Comment – Special Events Permit - Chase Eikenbary

Committee Reports

Streets, Alleys, Lights & Sidewalk - 3/24
Joint Streets, Alleys, Lights & Sidewalk & Pathway Board – 3/29
Joint Streets, Alleys, Lights & Sidewalk & Utilities – 4/7

Boards & Commissions

Pathway Board – 4/1

LEGISLATION:

ORDINANCE NO. 03-21

1st Reading

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE OPERATION OF SIDEWALK CAFES IN THE VILLAGE OF BLUFFTON, OHIO.

ORDINANCE NO. 04-21

1st Reading

AN ORDINANCE ESTABLISHING SANITARY SEWER REGULATIONS FOR THE VILLAGE OF BLUFFTON, OHIO AND REPEALING ALL OTHER ORDINANCES TO THE SAME EFFECT.

ORDINANCE NO. 05-21

1st Reading

AN ORDINANCE CHANGING THE LAND DIVISION DIMENSION REQUIREMENTS LISTED IN TABLE 1 OF CHAPTER 152, SECTION 038 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BLUFFTON, OHIO.

RESOLUTION NO. 10-21

1st Reading

A RESOLUTION APPROVING THE ADOPTION OF THE ALLEN COUNTY HAZARD MITIGATION PLAN, MARCH 2021

Village Administration Report:

Safety Services Reports:

-EMS-

-Fire Dept.-

-Police Dept.-

Meeting Dates (meetings held at the Town Hall unless otherwise noted*)

Council Meeting – Monday, April 12 at 7:00 pm
Bluffton In Bloom – Tuesday, April 13 at 7:00 pm
Tree Commission – Thursday, April 15 at 7:00 pm
Council Meeting – Monday, April 26 at 7:00 pm

Public Comment

Adjournment – Motion and Second

Village of Bluffton – Regular meeting March 22, 2021 at 7:00 p.m.

Mayor Johnson presiding. Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner, and Talavinia present.

Cupples motioned, seconded by Kingsley, to approve the minutes from the regular council meeting held on March 8, 2021. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia. No (0), Abstain (0), motion approved.

Steiner motioned, seconded by Talavinia, to approve the bills as presented. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia. No (0), Abstain (0), motion approved.

The fiscal officer gave the following readings:

3rd Reading:

Ordinance 02-21 – An Ordinance approving the annual appropriations for the 2021 fiscal year for the Village of Bluffton, OH and declaring an emergency. Kingsley motioned to suspend the rules, seconded by Cupples. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia. No (0), Abstain (0), motion approved. Steiner motioned to adopt the Ordinance, seconded by Talavinia. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia. No (0), Abstain (0), motion approved.

3rd Reading:

Resolution 05-2021 – A Resolution establishing positions and wages for swimming pool staff and rates for 2021. Stahl motioned to adopt the Resolution, seconded by Kingsley. Roll Call: Yes (5) Messrs: Cupples, Kingsley, Stahl, Steiner and Talavinia. No (1) Sehlhorst, Abstain (0), motion approved.

Talavinia motioned, seconded by Cupples, to accept the resignation of Lesley Crawford from the Police Department, effective March 23, 2021. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia. No (0), Abstain (0), motion approved.

Talavinia motioned, seconded by Stahl, to approve the promotion of Jared Arnold to a full-time position with the Police Department at a rate of \$18.50/hr. with 5 vacation days and 4 personal days. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia. No (0), Abstain (0), motion approved.

Cupples motioned to adjourn the meeting.

The following meetings/events were included on the agenda and/or scheduled during the meeting. All meetings will be at the Village Town Hall, unless noted.

Streets, Alleys, Lights & Sidewalk Committee – Wednesday, March 24 at 5:30 p.m.

Joint Streets, Alleys, Lights & Sidewalk Committee & Pathway Board – Monday, March 29 at 5:30 p.m.

Pathway Board – Thursday, April 1 at noon, via Zoom.

Joint Streets, Alleys, Lights & Sidewalk & Utilities Committee – Wednesday, April 7 at 5:30 p.m.

Council Meeting – Monday, April 12 at 7:00 p.m.

Bluffton in Bloom Committee – Tuesday, April 13 at 7:00 p.m.

MAYOR

FISCAL OFFICER

VILLAGE OF BLUFFTON
VOUCHER REPORT 4/12/2021

VENDOR	AMOUNT	DEPARTMENT	DESCRIPTION
ALL SERVICE AERATION, INC	535.50	Park	PORTABLE TOILETS
ALLEN COUNTY PUBLIC HEALTH	305.00	Pool	POOL LICENSE
ALLEN COUNTY TREASURER	282.35	Land & Buildings	2020 2ND HALF REAL ESTATE TAXES
ALLOWAY TESTING	1,383.90	Multiple	TESTING
AMERICAN ELECTRIC POWER	1,042.56	Multiple	ELECTRICITY
AMERICAN ELECTRIC POWER	19,649.51	Multiple	ELECTRICITY
ANTHEM BLUE CROSS BLUE SHIELD	143.61	Multiple	LIFE INSURANCE
ANTHEM BLUE CROSS BLUE SHIELD	648.54	Multiple	HEALTH INSURANCE
APPLIED SPECIALITES, INC	3,660.80	Sewer	POLYMER
AQUA-LINE	504.00	Water	WATER LEAK DETECTION
BACKDRAFT OPCO, LLC	850.00	Fire	SOFTWARE
BLUFFTON FLYING SERVICE	5,000.00	Airport	AIRPORT MANAGEMENT
BLUFFTON FLYING SERVICE	50,000.00	Airport	BEACON & TAXIWAY
BLUFFTON FLYING SERVICE	49,500.00	Airport	BEACON & TAXIWAY
BLUFFTON ICON	25.00	Administrative	ADVERTISING
BLUFFTON NEWS	260.00	Administrative	ADVERTISING
BLUFFTON STONE CO.	246.70	Multiple	STONE
BOCKRATH & ASSOCIATES	6,140.00	Land & Buildings	FLOODPLAIN H&H
BUREAU OF WORKERS COMPENSATION	1,831.85	Administrative	WORKER'S COMPENSATION
CENTRAL OHIO FARMERS CO-OP INC	1,017.55	Street	OIL
CHOICE ONE ENGINEERING	135.00	Street	JEFFERSON PHASE II BIDDING
CHOICE ONE ENGINEERING	807.50	Street	JEFFERSON ST PHASE II ENGINEERING
CHOICE ONE ENGINEERING	1,167.50	Street	SR 103 PATHWAY ACQ. CONSULT & RIGHT OF WAY
CINTAS	111.43	Administrative	UNIFORMS
CINTAS	111.43	Administrative	UNIFORMS
CINTAS	192.43	Administrative	UNIFORMS
DEGEN EXCAVATING CO., INC.	1,650.00	Sewer	SANITARY CLEANING
DOMINION EAST GAS	1,550.95	Multiple	NATURAL GAS
EMSAR MEDICAL REPAIR INC	940.77	Rescue	SUPPLIES
EVERETT J PRESCOTT INC	2,463.86	Water	BRASS, METER PITS, REPAIR PARTS
EVERETT J PRESCOTT INC	21,425.45	Capital Improvements	LARGE METERS
EVERETT J PRESCOTT INC	7,607.49	Capital Improvements	LARGE METERS
EVERETT J PRESCOTT INC	180.98	Water	METER GASKETS
EVERETT J PRESCOTT INC	7,091.96	Capital Improvements	LARGE METERS
EVERETT J PRESCOTT INC	8,111.82	Capital Improvements	LARGE METERS
FAMILY HARDWARE DO IT BEST	345.91	Multiple	SUPPLIES
GREAT LAKES BILLING ASSOCIATES, INC.	1,301.81	Rescue	EMS BILLING SERVICE
HACKENBERG, FEIGHNER, BISHOP & WERTH, LLC	1,300.00	Administrative	SOLICITOR FEES
HANCOCK COUNTY TREASURER	556.16	Land & Buildings	2020 REAL ESTATE TAXES
KALIDA TRUCK EQUIPMENT, INC.	(182.71)	Street	PLOW PARTS
KALIDA TRUCK EQUIPMENT, INC.	1,300.00	Street	TRUCK TOOL BOX
KALIDA TRUCK EQUIPMENT, INC.	183.34	Street	PLOW PARTS
KOI ENTERPRISES, INC.	67.18	Multiple	PARTS
LEIBER GARAGE	695.03	Police	PD AUTO REPAIRS
LEXIS NEXIS RISK DATA MANAGEMENT INC.	48.39	Administrative	ADDRESS SEARCHES
MARATHON FLEET SERVICES	1,098.09	Multiple	FUEL
MASTERPIECE SIGNS & GRAPHICS, INC.	70.00	Administrative	DESIGN WORK
MINTEYS MAIDS	75.00	Land & Buildings	TOWN HALL CLEANING
NORTHWESTERN OHIO SECURITY SYSTEMS	196.00	Land & Buildings	MONITORING
OHIO PEACE OFFICER TRAINING	500.00	Police	TRAINING - A. MICHAEL
OHIO POLICE & FIRE PENSION FUND	50.00	Administrative	FEE
PATRIOT CONCRETE	6,200.00	Land & Buildings	CONCRETE PAD AT SHOP
PENNCARE 30	152.00	Rescue	EMS CHARTS
PERRY CORPORATION	179.96	Administrative	IT CONTRACT
PRICE CONSULTATION SERVICES, LLC	615.00	Police	TESTING - ARNOLD
PUBLIC EMPLOYEES RETIREMENT	5.46	Administrative	FEE
RUMPKE	23,081.66	Refuse	TRASH SERVICES

SHELL FLEET PLUS	2,440.75	Multiple
SHRADER TIRE AND OIL	219.16	Sewer
SMARTBILL	793.07	Multiple
STAPLES BUSINESS ADVANTAGE	38.35	Multiple
TIME WARNER CABLE	104.98	Administrative
TIME WARNER CABLE	38.86	Multiple
TOMMY TIRE SALES LLC	28.00	Police
TOWN & COUNTRY FLOWERS	57.95	Administrative
TREASURER, STATE OF OHIO	200.00	Airport
TREE TECH	1,550.00	Park
TREE TECH	300.00	Cemetery
TSYS Health Services	89.84	Rescue
U.S. POSTAL SERVICE	150.00	Administrative
VERIZON WIRELESS	241.02	Multiple
VETTER LUMBER CO.	44.86	Multiple
WESSLER ENGINEERING	292.50	Sewer
INCOME TAX REFUNDS	3,051.51	Administrative
	<u>244,054.57</u>	

FUEL
SCREEN GEAR OIL
BILLING SERVICES
SUPPLIES
CABLE
CABLE
POLICE CRUISER TIRES
WIND CHIMES
STORMWATER PERMIT AIRPORT
TREE REMOVAL
TREE REMOVAL
EMS MERCHANT SERVICES
PO BOC 228 RENEWAL
CELL PHONES
SUPPLIES
SANITARY ON-CALL SERVICES
INCOME TAX REFUNDS

BIWEEKLY PAYROLL 3/26/21	40,610.33
MEDICARE	557.19
OPERS	2,195.74
OP&F	2,225.19

MARCH MONTHLY	2,569.00
MEDICARE	37.22
OPERS	192.17
FICA	40.14

BIWEEKLY PAYROLL 4/9/21	39,960.33
MEDICARE	547.78
OPERS	2,272.41
OP&F	2,111.43

Council Signature : _____

Date: _____

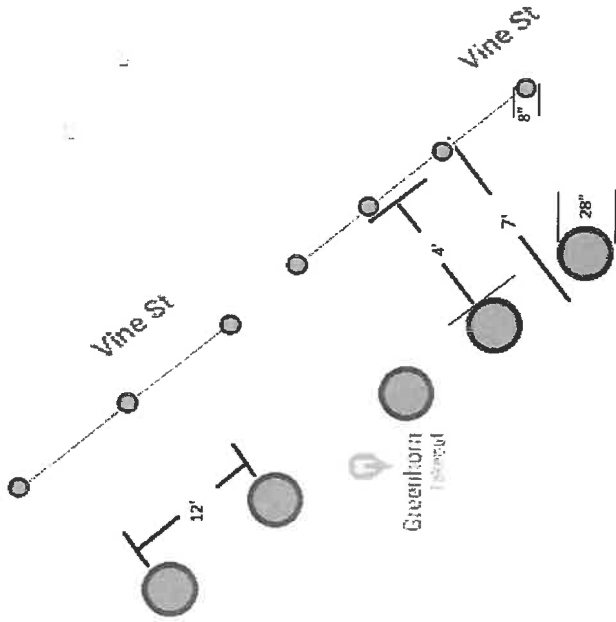
March 24, 2021

Streets, Sidewalks, Alley, & Lights Meeting Start: 5:30 pm – 6:44 pm

Present: Joe Sehlhorst, Jerry Cupples, , Admin. Jesse Blackburn; Guest: Jonah Agner from Greenhorn

Topic 1: Sidewalk Café Request – Vine St.

- Jonah Agner from Greenhorn Restaurant requesting to be able to serve his patrons on the sidewalk in front of his business on Vine St.
 - o This would include both food and alcohol
- Randy Isaacson, Compliance Agent for Ohio Division of Liquor & Control has been in discussion with Jonah with what would be required.
- Committee requesting pedestrians have 4' walk-through clearance
 - o See Attachment 1. Positioning showing 7' sidewalk width and 4' pedestrian clearance. Along with table positioning and barrier placement.
 - o See Attachment 2. Positioning - Visual
 - o Committee discussed how this would impact parking.
- Administration and Solicitor to prepare sidewalk café legislation and seasonal permit form
 - o Referencing City of Findlay Sidewalk Café legislation as a key resource.
 - o Note: Many other communities such as Sylvania, Oberlin, Waterville, and others have legislation allowing for Sidewalk Café.



Not to scale

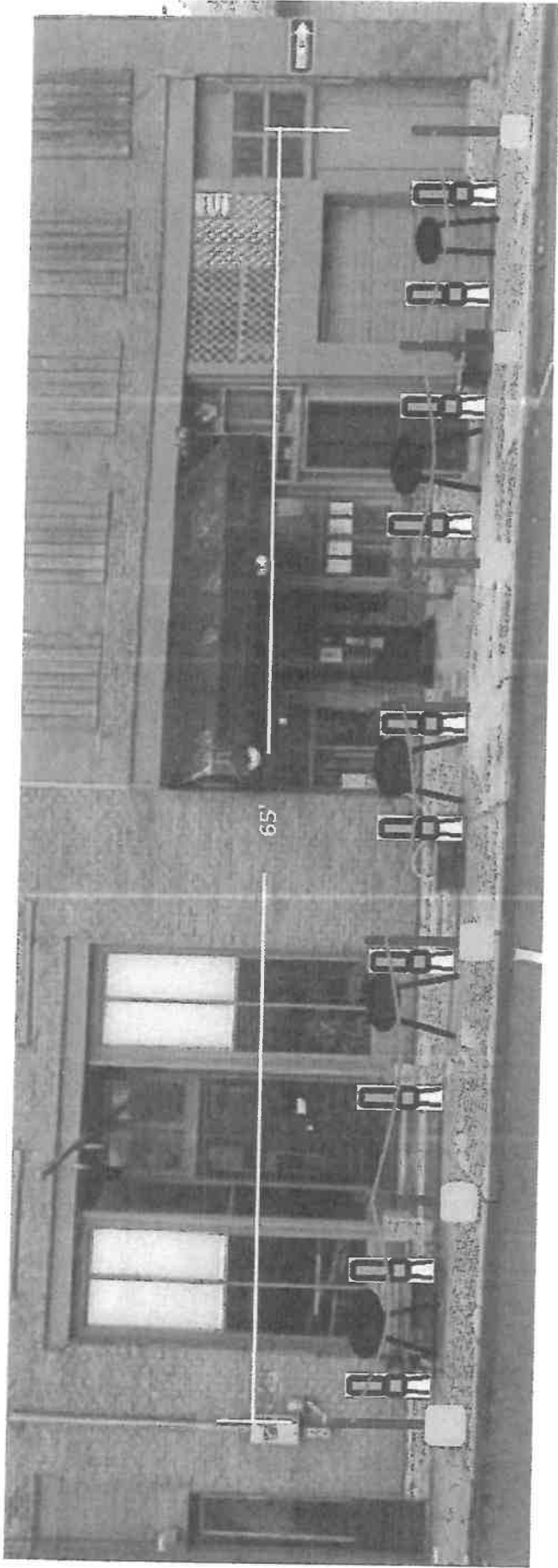
28" round cafe 2 top tables right up against building plus no wider than 8" barrier posts will leave 4' of clearance for pedestrian traffic.

① Positioning

March 24, 2021 Streets meeting

X Sidewalk Cafe Vine St.

Greenhorn Restaurant



Tables we are planning are small 28" cafe rounds with two chairs. Total of 5 as you can see with each being no less than 12' apart from each other on center. Patio enclosure we are planning on movable 4x4 set in concrete in a planter with a chain connecting them. Open on the ends to allow entrance and walk through. Hoping to do solar LED top caps for each.

② Positioning - Visual

March 24, 2021 Streets Proj.

* Sidewalk cafe Vine St

Greenhorn Restaurant →

Monday, March 29, 2021

Joint Streets and Pathway Committee Meeting Start: 5:30 pm – 7 pm

Present: Joe Sehlhorst, Jerry Cupples, Ben Stahl, Admin. Jesse Blackburn; Guest: Jonah Agner from Greenhorn, Dick Ramseyer, Pathway Chair

Topic 1: Bike Rack Program

- Dick Ramseyer, Chair of Pathways provided information regarding the continuation of the downtown bike rack program.
 - o \$5k Grant from Allen County Health Dept.: Creating Healthy Communities
- Goal: Bluffton to be recognized as a National Bike Community Destination
- Locations discussed include:
 - o 1. Et Cetera Shop; locations discussed include community parking lot beside fire station, Washington St., and/or sidewalk in front of store.
 - o 2. CNB Parking Lot-Post Office side; 1st parking space closest to entrance behind brick wall; request concrete pad installed on grass area btw. Post Office and Parking Lot
 - o 3. Twisted Whisk; locations discussed include sidewalk on Cherry St., rear of building, and/or Cherry St. side towards Presbyterian Church
 - Sidewalk requirement from committee to maintain 4' walking space
 - o Other locations discussed, but deemed not probable due to limitations include Luke's, Smith's Realty, and Bike Crazy.
- Administration to prepare Memorandum of Understanding (Private Property Locations)
 - o Working with Allen County Health Dept.

Topic 2: Memorial Bench at Cobb Lake

- Steele Family would like to donate a bench in memoriam of their son.
 - o He was an avid biker and appreciated all the pathways in Bluffton.
- Placement of bench at front corner of Cobb Lake Triplett Bike Path off Jefferson St.
 - o Village to install concrete pad similar to bench at Buckeye Park

Topic 3: Trail Use Etiquette

- Dick Ramseyer presented the need for the placement of a Trail Use Etiquette sign.
 - o Reached out to Activate Allen County for guidance. See attachment for sample sign.
 - o Has received complaints from residents. Augsburg Pathway most complaints.
 - o Committee requested discussion needs to occur with the Pathway Committee.
 - o Note: Updated Village website Recreation Page, how to best "Share the Road" when using the Bluffton Pathway System (www.bluffton-ohio.com/recreation)
 - o Link from ODOT Cycling Smarter Guide. Thanks Ben for reference.

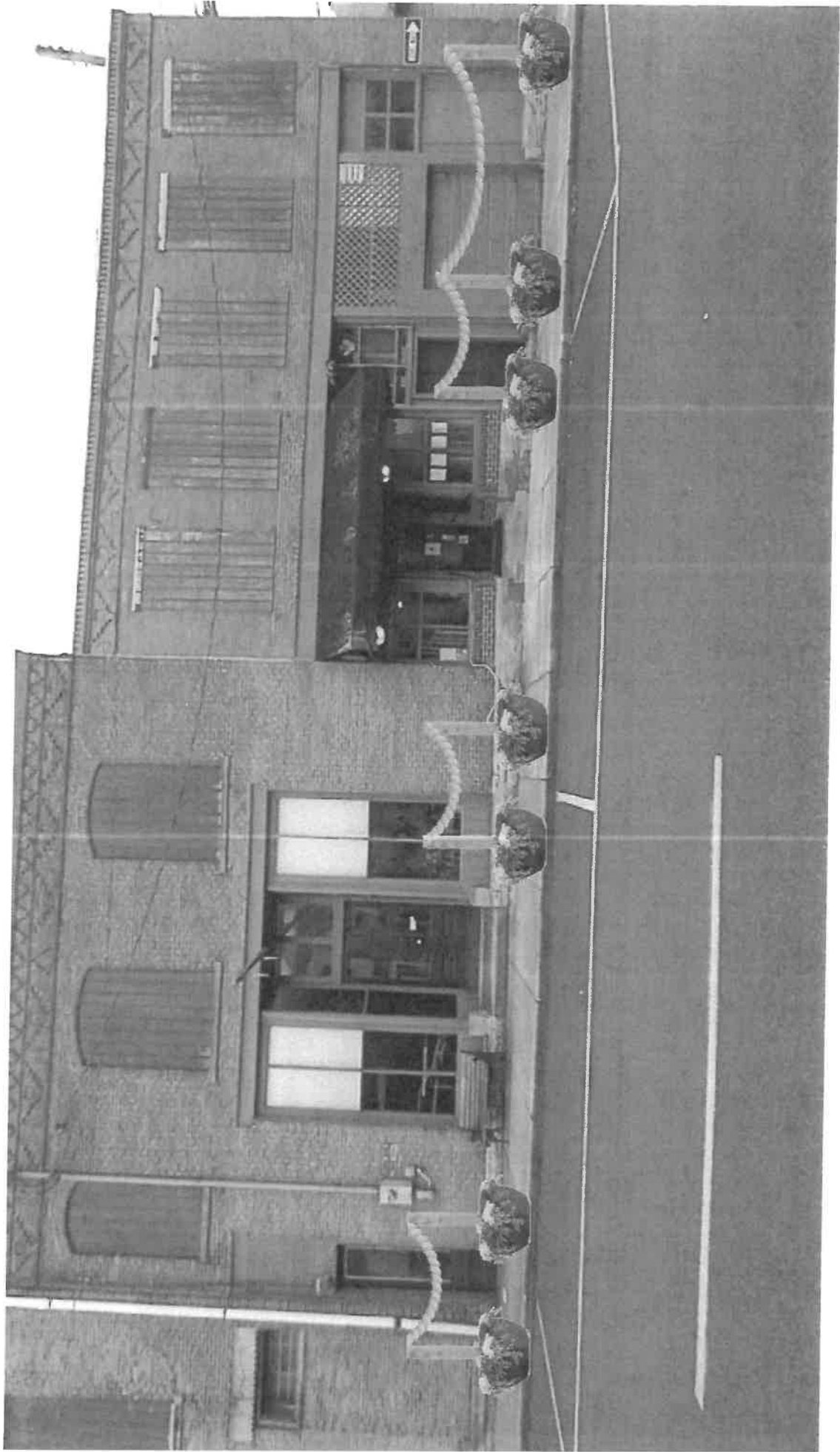
<https://irp.cdn-website.com/7e0dbe9a/files/uploaded/ODOTCyclingSmarterGuide.pdf>

Topic 4: Cont. Discussion Vine St. Sidewalk Café Request on Vine St.

- Jonah Agner from Greenhorn Restaurant presented drawing that meets the liquor dept. standards.
 - o See Attachments: Vine St. Greenhorn Update - Visual and Vine St. Greenhorn Update Visual – Explanation
- See Sample Permit Sidewalk Café Application

Topic 5: Jefferson St. Bridge Sign

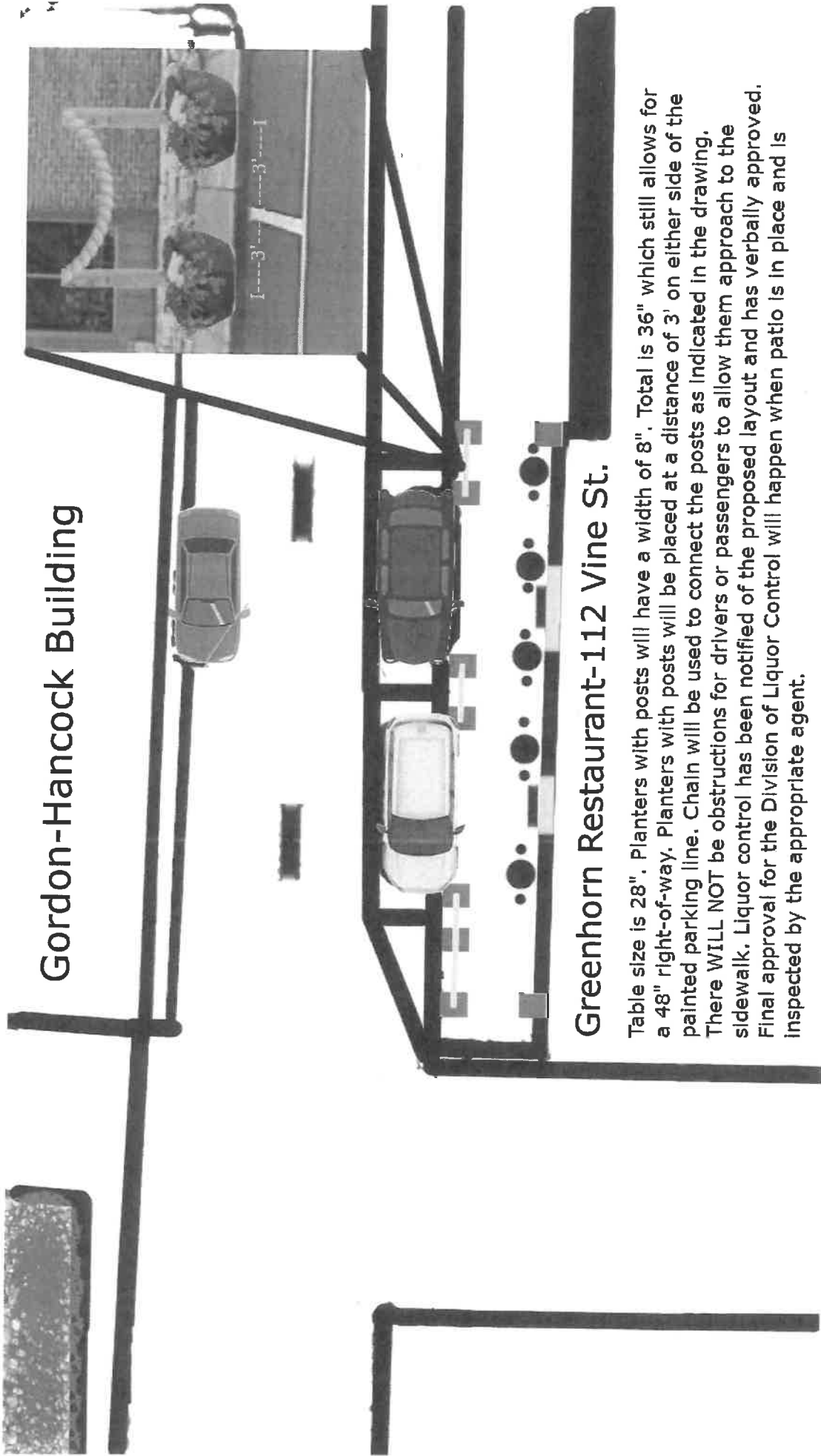
- Administration presented latest design. Thanks to Grob Apprenticeship Programs involvement!
 - o See Attachment Sample Sign
 - o Challenge now is how to best light the four signs.



March 29, 2021

- Vine St. Greenhouse Update
Visual

Gordon-Hancock Building



Greenhorn Restaurant-112 Vine St.

Table size is 28". Planters with posts will have a width of 8". Total is 36" which still allows for a 48" right-of-way. Planters with posts will be placed at a distance of 3' on either side of the painted parking line. Chain will be used to connect the posts as indicated in the drawing. There WILL NOT be obstructions for drivers or passengers to allow them approach to the sidewalk. Liquor control has been notified of the proposed layout and has verbally approved. Final approval for the Division of Liquor Control will happen when patio is in place and is inspected by the appropriate agent.

March 29, 2021

— Vine St, Greenhorn Update
Visual - Explanation

Sample

Application for Seasonal Event

--Sidewalk Café Permit --

(Applications may require one month or more for review)

Business Name _____

Business Address _____

Business Owner _____ Daytime Phone _____

LICENSE INFORMATION

Current Retail Food Permit No.: _____

Current Liquor Permit No.: _____

Have you ever had a license and/or permit revoked or suspended? NO _____ YES _____
IF YES ATTACH EXPLANATION.

OPERATIONS PLAN

1. Total square feet of public way to be used: _____

Exact length & width along street(s): _____

Street Name: _____ Length X Width: _____

-Attach additional details if necessary

2. Proposed seating capacity: _____

3. Days and Hours of operation (be specific, include Saturday & Sunday)

Day: _____ Hours: _____

Day: _____ Hours: _____

Day: _____ Hours: _____

Day: _____ Hours: _____

INFORMATION REQUIRED WITH APPLICATION: (check information submitted)

- Proof of Insurance
- Measured drawing of sidewalk café and layout plan (see attached instructions)
- 2 photographs of sidewalk and photos or specs of all proposed sidewalk elements
- Signed, notarized Affidavit
- Check or cash for \$10 (initial application). Make checks payable to the Village of Bluffton
- Check or cash for \$10 (renewal application).

Business Owner Signature _____ Date _____

For office use only

ATTACHMENTS REQUIRED

- PLAN OF SIDEWALK CAFÉ AREA.
- DESIGN OF SIDEWALK CAFÉ PLAN ILLUSTRATED WITH ALL ELEMENTS INCLUDED AND EXACT MEASUREMENTS ON 8-1/2 X 11 INCH WHITE PAPER.
- AT LEAST TWO PHOTOS OF THE PROPOSED SITE WHERE SIDEWALK CAFÉ IS TO BE LOCATED.
- NON-REFUNDABLE APPLICATION FEE OF \$10.00 (\$50.00 FOR RENEWAL).
- SIGNED AFFIDAVIT.
- SPECIFICATIONS OF SIDEWALK CAFÉ FURNITURE AND ALL SIDEWALK CAFÉ ELEMENTS PROPOSED TO BE USED AT THE SIDEWALK CAFÉ.
- CERTIFICATE OF INSURANCE NAMING CITY AS ADDITIONAL INSURED WILL BE REQUIRED WITH APPLICATION.
- FINAL INSPECTION BY ZONING INSPECTOR AND FIRE DEPARTMENT WILL BE REQUIRED WITH ALL SIDEWALK CAFÉ ELEMENTS IN PLACE
- FINAL PHOTOGRAPH OF APPROVED SIDEWALK CAFÉ SITE WITH ALL SIDEWALK ELEMENTS IN PLACE. (TO BE SUPPLIED LATER)

INSTRUCTIONS

PLANS MUST BE SUBMITTED ON 8-1/2 x 11 INCH PAPER WITH A MEASURED DRAWING OF THE PROPOSED SIDEWALK CAFÉ AREA ATTACHED THERETO.

PLANS MUST SHOW EXACT LENGTH X WIDTH DIMENSIONS.

PLANS MUST DISPLAY LOCATION OF SIDEWALK CAFÉ AND SIDEWALK CAFÉ ELEMENTS.

PLAN MUST INDICATE A MINIMUM OF FOUR (4) FEET OF CLEAR SPACE FOR PEDESTRIAN PASSAGE AND STREET PARKING SETBACK, IF APPLICABLE. ADDITIONAL CLEAR SIDEWALK WIDTH MAY BE REQUIRED WHERE PEDESTRIAN TRAFFIC OR OTHER CIRCUMSTANCES WARRANT.

ALL ITEMS SUCH AS PARKING METERS, FIRE HYDRANTS, LIGHT POLES, SIGNS, BENCHES, TREES ETC. ("ENCROACHMENTS") MUST BE SHOWN ON THE SURVEY IN RELATION TO THE PROPOSED SIDEWALK CAFÉ, AND THE CLEAR SPACE WITH MEASUREMENTS BETWEEN THE SIDEWALK CAFÉ AND THE ENCROACHMENTS CLEARLY IDENTIFIED.

ALL APPLICATIONS MUST INCLUDE AT LEAST TWO (2) PHOTOGRAPHS OF THE EXACT SITE WHERE THE SIDEWALK CAFÉ IS TO BE LOCATED. PHOTOGRAPHS MUST INCLUDE ALL ENCROACHMENTS.

ALL APPLICATIONS MUST INCLUDE A PHOTOGRAPH OR SPECIFICATIONS OF THE FURNITURE AND ALL SIDEWALK CAFÉ ELEMENTS PROPOSED TO BE USED AT THE SIDEWALK CAFÉ.

PLANS SUBMITTED THAT DO NOT MEET THE ABOVE REQUIREMENTS WILL BE RETURNED TO THE APPLICANT FOR REVISIONS.



Trail Use Etiquette

Help make trails safe and enjoyable for everyone by following these guidelines:

Keep Right: Ride / skate / walk as far to the right as practical.

Clear the Way: Move off the side of the trail when stopped.

Control Speed: Slow down around others, especially when passing.

Maintain Lanes: Don't block the trail. Ride / skate / walk single-file when other users are nearby.

Watch: Obey all traffic and trail signs and signals.

Passing: Announce your intentions by saying "passing on your left" or ringing a bell.

Respect: Be respectful of all users as well as adjacent private property along the trail.

Clean up: Pick up after your pet to ensure a clean trail experience for others.

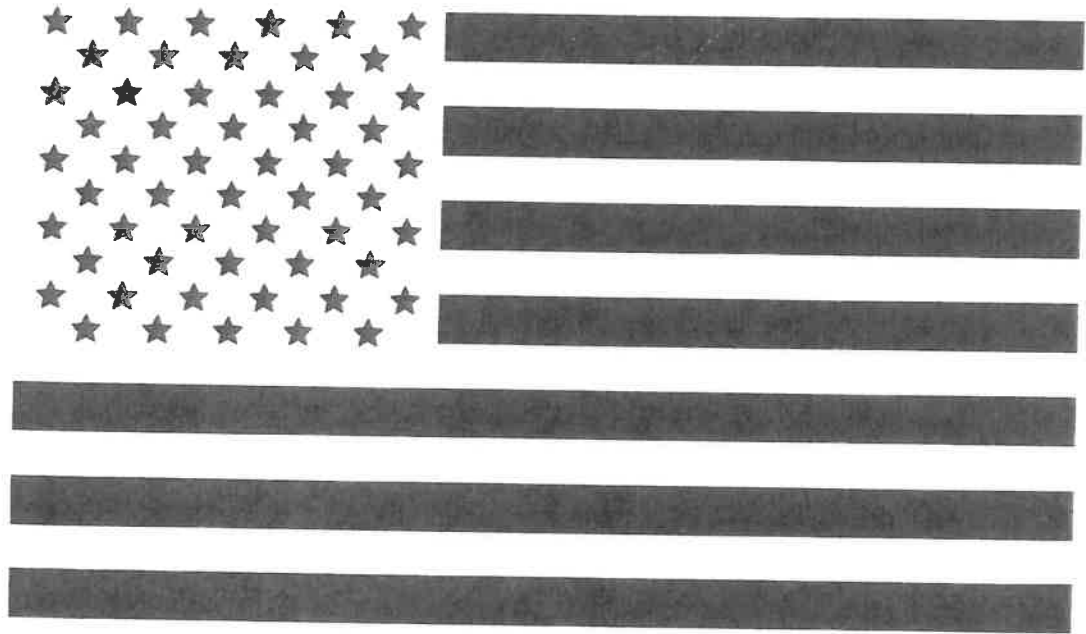


SAMPLE 4/29/2021



BLUFFTON

◆ 1861 ◆



Wednesday, April 7, 2021

Joint Streets and Utility Committee Meeting Start: 5:30 pm – 6:30 pm

Present: Joe Sehlhorst, Jerry Cupples, Dave Steiner, Admin. Jesse Blackburn, Mayor Johnson - Zoom;
Guest: Dick Ramseyer, Pathway Chair

Topic 1: Cont. Discussion Bike Rack Program

- Dick Ramseyer, Chair of Pathways provided update regarding the downtown bike rack program.
 - o \$5k Grant from Allen County Health Dept.: Creating Healthy Communities
- Goal: Bluffton to be recognized as a National Bike Community Destination
- Locations identified as of meeting:
 - *Still need Memorandum of Understanding completed and filed.
 - * Revocable license to install bike racks on sidewalks identified
 - o 1. Et Cetera Shop; Main St. sidewalk;
 - 1 rack (2 bicycles)
 - o 2. CNB Parking Lot-Post Office side; 1st parking space;
 - 2 racks (4 bicycles). Install Poured Concrete Pad
 - o 3. Twisted Whisk; Cherry St. sidewalk
 - 2 racks (4 bicycles)
- Sidewalk committee requests to maintain 4' walking space.

Topic 2: Storm Water Management

- Administration presented 53.400 Storm Water Management
 - o Draft to be handed out to council for review
- Subtitles;
 - o 53.400 Definitions
 - o 53.401 Operation of Sewer Utility
 - o 53.402 Right of Entry
 - o 53.403 Responsibility For Obstructing or Damaging Sewers
 - o 53.404 ?????? Missing Information
 - o 53.405 Downspouts, Underdrains & Storm Water Discharges
 - o 53.406 Sump Pumps & Groundwater handling Facilities
 - o 53.407 Nuisance, Order To Remove
 - o 53.408 ?????? Missing Information
 - o 53.409 Penalty
 - o 53.410 ?????? Missing Information
 - o 53.411 Special Agreements, Exemptions
- Discussed reasonable amount of time for residents to get in compliance, if passed.

**GRANTING A LIMITED, PERSONAL AND REVOCABLE LICENSE TO ET CETERA
SHOP FOR THE INSTALLATION OF A BIKE RACK ON THE SIDEWALK OF
NORTH MAIN STREET**

This license is granted to Et Cetera Shop by the Village of Bluffton, Ohio for the purposes set forth herein.

Et Cetera Shop, located at 327 North Main Street in Bluffton, Ohio, in partnership with the Bluffton Pathway Board and Allen County Public Health Creating Healthy Communities, has presented a need to provide public bicycle parking in this area with the installation of one bike rack, and;

This process would take the bike rack beyond the property line, onto the public sidewalk area, and;

The Village of Bluffton, Ohio is willing to grant a license for said bike rack.

Therefore it is AGREED as follows:

That the Village of Bluffton, Ohio hereby grants Et Cetera Shop a limited, personal and revocable license to install a bike rack on the public sidewalk of the Village in accordance with the plan drawings attached hereto.

That this license allows installation of a bike rack; however that at any time, the Village shall have the right to revoke the license in whole or in part at any time. The bike rack shall be constructed of materials, and installed in a manner that will not cause damage to the existing sidewalk.

Et Cetera Shop shall assume any and all liability whatsoever related to the bike racks and will hold the Village of Bluffton harmless.

Done this the _____ day of _____, 2021.

Et Cetera Shop

Village of Bluffton, Ohio

Approved as to form:

Elliott T. Werth, Village Solicitor

GRANTING A LIMITED, PERSONAL AND REVOCABLE LICENSE TO TWISTED WHISK CAFE FOR THE INSTALLATION OF BIKE RACKS ON THE SIDEWALK OF CHERRY STREET

This license is granted to Twisted Whisk Cafe by the Village of Bluffton, Ohio for the purposes set forth herein.

Twisted Whisk Cafe, located at 101 South Main Street in Bluffton, Ohio, in partnership with the Bluffton Pathway Board and Allen County Public Health Creating Healthy Communities, has presented a need to provide public bicycle parking in this area with installation of two bike racks, and;

This process would take the bike racks beyond the property line, onto the public sidewalk area, and;

The Village of Bluffton, Ohio is willing to grant a license for said bike racks.

Therefore it is AGREED as follows:

That the Village of Bluffton, Ohio hereby grants Twisted Whisk Cafe a limited, personal and revocable license to install two bike racks on the public sidewalk of the Village in accordance with the plan drawings attached hereto.

That this license allows installation of two bike racks; however that at any time, the Village shall have the right to revoke the license in whole or in part at any time. The bike racks shall be constructed of materials, and installed in a manner that will not cause damage to the existing sidewalk.

Twisted Whisk Cafe shall assume any and all liability whatsoever related to the bike racks and will hold the Village of Bluffton harmless.

Done this the _____ day of _____, 2021.

Et Cetera Shop

Village of Bluffton, Ohio

Approved as to form:

Elliott T. Werth, Village Solicitor

ORDINANCE NO. 03-21

**AN ORDINANCE ESTABLISHING REGULATIONS FOR THE OPERATION OF
SIDEWALK CAFES IN THE VILLAGE OF BLUFFTON, OHIO.**

WHEREAS: It has been determined by the Council of the Village of Bluffton, Ohio that there is a need for local businesses to extend their services to include areas of public property to be recognized as Sidewalk Cafes, and;

WHEREAS: Regulations and permitting criteria will need established to ensure safe and legally compliant conditions are provided, and;

WHEREAS: The changes necessary to achieve the operation of Sidewalk Cafes in Bluffton, Ohio are outlined below.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
BLUFFTON, OHIO:**

SECTION 1: The following quoted text found under Chapter 95 of the Codified Ordinances of the Village of Bluffton, Ohio:

**“Regulating the Use of Skateboards, Roller Skates, Roller Blades and Other
Such Items on All Roadways, Certain Sidewalks and Certain Areas”**

Shall be replaced with:

“Sidewalk Obstructions”

SECTION 2: The following Section shall be added to Chapter 95 of the Codified Ordinances of the Village of Bluffton, Ohio.

95.04 SIDEWALK CAFES.

(a) Notwithstanding any other provision of this chapter, Sidewalk Cafés may be permitted in the Village of Bluffton in accordance with the rules and regulations as promulgated by the Village Administrator and Zoning Department. See Exhibit 95.04(1)

(b) No person or entity shall operate a Sidewalk Café without first obtaining a valid permit from the Zoning Department, and no person or entity shall operate said Sidewalk Café in violation of any rule or regulation promulgated by the Village Administrator of the Village of Bluffton. Any such violation may result in revocation of said Sidewalk Café permit.

SECTION 3: Exhibit 95.04(1) is attached for approval.

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____, 2021 by the governing board of the Village of Bluffton, Ohio by the following vote:

Yes: _____ No: _____ Abstain: _____

Attest:

Fiscal Officer

Mayor

Approved as to Form:

Village Solicitor



Application for Seasonal Event

--Sidewalk Café Permit --

(Applications may require one month or more for review)

Business Name _____

Business Address _____

Business Owner _____ Daytime Phone _____

LICENSE INFORMATION

Current Retail Food Permit No.: _____

Current Liquor Permit No.: _____

Have you ever had a license and/or permit revoked or suspended? NO _____ YES _____
 IF YES ATTACH EXPLANATION.

OPERATIONS PLAN

1. Total square feet of public way to be used: _____

Exact length & width along street(s): _____

Street Name: _____ Length X Width: _____

-Attach additional details if necessary

2. Proposed seating capacity: _____

3. Days and Hours of operation (be specific, include Saturday & Sunday)

Day: _____ Hours: _____

Day: _____ Hours: _____

Day: _____ Hours: _____

Day: _____ Hours: _____

INFORMATION REQUIRED WITH APPLICATION: (check information submitted)

- Proof of Insurance
- Measured drawing of sidewalk café and layout plan (see attached instructions)
- 2 photographs of sidewalk and photos or specs of all proposed sidewalk elements
- Signed, notarized Affidavit
- Check or cash for \$10 (initial application). Make checks payable to the Village of Bluffton
- Check or cash for \$10 (renewal application).

Business Owner Signature _____ Date _____

Date Received	Fee Paid (\$10.00)	Complete Application Date	Final Approval Date	Notes

For office use only

AFFIDAVIT

I, _____, THE AUTHORIZED OWNER/AGENT OF
THE ESTABLISHMENT KNOWN AS _____
LOCATED AT _____ BLUFFTON, OHIO DO
HEREBY ATTEST TO THE FOLLOWING:

- THAT I HAVE REVIEWED THIS APPLICATION AND ALL ENTRIES ARE CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE.
- THAT THERE ARE NO OMISSIONS OF FACT OR ITEMS LOCATED ON THE SIDEWALK, WHERE THE SIDEWALK CAFÉ IS PROPOSED, THAT WOULD PROHIBIT THE CITY OF FINDLAY FROM ISSUING A SIDEWALK CAFÉ PERMIT.
- THAT THERE ARE NO STATE OR LOCAL MUNICIPAL CODE VIOLATIONS THAT HAVE BEEN ADJUDICATED AGAINST MY RETAIL FOOD ESTABLISHMENT WITHIN THE LAST 12 MONTHS PRECEDING THE DATE OF THE APPLICATION, OR
- THAT THE FOLLOWING STATE OR LOCAL MUNICIPAL CODE VIOLATIONS HAVE BEEN ADJUDICATED AGAINST MY RETAIL FOOD ESTABLISHMENT WITHIN THE LAST 12 MONTHS PRECEDING THE DATE OF THE APPLICATION.

- THAT I HAVE READ AND UNDERSTAND THE RULES AND REGULATIONS REGARDING THE OPERATION OF A SIDEWALK CAFÉ WITHIN THE VILLAGE OF BLUFFTON AND WILL ABIDE BY SAID RULES AND REGULATIONS AT ALL TIMES DURING THE TERM OF THE SIDEWALK CAFÉ PERMIT. I FURTHER UNDERSTAND THAT MY FAILURE TO DO SO MAY RESULT IN THE REVOCATION OF SAID SIDEWALK CAFÉ PERMIT.

DATE: _____

SIGNATURE: _____

State of: _____
County of: _____
The forgoing document was acknowledged before me ____ day of _____, _____
_____ Your Name Here, Notary Public
My Commission Expires: _____

ATTACHMENTS REQUIRED

- PLAN OF SIDEWALK CAFÉ AREA.
- DESIGN OF SIDEWALK CAFÉ PLAN ILLUSTRATED WITH ALL ELEMENTS INCLUDED AND EXACT MEASUREMENTS ON 8-1/2 X 11 INCH WHITE PAPER.
- AT LEAST TWO PHOTOS OF THE PROPOSED SITE WHERE SIDEWALK CAFÉ IS TO BE LOCATED.
- NON-REFUNDABLE APPLICATION FEE OF \$10.00 (\$10.00 FOR RENEWAL).
- SIGNED AFFIDAVIT.
- SPECIFICATIONS OF SIDEWALK CAFÉ FURNITURE AND ALL SIDEWALK CAFÉ ELEMENTS PROPOSED TO BE USED AT THE SIDEWALK CAFÉ.
- CERTIFICATE OF INSURANCE NAMING VILLAGE AS ADDITIONAL INSURED WILL BE REQUIRED WITH APPLICATION.
- FINAL INSPECTION BY ZONING DEPARTMENT WILL BE REQUIRED WITH ALL SIDEWALK CAFÉ ELEMENTS IN PLACE
- FINAL PHOTOGRAPH OF APPROVED SIDEWALK CAFÉ SITE WITH ALL SIDEWALK ELEMENTS IN PLACE. (TO BE SUPPLIED LATER)

INSTRUCTIONS

PLANS MUST BE SUBMITTED ON 8-1/2 x 11 INCH PAPER WITH A MEASURED DRAWING OF THE PROPOSED SIDEWALK CAFÉ AREA ATTACHED THERETO.

PLANS MUST SHOW EXACT LENGTH X WIDTH DIMENSIONS.

PLANS MUST DISPLAY LOCATION OF SIDEWALK CAFÉ AND SIDEWALK CAFÉ ELEMENTS.

PLAN MUST INDICATE A MINIMUM OF FOUR (4) FEET OF CLEAR SPACE FOR PEDESTRIAN PASSAGE AND STREET PARKING SETBACK, IF APPLICABLE. ADDITIONAL CLEAR SIDEWALK WIDTH MAY BE REQUIRED WHERE PEDESTRIAN TRAFFIC OR OTHER CIRCUMSTANCES WARRANT.

ALL ITEMS SUCH AS PARKING METERS, FIRE HYDRANTS, LIGHT POLES, SIGNS, BENCHES, TREES ETC. ("ENCROACHMENTS") MUST BE SHOWN ON THE SURVEY IN RELATION TO THE PROPOSED SIDEWALK CAFÉ, AND THE CLEAR SPACE WITH MEASUREMENTS BETWEEN THE SIDEWALK CAFÉ AND THE ENCROACHMENTS CLEARLY IDENTIFIED.

ALL APPLICATIONS MUST INCLUDE AT LEAST TWO (2) PHOTOGRAPHS OF THE EXACT SITE WHERE THE SIDEWALK CAFÉ IS TO BE LOCATED. PHOTOGRAPHS MUST INCLUDE ALL ENCROACHMENTS.

ALL APPLICATIONS MUST INCLUDE A PHOTOGRAPH OR SPECIFICATIONS OF THE FURNITURE AND ALL SIDEWALK CAFÉ ELEMENTS PROPOSED TO BE USED AT THE SIDEWALK CAFÉ.

PLANS SUBMITTED THAT DO NOT MEET THE ABOVE REQUIREMENTS WILL BE RETURNED TO THE APPLICANT FOR REVISIONS.

Exhibit A

**RULES AND REGULATIONS FOR
SIDEWALK CAFÉ PROGRAM**

THE ISSUANCE OF A SIDEWALK CAFÉ PERMIT IS A PRIVILEGE GRANTED BY THE VILLAGE OF BLUFFTON. THE VILLAGE OF BLUFFTON REQUIRES COMPLIANCE WITH ALL RULES AND REGULATIONS AS WELL AS TO HAVE RESPECT FOR THE COMMUNITY IN WHICH THE CAFÉ IS LOCATED. THE ZONING DEPARTMENT WILL MONITOR THE OPERATION OF SIDEWALK CAFÉS AND IS EMPOWERED TO ENFORCE THE RULES AND REGULATIONS CONTAINED HEREIN.

1. Sidewalk café permits shall be issued or renewed for each calendar year. All permits will expire December 31st each year.
2. Sidewalk café hours of operation shall be concurrent with the regularly scheduled hours of operation of the permit holder.
3. All sidewalk café operations shall be subject to and comply with all applicable requirements and standards for a retail food establishment.
 - A. Patrons must wear shoes and shirts at all times.
 - B. All sidewalk cafés must have an opening for ingress and egress at all times.
 - C. All sidewalk cafés must adhere to the size, design, and any other specifications approved by the sidewalk permit all times. Strict adherence to required design standards as set forth herein is mandatory.
 - D. Strict adherence to hours of operation, approved layout of all components of the sidewalk café, clear space for pedestrians and required landscaping is mandatory.
 - E. All State Liquor Licensing laws must be complied with including any and all fencing and/or enclosure requirements.
4. Where the Village has installed a permanent structure such as a fire hydrant, parking meter, planter, bench, light pole or other device, the Permittee of the sidewalk café shall make accommodation for the required clearance for pedestrian passage. Permittees of sidewalk cafés shall be mindful of the rights of pedestrians traveling past their sidewalk café at all times during the operation of the sidewalk café. Complaints regarding sidewalk cafés will be investigated by the Village and violations of the rules and regulations promulgated may result in revocation of Permittee's sidewalk café permit.
5. All areas within and surrounding the sidewalk café must be maintained in a clean, neat and sanitary condition and shall be policed routinely by Permittee to ensure removal of all wrappings, litter, debris and food therefrom. Regular sanitary cleaning of the sidewalk café is required. Sidewalks within and adjacent to the sidewalk café must be washed down and cleaned on a regular basis. The Permittee shall not wash garbage cans or any other container, or their personal property of any nature on the sidewalks. All cleaning must be performed in accordance with applicable federal and state regulations.

6. Sidewalk cafés shall be prohibited from playing amplified music, whether live or recorded, without specific approval from the Zoning Department. "Music" must be listed as an additional element of the sidewalk café and proposed specifications be met with approval.
7. All tables, chairs, plants, planters, and any other items of the sidewalk café, hereinafter defined as Sidewalk Café Elements, shall be approved as part of the permit approval process as set forth in the rules and regulations governing sidewalk cafés. If requested, sidewalk café elements shall be promptly stacked/set aside immediately after the sidewalk café discontinues its daily operation, and must be removed immediately after the Permittee discontinues its daily operations. Stacking or storing of chairs, tables, heaters or any other Sidewalk Café Element in the public right-of-way at any other time is prohibited.
8. The Zoning Department will inspect all sidewalk cafés after permits have been issued and the café is in operation. Any violations of the provisions of these rules and regulations, or any deviation from approved plans or willful omissions of the application may result in revocation of Permittee's sidewalk café permit.
9. Any Permittee or his or her employees, agents or contractors who violate or resist enforcement of any provision of the sidewalk café rules and regulations may be subject to immediate permit revocation.
10. Permittee shall be required to abide by all federal, state and local laws, as well as all rules and regulations applicable to the operation of a Sidewalk Café in the Village of Bluffton. Permittee shall comply with all rules and regulations, design standards, approved site plan and permit documents. Failure to abide by these rules, regulations and documents may result in the revocation of said sidewalk café permit.
11. If Alcohol service is to be provided, Permittee shall comply with any and all applicable state liquor laws.
12. No cooking or preparation of food shall be allowed outdoors.
13. Permittees are responsible for ensuring that the café and its employees and patrons adhere to Village noise and public conduct ordinances.
14. The Village will not be responsible for any damages to persons or property due to and as a result of the operation of any sidewalk café. The Village will not be responsible for any damage, loss or theft of personal property used in the sidewalk café operation.
15. Permittee shall supervise and employ sufficient personnel for the proper supervision and conduct of said café.
16. If Permittee fails to keep the café site clean to the satisfaction of the Village, in addition to possible permit revocation, the Permittee will be responsible for any and all cleanup expenses incurred by the Village as determined by the Village Administrator.
17. Permittee shall reimburse the Village for any and all damages or injury to public property that may arise directly or indirectly from the café and also save the Village harmless and indemnify the Village from any and all claims, actions, damages, or liability arising directly or indirectly from the café of every name and nature, which may arise or be incurred by the Village as a consequence of the granting said sidewalk café permit.

18. Any permit granted under these rules and regulations may be revoked by the Village if the operation of the business constitutes a threat to public health, safety and welfare or for any violation of these rules. In the event a permit is revoked, no refund of any portion of the permit fees shall be made.

19. A permit issued hereunder shall not be assignable.

20. A permit issued hereunder grants to the sidewalk café owner a proprietary right to use the sidewalk café and elements of the sidewalk café and to restrict its use to patrons of the business. Nothing contained herein shall be construed to limit the free movement of the public within the defined clear space.

Exhibit B

Design Standards Sidewalk Cafés

In order to remain consistent with the Village of Bluffton's objective of developing attractive outdoor dining spaces, including the furniture, objects, structures and decor associated therewith, in as much that applicants desiring to use public space for semi-private use as outdoor cafés are enhancing the private interests of their enterprise as well as that of the Village, the following design standards shall apply to establishments seeking permission to erect sidewalk cafés throughout the Village of Bluffton.

I. Space and clearances.

A sidewalk café shall only be permitted on a sidewalk of sufficient width to allow a clear pedestrian path of four feet (4') in addition to the elements of the café. The area designated for the sidewalk café shall be considered an extension of the franchise; therefore, the location of the sidewalk café must be directly in front of the franchise unless approval of adjacent tenants is obtained as set forth below. In the interest of public safety, any location where there is a traffic lane adjacent to the sidewalk, the Permittee must provide for safe, unobstructed access to the sidewalk.

A sidewalk café is required to maintain a clear pedestrian path of four feet (4') minimum at all times. In areas of higher pedestrian traffic or activity, or in situations that suggest the need for additional clearance, the Zoning Department may require a clear pedestrian path greater than four feet. Pedestrian paths shall be free of any and all obstructions such as fire hydrants, benches, trees, parking meters, utility poles, trash receptacles and the like as well as café elements in order to allow adequate pedestrian movement.

Sidewalk cafés shall not interfere with any utilities or other facilities such as street lights, fire hydrants, signs, plantings, parking meters, trash receptacles or benches located on the sidewalk or public right-of-way.

The sidewalk café may not impinge on any required clear distances for maneuvering around entrances or exits. The outdoor dining area shall be accessible to disabled patrons and employees, and buildings adjacent to these areas shall maintain building ingress/egress as required by law.

When a sidewalk café is located at a street corner, or is adjacent to any alley or driveway, vision clearance requirements shall be considered prior to approval of any permit. The Zoning Department may impose additional restrictions and/or deny the permit where public safety could be jeopardized.

II. Furniture, objects, structures and decor.

Tables, chairs, umbrellas, awnings, barriers and any other object associated with a sidewalk café ("Sidewalk Café Elements") shall be non-flammable and of quality design, materials and workmanship both to ensure the safety and

convenience of users and to enhance the visual and aesthetic quality of the urban environment. All Sidewalk Café Elements shall be reviewed as a part of the sidewalk café permitting process. In reviewing Sidewalk Café Elements, the character and appropriateness of design including but not limited to scale, texture, materials, color and the relation of the Sidewalk Café Elements to the adjacent establishments, to features of structures in the immediate surroundings, as well as to the streetscape and adjacent neighborhood(s), if applicable.

Tables and chairs for sidewalk dining shall be placed in the area designated for sidewalk dining only. Appropriate density of tables and chairs is to be reviewed during the permit process and may be affected by specific conditions of the location. Table sizes should be kept to a minimum so as not to cause crowding, a disturbance, or a nuisance.

Permanent structures in sidewalk cafés are not permitted. All furniture, umbrellas or other Sidewalk Café Elements shall not be attached permanently to the sidewalk or public right-of-way. The Permittee shall be responsible for the restoration of the sidewalk or public right-of-way if any damage is caused as a result of the issuance of the sidewalk café permit.

Paper products for the consumption of food or beverages, including napkins, are not permitted at sidewalk cafés. All service ware and café elements including but not limited to cups, glasses, plates, dishes, bowls and vases etc. shall be of an unbreakable material for safety purposes.

III. Overhead structures

Umbrellas and any type of temporary overhead structure may be utilized if identified and approved during the sidewalk café permitting process. All umbrellas shall be weather resistant non-flammable. The use of overhead structures over the outdoor dining areas and removable umbrellas may be permitted provided they do not interfere with trees and other Village property along the Village right-of-way. No portion of the umbrella shall be less than seven feet (7') above the sidewalk. Umbrellas and any type of overhead structure shall be designed to be secure during windy conditions and shall be weather resistant.

Awnings, either permanent or temporary, may be utilized if identified and approved during the sidewalk café permitting process. Awnings shall have no support posts located within the public right-of-way, and no portion of an awning shall be less than eight feet (8') above the sidewalk. A building permit must be obtained prior to the installation of an awning and is subject to all applicable code sections of the Code of Codified Ordinances of the Village of Bluffton.

IV. Signage.

Signs advertising the sale of goods or services at a sidewalk café shall be permitted so long as they have been included in the sidewalk plan and have been approved. No such signs shall be located within or obstruct any clear space or setback required herein. Menus shall be designed in order to prevent debris from littering the right-of-way. A sign posted in a visible location is required at every sidewalk café, which states, "It is unlawful to consume alcoholic beverages not purchased at Permittee's establishment or its sidewalk café or to remove alcoholic beverages from the sidewalk café."

V. Lighting.

Lighting for sidewalk cafés may be utilized if identified and approved during the sidewalk café permitting process. Any such lighting shall complement the existing building and sidewalk café design and shall not cause a glare to passing pedestrians or vehicles. Electrical wires shall not be permitted to access the sidewalk café area. Possible lighting sources include tabletop candles or low wattage battery operated fixtures. Additional lighting may be attached to the Permittee's adjacent establishment provided Permittee obtains all necessary approvals for such lighting from the Village and complies with all applicable code sections of the Code of Codified Ordinances of the Village of Bluffton.

VI. Outdoor heaters.

Outdoor heaters may be utilized if identified and approved during the sidewalk café permitting process and so long as it complies with all applicable code sections of the Code of Codified Ordinances of the Village of Bluffton.

VII. Vending machines, carts prohibited.

No vending machines, carts, vehicles (beer wagons, concession stands, etc.) or objects for the sale of goods shall be permitted in a sidewalk café.

VIII. Service and use

All services provided to patrons of a sidewalk café and all patron activity (i.e., sitting, dining, waiting, etc.) shall occur within the designated sidewalk café area, and shall not impinge on the required clear distance for pedestrian passage at any time.

No alcoholic beverages may be stored or mixed in the sidewalk café area. Equipment necessary for the dispensing of any other items should be reported as part of the operation of the sidewalk café and is subject to review.

The franchise must provide supervision of the sidewalk café area to ensure the conduct of patrons and operations of the area are in compliance with this ordinance at all times.

Sidewalk Cafés, with the written consent of the owner of the adjacent property, may be extended onto the property immediately adjacent to the Permittee's property. However, the permission to do so and the plan to do so must be included with the application. In no event shall alcoholic beverages of any type be sold and/or consumed on any such adjacent property.

IX. Insurance required

Each Permittee of a sidewalk café permit shall furnish a certificate of insurance evidencing commercial general liability insurance with limits of not less than \$600,000 per occurrence, \$1,000,000 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability. The insurance

shall provide for 30 days prior written notice to be given to the Village of Bluffton if coverage is substantially changed, canceled or non-renewed.

The Village of Bluffton shall be named as an additional insured on a primary noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café; and the Permittee shall indemnify, defend and hold the Village harmless from any loss that results directly or indirectly from the permit issuance or the operation of the sidewalk café.

In addition, if alcoholic beverages will be served at the sidewalk café, the Permittee shall provide proof of liquor liability insurance for the sidewalk café, with limits of not less than \$1,000,000 in such type as shall be acceptable to the Village. Village shall be named an additional insured and shall provide for 30 days prior written notice to be given to the Village of Bluffton if coverage is substantially changed, canceled or non-renewed.

Each Permittee shall maintain the insurance coverage required under this section during the permit period. The certificate(s) of insurance shall be presented to the Village as part of the permitting process. Failure of the Permittee to maintain the insurance required by this section shall result in the revocation of the sidewalk café permit.

In order to receive a permit for a sidewalk café on a public right-of-way, the applicant must demonstrate that the provisions of these guidelines will be met. Documentation demonstrating that the provisions of this guideline will be complied with must accompany the application in order to receive a permit. A sidewalk café permit will not be issued to a Permittee until after the zoning department has conducted a site inspection of the approved sidewalk café and all Sidewalk Café Elements placed therein to ensure that the sidewalk café and all Sidewalk Café Elements are in compliance with the approved permit and that the Permittee is in compliance with all other requirements of the permit.

ORDINANCE NO. 04-21

AN ORDINANCE ESTABLISHING SANITARY SEWER REGULATIONS FOR THE VILLAGE OF BLUFFTON, OHIO AND REPEALING ALL OTHER ORDINANCES TO THE SAME EFFECT.

WHEREAS: In the interest of public health and safety, the Village of Bluffton has determined it necessary to establish a comprehensive set of enforceable regulations regarding the Village owned and operated sanitary sewer system; and

WHEREAS: The Council of the Village of Bluffton finds that a series of Resolutions and Ordinances may be required to complete this program, this Ordinance is deemed to be the primary Ordinance by establishing a new Chapter: Chapter 52: Sanitary Sewer Regulations; and

WHEREAS: All prior Ordinances and policies inconsistent therewith need to be repealed or eliminated.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BLUFFTON, OHIO:

SECTION 1: Title V: Public Works of the Codified Ordinances of the Village of Bluffton, Ohio shall take the following organizational structure:

- Chapter 50: Garbage and Recycling
- Chapter 51: Water Regulations
- Chapter 52: Sanitary Sewer Regulations
- Chapter 53: Storm Sewer Regulations
- Chapter 54: Utility Rates and Charges

SECTION 2: Chapter 52: Sanitary Sewer Regulations is attached as Exhibit 1 to be adopted into the Codified Ordinances of the Village of Bluffton, Ohio.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____ 2021 by the governing board of the Village of Bluffton, Ohio by the following vote (2/3 required):

Yes: _____ No: _____ Abstain: _____

Attest:

Fiscal Officer

Mayor

Approved as to Form:

Village Solicitor

BLUFFTON PUBLIC WORKS
CHAPTER 52: SANITARY SEWER REGULATIONS

SECTION

CROSS REFERENCES	3
Power to License Sewer Tappers and Vault Cleaners - See Ohio R.C. 715.27.....	3
Power to Regulate Water Closets and Privies - See Ohio R.C. 715.40.....	3
Power to Construct Sewerage System - See Ohio R.C. 715.40, 717.01.....	3
Compulsory Sewer Connections - See Ohio R.C. 729.06.....	3
Sewerage Rates - See Ohio R.C. 729.49.....	3
Regulations to Control House Sewers and Connections - See Ohio R.C. 729.51.....	3
Weekly Deposit of Sewer Rentals Collected - See Ohio R.C. 729.52.....	3
Untreated Sewage - See Ohio R.C. 3701.59.....	3
Interference with Sewage Flow - See Ohio R.C. 4933.24.....	3
Sewerage Districts - See Ohio R.C. 727.44 Et Seq.	3
Assessments - See Ohio R.C. Ch. 729.....	3
Household Sewage Disposal Systems - See OAC Ch. 3701-29.....	3
GENERAL PROVISIONS	3
52.100 Definitions.....	3
52.101 Operation of Sewer Utility	10
52.102 Compliance with State and Federal Law.....	11
52.103 Right of Entry.....	11
52.104 Responsibility for Obstructing or Damaging Sewers.....	11
52.105 Special Agreements.....	11
BUILDING SEWERS AND CONNECTIONS	11
52.200 Permit Required for Sewer Connections	12
52.201 Owner's Liability; Duty to Ideminify Village.....	12
52.202 Requirement of Separate Sewers; Exemption	12
52.203 Use of Old Building Sewers.....	12
52.204 Ownership of Building Sewers.....	12
52.205 Building Sewer Construction standards	12
52.206 Excavations	13
52.207 Control Manhole.....	13
52.208 Inspection	14
52.209 Grinder Pump Requirements	14

52.210 Illicit Connections to the Sewer14

52.211 Grease, Oil and Sand Interceptors.....15

WASTEWATER ADMISSIBILITY.....17

52.300 Unlawful Activity.....17

52.301 Discharge of Storm Water and Other Unpolluted Drainage.....18

52.302 Privy, Privy Vaults, Cesspools or Septic Tanks18

52.303 General Prohibited Discharges19

52.304 Specific Prohibited Discharges.....20

52.305 Dilution.....20

52.306 Right to Revision.....20

52.307 Temporary Discharge Permit.....20

52.308 Septage Receiving.....21

RATES AND CHARGES23

52.500 Definitions23

52.501 Collection23

52.502 Connection Charge.....24

52.503 Billings24

ENFORCEMENT24

52.900 Authorization of Village to Enforce24

52.901 Notice of Violations24

52.902 Administrative Fines25

52.903 Emergency Suspension.....25

52.904 Termination of Discharge.....25

52.905 Cost Recovery25

52.906 Remedies Nonexclusive26

52.907 Unpaid Charges.....26

52.908 Right to Appeal26

FORMS

CROSS REFERENCES

Power to License Sewer Tappers and Vault Cleaners - See Ohio R.C. 715.27
Power to Regulate Water Closets and Privies - See Ohio R.C. 715.40
Power to Construct Sewerage System - See Ohio R.C. 715.40, 717.01
Compulsory Sewer Connections - See Ohio R.C. 729.06
Sewerage Rates - See Ohio R.C. 729.49
Regulations to Control House Sewers and Connections - See Ohio R.C. 729.51
Weekly Deposit of Sewer Rentals Collected - See Ohio R.C. 729.52
Untreated Sewage - See Ohio R.C. 3701.59
Interference with Sewage Flow - See Ohio R.C. 4933.24
Sewerage Districts - See Ohio R.C. 727.44 Et Seq.
Assessments - See Ohio R.C. Ch. 729
Household Sewage Disposal Systems - See OAC Ch. 3701-29

GENERAL PROVISIONS

53.100 DEFINITIONS

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicate or require a different meaning.

ACT. The Federal Water Pollution Control Act, (Pub. L, 92-500) also known as the Clean Water Act of 1977, as amended, 33 U.S.C. §§ 1251 *et seq.* (Pub. L. 95-217); as well as any guidelines, limitations and standards promulgated by the Environmental Protection Agency pursuant to the Act.

ASCE. American Society of Civil Engineers.

ASSISTANT VILLAGE ADMINISTRATOR. Operations Manager of WASTEWATER TREATMENT PLANT and sewer systems. Hired by, and reports to, Village Administrator.

BIOCHEMICAL OXYGEN DEMAND (or B.O.D.). Of sewage, sewage effluent, polluted waters or industrial wastes, shall mean the quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures for 5 days at 20° C. The laboratory determinations shall be made in accordance with procedures set forth in *Standard Methods*.

BUILDING (or HOUSE) DRAIN. The lowest horizontal piping of a building drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the foundation wall of the building.

BUILDING DRAIN, SANITARY. A building drain which conveys sanitary or industrial sewage only.

BUILDING DRAIN, STORM. A building drain which conveys storm water or other clean water drainage, but no wastewater.

BUILDING (or HOUSE) LATERAL SEWER. The extension from the building drain to the public sewer system or other place of disposal.

BUILDING SEWER, SANITARY. A building lateral sewer which conveys sanitary or industrial sewage only.

BUILDING SEWER, STORM. A building lateral sewer which conveys stormwater or other clear water drainage, but no sanitary or industrial sewage.

CHEMICAL OXYGEN DEMAND (or C.O.D.). Of sewage, sewage effluent, polluted waters or industrial wastes, is a measure of the oxygen equivalent of that portion of the organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant. The laboratory determination shall be made in accordance with procedures set forth in *Standard Methods*.

CFR. Code of Federal Regulations.

COMPATIBLE POLLUTANTS. Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants if the treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree. The term substantial degree is not subject to precise definition. Based upon normal domestic waste, substantial degree generally contemplates removals in the order of 80% or greater. Minor incidental removals in the order of 10% to 30% are not considered substantial. Examples of the additional pollutants which may be compatible include:

- (1) Chemical oxygen demand.
- (2) Total organic carbon.
- (3) Phosphorus and phosphorus compounds.
- (4) Nitrogen and nitrogen compounds; and
- (5) Fats, oils and greases of animal or vegetable origin.

except as prohibited where these materials would interfere with the operation of the treatment works.

COMPOSITE SAMPLE. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

DAILY DISCHARGE. Discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar for purposes of sampling.

DOMESTIC SEWAGE. Wastewater from typical residential users and having pollutant characteristics of not greater than 250 mg/l BOD, 250 mg/l total suspended solids, 25 mg/l nitrogen compounds and 8 mg/l phosphorus compounds.

DOMESTIC SEPTAGE. Liquid and/or semi-solid material removed from a septic tank, septic system, cesspool, portable toilet, or other similar treatment or storage works, that is generated only by non-commercial or non-industrial users.

EASEMENT. An acquired legal right for the specific use of land owned by others.

EFFLUENT. Water, together with any wastes that may be present, flowing out of a drain, sewer, receptacle, or outlet.

ENVIRONMENTAL PROTECTION AGENCY, OR EPA. The U.S. Environmental Protection Agency, Ohio EPA, or where appropriate the term may also be used as a designation for the Village Administrator or other duly authorized official of said agency.

FECAL COLIFORM. Any of a number of organisms common to the intestinal tract of humans and animals, whose presence in sanitary sewage is an indicator of pollution.

FLOATABLE OIL. Oil, fat or grease in a physical state such that will separate by gravity from wastewater by treatment in an approved pretreatment facility.

GARBAGE. Solid wastes resulting from the handling, preparation, cooking, dispensing, storage, sale, and serving of food.

GRAB SAMPLE. A sample which is taken from a waste stream on a 1-time basis with no regard to the flow in the waste stream and without consideration of time.

FATS, OILS, GREASES (FOG). A group of substances, including hydrocarbons, fatty acids, soaps, fats, waxes, oils or any other material, that is extracted by a solvent from an acidified sample and that is not volatilized during the laboratory test procedures. Greases and oils are defined by the method of their determination in accordance with *Standard Methods*.

GREASE AND OIL OF ANIMAL AND VEGETABLE ORIGIN. Substances of biodegradable nature such as are discharged by meatpacking, vegetable oil and fat industries, food processors, canneries, and restaurants.

GREASE AND OIL OF MINERAL ORIGIN. Substances that are less readily biodegradable than grease and oil of animal or vegetable origin; and are derived from a petroleum or synthetic sources. Such substances include machinery lubricating oils, gasoline station wastes, petroleum refinery wastes, and storage depot wastes.

HOLDING TANK WASTE. Any waste from holding tanks, such as chemical toilets, campers, trailers, septic tanks, vacuum pump trucks, and the like.

INCOMPATIBLE POLLUTANT. Any pollutant that is not defined as a compatible pollutant, including non-biodegradable solids.

INDUSTRIAL WASTES. Any solid, liquid, or gaseous substance or form of energy discharged, permitted to flow, or escape from an industrial, manufacturing, commercial, or business process, or from the development, recovery, or processing of any natural resource carried on by a person and shall further mean any waste from an industrial user.

INFILTRATION. The water entering a public sewer system, including building lateral sewer service connections, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls.

INFILTRATION/INFLOW. The total quantity of water from surface and/or ground sources without distinguishing the source.

INFLOW. The water discharged into a public sewer system, including building lateral sewer service connections from such sources as, but not limited to, roof drains, cellar, yard and area drains, foundation drains, cistern overflows, cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, catch basins, storm waters, surface run-off, street wastewaters or drainage. Inflow does not include and is distinguished from infiltration.

INFLUENT. The water, together with any wastes that may be present, flowing into a drain, sewer, receptacle, or outlet.

INSPECTOR. The person or persons duly authorized by the Village through the Village Administrator to inspect and approve the installation of building sewers and their connection to the public sewer system.

INTERFERENCE. A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) Inhibits or disrupts the sewage works, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods; and
- (2) Therefore, is a cause of a violation of any requirement of the Village's NPDES permit (including an increase in the magnitude or duration of a violation) of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent federal, state, or local laws, rules, or regulations: Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

INSPECTION OPENING. (Clean-Out) An access point to a sanitary service lateral installed for the purposes of inspecting and cleaning of the sanitary service lateral.

LOCAL LIMIT. Specific discharge limits developed and enforced by the Village of Bluffton upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5 (a)(1) and (b).

MAY. Indicates a discretionary condition.

MUNICIPALITY. Means the Municipality of Bluffton, Ohio.

NATURAL OUTLET. Any outlet, including storm sewers and overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES) PERMIT. A permit a permit issued to a POTW pursuant to section 402 of the Act and Chapter 6111. Of the Ohio Revised Code.

NON-COMPLIANCE FEE. A combined administrative and penalty fee assessed to sewer customers who fail to comply with any corrective action so ordered by the Village, or who fail to cooperate with any inspection or investigative actions deemed necessary by the Village.

NUISANCE. Anything which is injurious to health or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property.

OAC. Ohio Administrative Code

OPERATION AND MAINTENANCE COSTS. Costs, including labor, materials, supplies, equipment accessories and appurtenances, required to operate the facilities, keep the facilities in operating condition and maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.

ORC. Ohio Revised Code

OTHER SERVICE CHARGES. Tap charges, connection charges, area charges and other identifiable charges other than user charges, debt service charges and excessive strength surcharges.

PASS THROUGH. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, partnership, co-partnership, joint stock company, trust, estate, association, society, institution, enterprise, governmental agency, the State of Ohio, the United States of America, or other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

pH. The logarithm (to the base 10) of the reciprocal of the hydrogen ion activity of a solution expressed in gram atoms per liter of solution.

PHOSPHORUS. The total phosphorus content of a sample including all the orthophosphates and condensed phosphates, both soluble and insoluble, and organic and inorganic species and referred to in *Standard Methods* as total phosphorus.

POLLUTANT. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

POLLUTION. An alteration of the quality of the waters of the state by waste to a degree which unreasonably affects such waters for beneficial uses or facilities which serve such beneficial uses. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

PREMISES. A parcel of real estate, including any single improvement thereon, which is determined by the Village to be a single user for purposes of receiving, using, and payment for service. Any additional improvement on the same parcel of real estate which is determined by the Village to be a user shall be separately connected to the sewer for the purpose of receiving, using, and payment for service.

PRIVATE SEWER. A pipe or conduit which is not owned by public authority.

PROPER OPERATION AND MAINTENANCE. Procedures executed in a prudent, cost-effective, and workmanlike manner which achieve the highest and/or required effluent quality of industrial discharge attainable in conformance with the best available technology and practices. Proper operation and maintenance requirements include avoidance of operational error, adherence to manual instructions, preventive maintenance, avoidance of careless or improper operation, neat accurate sampling, the handling of chemicals, lubricants, solvents, and the like in a safe and organized manner, avoidance of accidental spillage, keeping operating logs, and any other activities which produce the desired effluent quality.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

PUBLIC SEWER. A pipe or conduit which is owned and controlled by the Village and will consist of the following increments:

- (1) **COLLECTOR SEWER.** A sewer whose primary purpose is to collect wastewaters from individual point source discharges.
- (2) **FORCE MAIN.** A pipe in which wastewater is carried under pressure.
- (3) **INTERCEPTOR SEWER.** A sewer whose primary purpose is to transport wastewater from collector sewers to a treatment facility.
- (4) **PUMPING STATION.** A station positioned in the public sewer system at which wastewater is pumped to a higher level.

PUBLICLY OWNED TREATMENT WORKS (POTW). A treatment works owned in this instance by the Village, except that it does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or compatible industrial wastes. Also referred to as Wastewater Treatment Plant (WWTP).

RECEIVING STREAM. The watercourse, stream, or body of water receiving the waters finally discharged from the wastewater treatment plant.

REPLACEMENT COSTS. The expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the sewage works equipment to maintain the capacity and performance for which such works were designed and constructed.

SANITARY SEWER. A pipe or conduit laid for carrying wastewater and to which storm, surface, and ground waters and unpolluted industrial wastewater are not intentionally admitted.

SEWAGE. The spent water of a community. The preferred term is "Wastewater".

SEWAGE WORKS. All facilities for collecting, transporting, pumping, treating, and disposing of sewage and sludge.

SEWER. A pipe or conduit that carries wastewater or storm water.

SEWERAGE SYSTEM. The sewerage system shall be classified as sanitary sewers and storm sewers.

SHALL. Indicates a mandatory condition.

SLUDGE. Any solid, semi-solid or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other waste having similar characteristics and effects as defined in standards issued under Section 402 and 405 of the Federal Act and in the applicable requirements under §§ 3001, 3004 and 4004 of the Solid Waste Disposal Act, Pub. L. 94-580, being 42 USC §§ 6901 *et seq.*

SLUG. Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

STANDARD METHODS. The laboratory procedures set forth in the latest edition, at the time of analysis, of *Standard Methods for the Examination of Water and Wastewater* prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

STORM SEWER. A pipe or conduit laid for receiving storm and surface water, street wash, or drainage, but excludes domestic sewage or industrial waste.

STORM WATER. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

TOTAL SUSPENDED SOLIDS (TSS). Solids which either float on the surface of or are in suspension in water, sewage, or other liquid and which are removable by laboratory filtration. Their concentration shall be expressed in milligrams per liter. Quantitative termination shall be made in accordance with procedures set forth in *Standard Methods*.

TOXIC POLLUTANT. Those substances referred to in Section 307 (a) of the Clean Water Act as well as any other known potential substances capable of producing toxic effects.

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to sanitary sewers and wastewater treatment facilities provided.

UPSET. An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the standards set forth in this chapter due to factors beyond the reasonable control of the user, and excluding noncompliance to the extent caused by operational error, lack of preventive maintenance, or careless or improper operation thereof.

USER. Any person that discharges, causes, or permits the discharge of wastewater into the sewerage system.

USER CHARGE. A charge levied on users of the wastewater treatment works for the cost of operation and maintenance of such works pursuant to Section 204(b) of Pub. L. 92-500, being 33 USC § 1284.

USER CLASS. The division of wastewater treatment customers by source, function, waste characteristics, and process or discharge similarities (such as, residential, commercial, industrial, institutional and governmental).

(1) **COMMERCIAL USER.** Any establishment involved in a commercial enterprise, business or service which, based on a determination by the Village, discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

(2) **GOVERNMENTAL USER.** Any federal, state or local governmental user of the wastewater treatment works.

(3) **INDUSTRIAL USER.** Any manufacturing or processing facility that discharges industrial waste to a publicly owned treatment works.

(4) **INSTITUTIONAL USER.** Any establishment involved in a social, charitable, religious and/or educational function which, based on a determination by the Village, discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

(5) **RESIDENTIAL USER.** A user of the treatment works whose premises or building is used primarily as a residence for one (1) or more persons, including all dwelling units, and the like.

UTILITY FEE SCHEDULE. A summary of charges and fees relating to the use of the Village's utilities.

VILLAGE. Means the Village of Bluffton, Ohio.

VILLAGE ADMINISTRATOR. The administrative head of the Village as defined in OAC 735.271 and 735.273.

VILLAGE COUNCIL. The elected legislative authority of the Village pursuant to ORC 731.09.

VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated at 550° C for 15 to 20 minutes.

WASTE. Includes sanitary sewage and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, processing, manufacturing, or industrial operation of whatever nature, including such waste placed within containers of whatever nature prior to and for purposes of disposal.

WASTEWATER. The water-carried waste from residences, businesses, and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.

WASTEWATER CONSTITUENTS AND CHARACTERISTICS. The individual chemical, physical, bacteriological, and radiological parameters, including volume, flow rate, and such other parameters that serve to define, classify, or measure the contents, quality, quantity, and strength of wastewater.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

WATERS OF THE STATE. Any water, surface or underground, within the boundaries of the State of Ohio, except confined waters in sewers, tanks, and the like.

WEF. The Water Environment Federation

52.101 OPERATION OF SEWER UTILITY

(A) The management, control and operation of the Village of Bluffton's sanitary sewage works is hereby vested in the Village Council and Public Works Department.

(B) This chapter sets forth uniform requirements for users of the sanitary sewage works and enables the Village to comply with all applicable state and federal laws required by the Clean Water Act of 1977

(C) This chapter shall apply to the Village and to persons outside the Village who are, by contract or agreement with the Village, users of the sanitary sewage works. Except as otherwise provided herein, the Village shall administer, implement, and enforce the provisions of this chapter.

52.102 COMPLIANCE WITH STATE AND FEDERAL LAW

(A) All provisions of this chapter and limits set herein shall comply with any applicable state and/or federal requirements currently in effect.

52.103 RIGHT OF ENTRY

(A) The Public Works Department and other duly authorized employees or agents of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

(B) While performing the necessary work on private properties referred to in Section 53.103(A), the Public Works Department shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

(C) The Public Works Department or agents of the Village of Bluffton bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

52.104 RESPONSIBILITY FOR OBSTRUCTING OR DAMAGING SEWERS

If a public sewer becomes obstructed or damaged because any of the substances identified in this ordinance were improperly discharged, the person or persons responsible for such discharge shall be billed and shall pay for the expenses incurred by the Public Works Department in cleaning out, repairing, or rebuilding the sewer.

52.105 SPECIAL AGREEMENTS

No statement contained in this chapter shall be construed as prohibiting any special agreement or arrangement between the Village and any person whereby an industrial waste of unusual strength or character may be accepted by the POTW for treatment whether with or without pretreatment, provided that such agreement does not violate National Categorical Pretreatment Standards for the specific category of industrial user, provided that there is not impairment of the functioning of the sewage works by reason of the admission of such wastes, and provided that no extra costs are incurred by the Public Works Department without recompense by that person.

BUILDING SEWERS AND CONNECTIONS

52.200 PERMIT REQUIRED FOR SEWER CONNECTIONS

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written Zoning Building Permit from the Village Administrator, or designated appointee.

(B) There shall be one class of building sewer permits. The owner or his agent shall make application on a Zoning Building Permit furnished by the Village. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Village Administrator, or designated appointee. A tap fee shall be paid in conjunction with the permit application in accordance with the Utility Fee Schedule.

52.201 OWNER'S LIABILITY; DUTY TO IDEMINIFY VILLAGE.

(A) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(B) The owner of real estate for which a building sewer has been installed, is financially and otherwise responsible for the proper operation and maintenance of the building sewer, from the building itself to the edge the property line, or to the public right of way.

52.202 REQUIREMENT OF SEPARATE SEWERS; EXEMPTION

All structures shall have an individual sanitary service lateral, although some larger structures may require additional service laterals. Commercial and industrial structures shall not share a service lateral with any other structure.

1. Exemptions. Under certain circumstances, and with the approval of the Village Administrator, single-family residential structures on adjacent or adjoining lots, or structures constructed on the same lot, may be permitted to share a single service lateral. Any approved shared service lateral must be installed to specifications listed in Section 53.204, with the addition of an Inspection Opening on each service lateral within one foot of the individual connection to the shared service lateral.

52.203 USE OF OLD BUILDING SEWERS

Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by the Inspector, to meet all requirements of this chapter. All testing as required by the Village shall be the responsibility of the building Owner requesting connection to the old building sewers.

52.204 OWNERSHIP OF BUILDING SEWERS

Upon adoption of this chapter, property owners are responsible for building sewers or laterals from the building to the property line, right-of-way, or easement. Any building sewer or lateral replaced or installed after the adoption of this chapter, and upon a passing inspection from the Village, including the absence of all inflow and infiltration, will be under ownership of the Village, from the right of way or property line to the sewer main and the property owner will be responsible from the right of way or property line to the building.

52.205 BUILDING SEWER CONSTRUCTION STANDARDS

(A) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, joint testing and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence

of code provisions or in amplification thereof, the materials and procedures shall comply with the specifications of the ASCE Manuals and Reports on Engineering Practice No. 60 WEF Manual of Practice No. FD-5.

(B) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(C) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, sump pumps or other sources of surface run-off or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(D) All exterior sanitary sewer pipes shall be constructed of six-inch (6") pipe, or larger where applicable, of gasketed polyvinyl chloride (PVC) SDR 35 pipe. Solvent-weld pipe shall not be permitted. Sewers must have a gradual fall of not less than one foot per one hundred feet of length, or 1/8" per foot, with no sharp breaks in grade. Changes in direction must be made with 22° or 45° fittings or wyes. 90° fittings are only permitted where a service lateral makes a vertical drop. Sewer pipes shall be bedded and backfilled to a minimum of 12" above the top elevation of the sewer with #8, #57, or #67 stone or gravel.

1. Sewer excavations made within the paved area of any street, road, driveway, or under any area where a sidewalk will be constructed, shall be backfilled to the bottom edge of any existing pavement or sidewalk with either #57 stone, or compacted #304 stone. Any street excavation that will not be immediately paved over shall be topped off with a minimum of three-inches (3") of compacted #411 stone or gravel, or a minimum of three-inches (3") of compacted cold mix asphalt.

2. No sanitary sewer shall be constructed within ten-feet (10') of any potable water line. If a sanitary sewer must cross a potable water line, the sewer shall cross under the water line with a minimum of eight-teen inches (18") of clearance. All sanitary sewers shall be installed to maintain a minimum five-foot (5') distance from any other public or private utility, and at no time shall any other utility, either private or publicly-owned, share or be installed in the same trench as a sanitary sewer.

(E) Inspection Openings (clean-outs) shall be installed within ten feet of the edge of the building served, and every one-hundred feet thereafter. Inspection openings shall consist of a six-inch (6") diameter straight tee, clean-out tee, or a two-way clean-out. Four-inch (4") inspection openings are permitted, but only within ten-feet (10') of the building served. Wyes shall not be used for inspection openings. Inspection openings shall be topped with a threaded clean-out plug and shall terminate at or just below finished grade. Inspection openings installed within a paved or gravel driving surface shall be topped with an approved cast-iron clean-out cover.

52.206 EXCAVATIONS

(A) All excavations for building sewer installations must be adequately guarded with barricades and lights to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

52.207 CONTROL MANHOLE

Each user discharging industrial wastes into a public sewer shall install a suitable control manhole(s) with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes, including domestic sewage. Such manhole(s), when required, shall be accessible, safely located, and constructed in accordance with plans approved by the Public Works

Department. The manhole(s) shall be installed by the owner at his expense and shall be maintained by him to be safe and accessible at all times.

52.208 INSPECTION

(A) Agents of the Village shall be allowed entry into the properties, including houses, which are connected to the Village's sanitary sewer for the purposes of inspecting and testing the plumbing and associated connections. The Village of Bluffton shall make advance notice of said inspection and shall coordinate with property or facility owners. Notice of inspection and the conduction of inspections shall conform with the Sanitary Compliance Inspection program.

(B) No excavation of any public street or right-of-way, or connection, tapping, or opening of public sewer shall occur without 48 hours written notice to the Village Administrator, or designee. The work may not proceed until written approval of the Village Administrator, or designee, is obtained. All excavations for building sewer installation shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village. All backfilling of the excavation made for such connection shall comply with approved sewer construction standards.

52.209 PRIVATELY OWNED SANITARY LIFT PUMP REQUIREMENTS

(A) Property owners with new or existing sanitary lift or grinder pumps are responsible for operations and maintenance of the pump(s) and appurtenances.

52.210 ILLICIT CONNECTIONS TO THE SEWER

(A) No property owner, occupant, user, or person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, unpolluted water, or unpolluted industrial process waters to any sanitary sewer. Illicit connections include, but are not limited to sump pumps, foundation drains, French drains, yard drains, gutter downspouts, cistern overflow pipes, and any other stormwater drainage receptacle(s).

(B) Stormwater, unpolluted industrial cooling waters, and process waters may be discharged, upon approval of the Village Administrator and other regulatory agencies, to public stormwater facilities or a natural outlet.

(C) Removal of Illicit Connections Required.

(1) Whenever the Village Administrator finds that any provision of subsection (A) or (B) hereof is being violated, a written order shall be issued to the person responsible for the removal, elimination, or correction of such condition(s), to remove such connectors or drains from such sanitary sewer within thirty (30) days after service of such order.

(2) The service of such order, as mentioned herein, shall be made in person by a representative of the Village where possible. Where not possible, delivery of such order shall be made by Certified Mail.

(D) Non-Compliance Fee for Illicit Connection.

(1) Every person owning property shall allow an employee or agent of the Village, a designated representative of the Village, or a licensed plumber, acting on the Village's behalf with the consent of the owner, to inspect the building to determine if sump pumps or other prohibited discharges are connected to the sanitary sewerage system.

(2) Any property found to have an illicit connection, either direct or indirect, to the sanitary sewerage system shall receive a written notice from the Village that necessary repairs be completed and furnish proof of the repairs to the Village within thirty (30) days of notification of said violation.

(3) Upon confirmation of the elimination of the illicit connection, the illicit connection will be considered resolved and no further action will be taken.

a. Nothing in this section prohibits the Village of Bluffton from granting an extension to property or facility owners in order to comply with this ordinance.

(4) If the illicit connection is not corrected, or a property owner refuses to schedule a Sanitary Compliance Inspection or refuses to permit access to conduct said inspection within ninety (90) days of the first written notice, the facility or property owner will be subject to a Non-Compliance Fee. The fee covers the cost for treating the extraneous flow or potential extraneous flow contributed to the sewerage system. The fee will be in addition to all other sanitary sewer user charges and will be added to the property owner's utility bill each month until the property is compliant with this ordinance.

(5) To remove the Non-Compliance Fee, the owner of the subject property shall request, in writing, an inspection by the Village. An inspection will be scheduled with the facility or property owner within ten days of the receipt of the inspection request. If the inspection reveals no illicit connections, then the Non-Compliance Fee will be removed during the next utility billing cycle.

(6) Fees are listed in the Utility Fee Schedule which may be revised from time to time by the Village Council.

52.211 FAT, OIL, GREASE & SAND (FOGS) INTERCEPTORS

(A) Fat, oil, grease and sand interceptors shall be required for users of the POTW, whereas the user is included in the categories below.

- a. All food service establishments, including but not limited to bakeries, butcher shops, cafes, clubhouses, commercial kitchens, delicatessens, ice-cream parlors, restaurants, schools, hospitals, meat-packing plants, fat-rendering plants, soap factories, or any similar facility, especially where meat, poultry, seafood, dairy products, or fried foods are prepared or served;
- b. All shopping centers that have food service or processing facilities,
- c. All commercial auto washing facilities, motor vehicle repair shops,
- d. All assisted-living facilities, nursing homes, childcare facilities,
- e. All other facilities discharging or having the potential to discharge FOGS into the POTW.
 1. Any other user, facility, business, or operation determined by the Village Administrator or designee, by the County Board of Health, or County Sanitary Engineer, where the user discharges, or has the potential to discharge FOGS in amounts or concentrations, that such discharges will negatively impact the operation of the POTW.
 2. Exemption. The Village Administrator or designee, may, under specific circumstances, exempt a user from these requirements, provided that the user can submit proof (via engineering documents and/or chemical analysis) that the users discharges shall not negatively impact the POTW. This does not exempt the user from any future requirements imposed by the Village in regard to changes in levels of FOGS in the user's discharges. Any user desiring an Interceptor Exemption shall submit a permit request and fee.

It is not the opinion of the Village that such interceptors shall be required for private living quarters or dwelling units.

(B) All interceptors shall be of a type and capacity approved by the Village, the County Board of Health, and/or the County Sanitary Engineer. Fiberglass or plastic interceptors are recommended for increased service life. All interceptors shall have a capacity of 15 percent of the daily flow, or a minimum of 1,000 gallons. All interceptors shall be installed as per engineered drawings, or established construction standards, and shall be located as to be readily and easily accessible for inspection and kept clean at all times. Grease and oil interceptors shall be constructed

of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight, and equipped with easily removable covers which when bolted in place shall be gas-tight and water-tight and be capable of the maximum flow rate of the pipe installed therein.

1) Under-sink grease interceptors may be permitted based on the type of business, the average daily wastewater flow, and the number and type of wastewater fixtures. Under-sink grease interceptors, when approved, shall comply with all requirements of this ordinance.

(C) Where installed, all grease, oil, and sand interceptors or traps shall be maintained by the owner and maintenance of the interceptors and traps shall be maintained and provided to the Village within ten (10) days following the date of service, and records shall be made available upon request for a period of three (3) years following the date of service. Any user of a permitted grease interceptor who has not submitted cleaning, service, and/or inspection documentation to the Village Administrator or designee by December 31st of the current year, will be charged a \$200.00 Non-Compliance fee. This fee shall be paid within ninety (90) days of receipt of the charge, or the charge shall be levied against the user's property tax.

1. Interceptors shall be cleaned at least once each calendar quarter, or more frequently as needed. Any facility desiring a schedule less frequent than quarterly shall submit a Request for Cleaning Variance to the Village and be able to demonstrate that the cleaning intervals can be increased without impairment of the POTW. This permit shall be valid for a period of three years from the date of approval. Every three years the user must submit a new permit application before a permit renewal will be granted.

(D) Employees or agents of the Village of Bluffton may inspect the interceptors, separators, or traps located on the property at any time. The Village shall provide advance notice to the property or facility owner of the inspection, except in emergency situations.

(E) If the user is not maintaining the equipment, the Village may clean the part of the sewerage system damaged by the owner and the user will be liable for any expense, including any cleaning, loss or damage to the sewerage system, in addition to the amount of any fines imposed under state or federal law.

(F) Permits & Fees

1. Interceptor Installation/Operation (I/O) 3 Year No Charge
2. Interceptor Exemption, *See Fee Schedule*
3. Cleaning Frequency Variance Permit, One Year, Cost: *See Fee Schedule*
4. Expired I/O permits shall be charged \$100.00 late fee upon renewal.

5. Legacy permits may be issued to any adequately operating grease interceptor that was installed and operating prior to the adoption of this ordinance. Legacy permits shall be granted at no cost to the owner for a period of one (1) year. Prior to granting a renewal, the Village shall ensure that the grease interceptor is working adequately and as designed or shall order the repair and/or replacement of the interceptor, so said interceptor meets all requirements of this ordinance. After the one-year Legacy permit period expires, and only after an inspection proves that the interceptor is working as designed, the interceptor shall qualify for the standard three-year Interceptor Operation Permit.

a. Fees are listed in the Utility Fee Schedule, and fees may be revised at any time by the Village Council.

WASTEWATER ADMISSIBILITY

52.300 UNLAWFUL ACTIVITY

It shall be unlawful for any person or user:

(A) To deposit or permit to be deposited in an unsanitary manner upon public or private property within the Village, or in any area under the jurisdiction of the Village, any human excrement, garbage or other objectionable waste;

(B) To deposit in any unsanitary manner on public or private property within the jurisdiction of the Village any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter and the NPDES permit;

(C) To discharge into any sewer or drain connected to the sewerage system, any oils, greases, fats, acids, chemicals, soot, iron or mineral wastes, ashes or cinders, garbage, dead animals, rags, wipes (including those labeled as "flushable"), hair, or any wastes which may cause clogging, or which may be injurious to the sewers, sewage pumping equipment, treatment or disposal works, or interferes with the proper treatment of domestic sewage, or the operation, and maintenance of the sewage disposal works;

(D) To connect any floor drain, pit drain, or any other drain subject to receiving oil, grease, or gasoline, to the sewerage system or drain connected thereto, unless equipped with a suitable approved interceptor or trap that will keep oils and greases from entering the sewerage system. Whoever violates Sections A through D is guilty of Disorderly Conduct, a minor misdemeanor.

(E) To discharge into the sewerage system or into any drain connected thereto, any hot, suffocating, corrosive, inflammable, or explosive liquids, gases, acids, vaporous substances, oils or anything that may be detrimental to the successful operation of the POTW. Whoever violates this section is guilty of Criminal Damaging or Endangering, a misdemeanor of the second degree.

(F) To connect any rain leader, downspout, area drain, cistern overflow, or any other storm water drain to the sanitary sewer system or to any drain connected thereto. Whoever violates this section is guilty of Disorderly Conduct, a minor misdemeanor.

(G) To discharge water used only for cooling or refrigeration purposes into the sanitary sewer system which is connected to the POTW in quantities so as to interfere with the successful operation of the POTW. Whoever violates this section is guilty of Disorderly Conduct, a minor misdemeanor.

(H) To discharge or cause to be discharged to any natural outlet any wastewater or other polluted waters except where suitable treatment has been provided in accordance with provisions of this chapter and the NPDES permit. Whoever violates this section is guilty of Disorderly Conduct, a minor misdemeanor.

(I) To maliciously, willfully and negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Whoever violates this section is guilty of Disrupting Public Services, a felony of the fourth degree.

52.301 DISCHARGE OF STORM WATER AND OTHER UNPOLLUTED DRAINAGE

(A) No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted water or unpolluted industrial water without the specific permission of the Village.

(B) Unpolluted water from air conditioners, cooling, condensing systems or swimming pools shall be discharged to an approved storm sewer, where available. Where a storm sewer is not available, discharge may be to a natural outlet approved by the Village, the State of Ohio, and other regulatory agencies.

52.302 PRIVY, PRIVY VAULTS, CESSPOOLS OR SEPTIC TANKS

(A) It shall be unlawful for any owner or lessee of any lot or parcel of land within the Village to place, deposit, or permit to be deposited any human excrement, garbage, or any other organic waste upon the premises in a way or place that the same is exposed to flies, rodents, small domestic animals or will endanger a water supply.

(B) It shall be unlawful to construct and maintain any privy, privy vaults, cesspool or septic tank intended for, or subject to, receiving human excrement wherever a public sanitary sewer is located in any street, alley, right-of-way, or easement adjacent to, or within 200 feet of the foundation wall of the structure from which the sewage or other waste originates (ORC 6117.51.C and D). Where a new public sanitary sewer connection is made, the existing privy, privy vault, cesspool or septic tank intended for or subject to receiving human excrement, shall be cleaned, removed and filled in accordance with the County Board of Health regulations.

(C) (1) Where a public sanitary or combined sewer is not available, the building sewer shall be connected to a private wastewater disposal system.

(2) Any private wastewater disposal system, as provided in subsection 53.302, shall conform to all applicable Village, County, State and Federal laws and codes.

(3) The owner of a private wastewater disposal facility shall operate and maintain the facilities in a sanitary manner at all times, at no expense to the Village.

(4) Whenever, in the opinion of the Village Administrator, any privy, vault, cesspool or septic tank shall become offensive to the safety, health, comfort, convenience or repose of the public he shall give notice to the owner personally or by mailing the notice by registered mail to such owner at his last known address, requiring the owner or occupant of the premises to clean, remove or alter the privy, vault, cesspool or septic tank in a satisfactory manner within five (5) days from the date of notice. Should the owner or occupant of the premises fail to clean, remove or alter such privy, vault, cesspool or septic tank, or fail to connect to the sewer system as specified in this chapter, within the time specified, the Village Administrator shall cause the work to be done and the expense for such work shall become an obligation of the owner of the property to the Village. Such obligation shall be collected in a manner consistent with Village policy, or in a suit at law, or the charges shall be certified to the County Auditor and be collected as other taxes are collected. No person shall remove or dispose of the contents of any privy, vault, cesspool or septic tank except in a manner approved by the Village Administrator and the State/County Boards of Health.

(5) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in subsection (B) hereof, a direct connection shall be made to the public sewer within one (1) year in compliance with this chapter, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be abandoned in accordance with state or local laws.

(D) Abandonment of Septic Tanks or Vaults. Upon connection to a public or private sanitary sewer, the existing septic tank or vault shall be pumped out and the waste disposed of by a licensed hauler. When the tank or vault has been verified as empty, the top and bottom of the tank or vault shall be fractured or broken

so that the tank shall not hold water. The tank or vault shall then be filled with #57 stone or a similar gravel, and the top covered with earth.

52.303 GENERAL PROHIBITED DISCHARGES

No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the sewage works. These general prohibitions apply to all such users of the sewage works whether or not the user is subject to national, state, or local pretreatment standards or requirements. A person or user may not contribute the following substances to any sewage works:

(A) Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the sewage works or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than 10% of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, diesel fuel, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substance which the Village, the state or EPA has notified the user is a fire hazard or a hazard to the system.

(B) Solid or viscous substances which may cause obstruction to the flow in the sewage works or other interference with the operation of the POTW such as, but not limited to: grease, garbage with particles greater than 1/2 inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, wipes (including those labeled as "flushable"), spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubrication oil, mud, glass grinding or polishing wastes, or butchers offal.

(C) Any pollutant, including oxygen demanding pollutants (BOD and the like) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(D) Any wastewater having a pH less than 6.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.

(E) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to:

- (1) Injure or interfere with any wastewater treatment process.
- (2) Constitute a hazard to humans or animals.
- (3) Create a toxic effect on the receiving waters of the POTW or to exceed the limitation set forth in a categorical pretreatment standard.

(F) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(G) Any substance which will cause the POTW to violate its limits and restrictions set forth in the Village's NPDES permit.

(H) Any substance with objectionable color not removed in the treatment process, such as but not limited to, dye wastes and vegetable tanning solutions.

(I) Any wastewater having a temperature which will inhibit biological activity in the POTW resulting in interference; but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40°C (104°F) or any liquid or vapor discharged into the sewage works having a temperature higher than 60°C (140°F).

(J) Any unpolluted water, including, but not limited to non-contact cooling water.

(K) Any waters or wastes containing acid, metallic pickling wastes, or concentrated plating solutions.

(L) Any toxic radioactive isotopes of such half-life or concentration as exceeds limits established by Federal Regulations. The radioactive isotopes Iodine-131 and Phosphorus-32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sanitary sewer.

(M) Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the POTW that will pass through the POTW into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent authority having jurisdiction or contaminate sewage sludge, that contain iron or any other toxic ions, compounds, or substances in concentrations or amounts exceeding the limits established from time to time by the Village that exert an excessive chlorine requirement on the POTW.

(N) Any unusual volume of flow or concentration of wastes constituting slugs that for a duration of 5 minutes or more have a concentration or flow of more than 5 times the average concentration of the BOD, the suspended solids or flow of the customer's sewage discharged during a 24-hour period of normal operation and are released in a single extraordinary discharge event which causes interference to the POTW.

(O) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria or guidelines of or pursuant to the Solid Waste Disposal Act, Resource Conservation and Recovery Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.

(P) Any wastewater which causes a hazard to human life or creates a public nuisance.

52.304 SPECIFIC PROHIBITED DISCHARGES

Whether or not the user is subject to national, state, or local pretreatment standards or requirements, the Village reserves the right to establish local discharge limits for any pollutant or wastewater.

52.305 DILUTION

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal, State or local standards. The Village may impose mass limitations on users who are using dilution to meet the pretreatment standards or requirements of this subchapter.

52.306 RIGHT TO REVISION.

The Village reserves the right to establish more stringent standards or requirements on discharges to the sewage works.

52.307 TEMPORARY DISCHARGE PERMIT

(A) Where approved by the Village Administrator and the Operator of the wastewater treatment works, a temporary discharge permit may be issued to permit the discharge of pre-treated wastewaters from the following types of activities.

- b. Groundwater Remediation
- c. Utility/Manhole Pumping
- d. Accumulated Surface Water
- e. Tank Removal/Installation
- f. Pipe Testing
- g. Hydrogeologic Testing
- h. Trenchless Excavation
- i. Non-Contact/Uncontaminated Cooling Water

(B) Prior to accepting such discharges, the Village requires a chemical analysis to be performed on the wastewater to be discharged, and a copy of said testing shall be submitted with the Temporary Discharge Permit. The permits shall be valid for periods of thirty (30), sixty (60) or ninety (90) days. If additional time is needed, the party requesting an extension shall request another permit and shall be required to justify the need for the extension.

Requesting party shall provide a telephone number for the on-site contact for the business/company processing the wastewater and a site diagram.

Requesting party shall be responsible for all treatment costs and permit fees. Costs for treatment of discharges shall be calculated according to the current charges contained in the Utility Fee Schedule.

A non-refundable permit fee shall be submitted with the completed permit application. *See Utility Fee Schedule.*

1. Any person(s) found to be discharging, or permitting to be discharged, any of the aforementioned wastewaters to the sanitary or storm sewerage systems without a permit shall be charged a minimum of \$1000.00 per day, for each day of violation and shall be responsible for all costs incurred by the Village for the remediation of any damages.

2. Any person or persons permitting the discharge of wastewaters after the expiration of a Temporary Discharge Permit shall be fined no less than \$500.00 and shall not be permitted to resume discharges until issuance of a new Temporary Discharge Permit.

52.308 SEPTAGE RECEIVING

The Village of Bluffton Wastewater Treatment Plant will accept domestic septage from authorized septic haulers, and only in accordance with the regulations set forth in this ordinance.

(A) Any licensed septic hauler may apply for permission to dispose of domestic septage at the Bluffton Wastewater Treatment Plant, provided the following requirements are met.

1. Each hauler desiring to dispose of domestic septage shall be licensed, insured, and shall apply for a Septage Disposal Permit.
2. Once permitted, the hauler shall maintain records of the locations where septage is collected from, and the quantities of septage collected, and shall retain said records for the duration of the permit period. Haulers shall provide all records pertaining to septage disposed at the Bluffton Wastewater Treatment Plant. upon request.
3. Haulers shall pay a disposal fee, per gallon, as provided in the Utility Fee Schedule, invoiced each month.

(B) Septage Disposal Requirements.

1. No hauler shall dispose of any wastewater of sufficient strength or chemical, or bio-chemical composition that results in an upset of treatment processes. Any hauler violating this rule shall be prohibited from disposing septage at the Village for no less than one (1) year and shall compensate the Village for any costs related to returning the Wastewater Treatment Plant to operating condition.

2. No hauler shall dispose of septage containing significant amounts of grit, sand, pebbles, or any other debris that endanger or damage wastewater treatment equipment. Any hauler violating this rule shall be prohibited from disposing septage at the Village for no less than one (1) year and shall compensate the Village for any costs related to returning the Wastewater Treatment Plant to operating condition.

3. Each hauler shall complete a Disposal Ticket each time any amount of septage or wastewater is disposed of at the Bluffton Wastewater Treatment Plant. Each Disposal Ticket shall contain information identifying the dates, locations and quantities of septage that were collected for disposal. Failure to complete a Disposal Ticket shall result in a thirty (30) day suspension of disposal privileges.

4. Each hauler shall, upon request from the Wastewater Treatment Plant Operator or designee, provide a sample of septage for mercury and heavy metals analysis. A minimum of one sample per month from no less than 75% of the total permitted haulers shall be collected. Haulers will be provided the results of the analysis by the Village, and any concerns about mercury and/or heavy metal contamination will be addressed with the hauler.

a. Any hauler found to be repeatedly, knowingly, or negligently disposing of septage with a high mercury and/or heavy metal concentration will be reported to the Ohio EPA, and will be permanently disqualified from having disposal privileges. The Village may also file criminal and/or civil charges and seek compensation for costs and damages.

(D) A Domestic Septage Disposal Permit shall be valid for a period of three (3) years from the date of approval. Renewal applications shall be submitted no less than thirty (30) days prior to the expiration of the permit.

(F) In order to regulate and minimize the amount of domestic septage received at the Bluffton Wastewater Treatment Plant, domestic septage shall only be accepted from the following townships:

- a. Richland Township, Allen County
- b. Orange Township, Hancock County
- c. Union Township, Hancock County
- d. Liberty Township, Hardin County
- e. Jackson Township, Allen County
- f. Bath Township, Allen County
- g. Monroe Township, Allen County
- h. Pleasant Township, Putnam County
- i. Riley Township, Putnam County

(G) Permits, Fees & Penalties

1. Septage Disposal Permit (SDP), 3 Year Period, Cost: *See Fee Schedule*

2. SDP Renewal Fee: *See Fee Schedule*

3. Expired SDP Permit Renewal Fee: *See Fee Schedule*

4. Penalties for Violations:

(a) A1 Through A3: Permanent disqualification of permit/privileges, criminal and/or civil charges or penalties.

(b) B1 Through B2: One (1) year suspension of disposal permit, plus damages.

(c) B3 Through B4: Thirty (30) day suspension of disposal privileges.

(d) B4a: Permanent disqualification of permit/privileges, criminal and/or civil charges or penalties

(e) Repeated Violations of B1 through B4: Two (2) year suspension, \$500.00 fine.

(H) Non-Domestic Septage Exception

Any currently permitted septage hauler may, at the discretion of the Wastewater Treatment Plant Operator, dispose of non-domestic septage or sanitary wastewater at the Bluffton Wastewater Treatment Plant. The Wastewater Treatment Plant Operator reserves the right to refuse any disposal request which he or she believes will cause treatment process upset or cause a violation of the Village of Bluffton's NPDES permit. At no time will septage be accepted that contains high levels of phosphorus, heavy metals, or any other contaminant at levels higher than permitted by the USEPA, Ohio EPA and/or the Village of Bluffton's NPDES permit.

1. Prior to disposing of non-domestic septage and/or wastewaters, a Temporary Discharge Permit shall be issued to the hauler requesting disposal, even if the hauler is currently permitted to dispose of septage at the Bluffton Wastewater Treatment Plant.

RATES AND CHARGES

52.500 DEFINITIONS

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COUNCIL. The Village of Bluffton Council or any duly authorized officials acting on its behalf.

INDUSTRIAL WASTES. The wastewater discharges from industrial, trade or business processes as distinct from employee wastes or wastes from sanitary conveniences.

MAY. The act referred to is permissive.

PERSON. Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

SEWAGE. This term shall have the same meaning as defined in the sewer use ordinance.

SEWER USE ORDINANCE. A separate and companion enactment to this subchapter, which regulates the connection to and use of public and private sewers.

SHALL. The act referred to is mandatory.

VILLAGE. The Village of Bluffton acting by and through the Council.

52.501 COLLECTION

(A) For the use of and the service rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected to the Village's sanitary

sewer system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewerage system of the Village.

(B) The rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(1) Metered water users. The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to the rates and charges defined in the Utility Fee Schedule, as the same is measured by the water meter there in use, subject to a minimum charge, except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage service, the water meters shall be read monthly (or period equaling a month).

(2) Outside Village Limits. For users of the sewage works that are outside of the Village Limits, the rate shall be as established in the Utility Fee Schedule.

(3) Inside Village Limits. For users of the sewage works that are inside the Village Limits but are not connected to the Village Public Water System, the rate shall be as established in the Utility Fee Schedule.

52.502 CONNECTION CHARGE

(A) The owner of any lot, parcel of real estate or building connecting to the sewage works shall, prior to being permitted to make a connection, pay a connection charge as defined in the Utility Fee Schedule.

(B) The Village Council now finds such a tap-in charge to be a reasonable and equitable pro rata cost of construction of a local or lateral sewer adequate to serve the property so connecting and the cost of providing a connection to the sewer system.

52.503 BILLINGS

The rates and charges shall be prepared, billed and collected by the Village in the manner provided by law and ordinance and in accordance with the Utility Fee Schedule.

(Ord. 20-14, passed January 19, 2015)

ENFORCEMENT

52.900 AUTHORIZATION OF VILLAGE TO ENFORCE

(A) The Village shall make and enforce the by-laws and regulations as may be deemed necessary for the safe, economical and efficient management of the Village's sewerage system, pumping stations and sewage conveyance system, for the construction and use of house sewers and connections to the sewerage system, and for the regulation, collection, rebating and refunding of the rates and charges.

(B) The Village is hereby authorized to prohibit dumping of wastes into the Village's sewage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the Village.

52.901 NOTICE OF VIOLATIONS

(A) Any person or user found that has violated, or continues to violate, any provision of this chapter, shall be served by the Village with a written Notice of Violation stating the nature of the violation, a timeframe to cease the violation, and ninety (90) days, or as otherwise authorized by the Village Administrator, to satisfactorily correct the violation. The offender shall, within the period stated in such notice, permanently cease all violations.

(B) The user will provide to the Village within ten (10) days of receiving the written notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Village to

take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

52.902 ADMINISTRATIVE FINES

(A) Any person who shall continue any violation beyond the time limit provided for in the Notice of Violation shall be fined in the amount as defined in the Utility Fee Schedule, Notice of Violation Fine. Each day in which any such violation shall continue, shall be deemed a separate offense.

(B) Users desiring to dispute such fines must file a written request for the Village to reconsider the fine along with full payment of the fine amount within 30 days of being notified of the fine. Where a request has merit, the Village may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The costs of preparing administrative enforcement actions, such as notices and orders, may be added to the fine.

(C) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

52.903 EMERGENCY SUSPENSION

(A) The Village may immediately suspend a user's discharge, after a verbal notice to the user of the violation, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons or the environment.

(B) The Village may immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the sewerage system, or which presents, or may present, an endangerment to the environment.

(C) The Village may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Village that the period of endangerment has passed.

52.904 TERMINATION OF DISCHARGE

(A) The Village may revoke a user's privilege to discharge non-domestic wastewater into the sewerage system.

(B) Termination of service is used when the discharge from a user presents imminent endangerment to the health or welfare of persons, or the environment; or threatens to damage the sewerage system or interfere with the Village's operations; or as an escalating enforcement action to a significant violation when a non-compliant user fails to respond adequately to previous enforcement actions.

(C) Termination of service may be accomplished by physical severance of the user's connection to the collection system, issuance of a cease-and-desist order which compels the user to immediately terminate its discharge, revocation of the user's discharge permit, or a court ruling.

52.905 COST RECOVERY

(A) Any person violating any of the provisions of this chapter shall become liable to the Village for any expense, loss, or damage occasioned the Village or downstream users by reason of such violation.

(B) The user shall be responsible for paying the following (but not limited to) costs incurred by the Village for the user's failure to comply: cost of mileage and labor incurred in detecting and correcting the violation;

laboratory analysis costs associated with detecting and correcting the violation; additional treatment costs caused by the violation or associated with detecting and correcting the violation; costs of any additional equipment acquired or expended by the Village for detecting or correcting the violation; repair and/or replacement of any part of the sewerage system damaged by the violation; any liability, damages, fines, or penalties incurred by the Village because of the violation; all expenses of outside professionals to include, but not limited to, engineers, scientists, and/or legal counsel; and other costs associated with the detection and correction of the violations.

52.906 REMEDIES NONEXCLUSIVE

(A) The remedies provided for in this ordinance are not exclusive. The Village may take any, all, or any combination of these actions against a noncompliant user.

(B) Enforcement of industrial user violations will generally be in accordance with this ordinance. However, the Village may take other action against any user when the circumstances warrant. Further, the Village is empowered to take more than one enforcement action against any noncompliant user.

52.907 UNPAID CHARGES.

(A) If any of the charges herein established are unpaid, then after due and proper notice to the delinquent user has been made and the same remains unpaid for a period of 90 days, then the same shall become assessed via the property tax of the user.

(B) A list of the owners who fail to comply with the requirements herein before set out, together with a description of their real estate on which the lien is created and the costs and charges, shall be furnished to the Fiscal Officer.

(C) It shall be his or her duty to certify the amount due from each owner to the County Auditor and the amount of charges shall be placed on the tax duplicate by the County Auditor and collected as taxes are collected.

(D) In addition to this method of collection, the Village shall have the further right to place a statement thereof in the hands of the Village Solicitor and it shall be the duty of the Village Solicitor to institute a civil action in the name of the Village to recover the amount thereof.

52.908 RIGHT TO APPEAL

Any user or any interested party shall have the right to request in writing an interpretation or ruling by the Village on any matter covered by this chapter and shall be entitled to a prompt written reply. In the event that such inquiry is by a user and deals with matters of performance or compliance with this chapter or deals with a wastewater discharge permit issued pursuant hereto for which enforcement activity relating to an alleged violation which is the subject, receipt of a user's request shall stay all enforcement proceedings pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to this chapter may be taken in accordance with local and state law.

Sewer Use Ordinance Fee Schedule

52.106A	Sanitary Sewer Tap Fee	(See Current Fee Schedule)
52.209D	Non-Compliance Fee for Illicit Connection	\$200.00/month
52.210C	Non-Compliance Fee for Inspection Documentation	\$200.00
52.210F2	Interceptor Exemption	\$300.00
52.210F3	Cleaning Frequency Variance	\$100.00 initial permit only
52.210F4	Expired Installation/Operation Permit	\$100.00 upon renewal
52.307B	Temporary Discharge Permit, Treatment Cost	(See Current Fee Schedule)
52.307B1	Temporary Discharge Permit/Application	\$250.00
52.307B2	Discharging Via Expired Temporary Permit	\$500.00 minimum
52.308G1	Septage Disposal Permit/Application	\$300.00
52.308G2	Septage Disposal Permit Renewal	\$100.00
52.308G3	Expired Septage Disposal Permit Renewal	\$200.00
52.501B2	Outside Village Limits Sewer Charge (unmetered)	\$70.00/month
52.501B3	Inside Village Limits Sewer Charge (unmetered)	\$35.00/month

ORDINANCE NO. 05-21

AN ORDINANCE CHANGING THE LAND DIVISION DIMENSION REQUIREMENTS LISTED IN TABLE 1 OF CHAPTER 152, SECTION 038 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BLUFFTON, OHIO.

WHEREAS: Inconsistencies in the Codified Ordinances of the Village of Bluffton, Ohio have been discovered between Chapter 152: Subdivision Regulations and Chapter 153: Zoning, regarding the required minimum lot width for a compliant parcel in the Village of Bluffton, Ohio; and

WHEREAS: The Council of the Village of Bluffton finds a need to correct these inconsistencies

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BLUFFTON, OHIO:

SECTION 1: That Village Council adopts a change of row three (3) in Table 1 found in Chapter 152, Section 038 of the Codified Ordinances of the Village of Bluffton, Ohio to read:

Size Acre	Minimum Width Feet	Maximum Depth Feet	Width to Depth Ratio
.44	80	240	1:3

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____ 2021 by the governing board of the Village of Bluffton, Ohio by the following vote (2/3 required):

Yes: _____ No: _____ Abstain: _____

Attest:

Fiscal Officer

Mayor

Approved as to Form:

Village Solicitor

RESOLUTION NO. 10-21

A RESOLUTION APPROVING THE ADOPTION OF THE ALLEN COUNTY HAZARD MITIGATION PLAN, MARCH 2021

WHEREAS, The Village of Bluffton recognizes the threat that natural hazards pose to people and property within Allen County; and

WHEREAS, Allen County has prepared a multi-hazard mitigation plan, hereby known as the Allen County Hazard Mitigation Plan, March 2021; and

WHEREAS, the Allen County Hazard Mitigation Plan, March 2021 identified mitigation goals and actions to reduce or eliminate long-term risk to people and property in Allen County from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Village of Bluffton demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the Allen County Hazard Mitigation Plan, March 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BLUFFTON, OHIO:

Section 1: That the Village Council agrees to adopt the Allen County Hazard Mitigation Plan, March 2021.

Section 2: That is found and determined that all formal actions of the Council concerning and relating to the adoption of this resolution were made in open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements of the Open Meetings Law including Section 121.22 of the Ohio Revised Code.

Passed and adopted this _____ day of _____, 20__ by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Nays: _____ Abstain: _____

Attest:

Clerk

Mayor

Approved as to form:

Village Solicitor

Village of Bluffton

Administration's Report

To: Mayor Johnson & Council Members



04-12-21

Jefferson Street Phase II

- Underground Utilities started the project today.
- Only 14 more weeks!



Seasonal Help – Job Posting

Thank you to Jewel Dukes for his years of service as a Seasonal Employee. His quality of work will be missed! There is an immediate need for one Seasonal Position in the Public Works Department. Applications available at the Town Hall.

Dominion Gas Main Replacement Project – Thurman St./northern Business District

Dominion has awarded the project to Roes Pipeline, Kawkawlin, MI. Projected start date for the project is May 10. Preconstruction meeting to be held with PWD & Administration later this month.

ODOT officially kicks off highway construction in northwest Ohio

- A \$21 million project on Interstate 75 from just south of the village of Beaverdam to north of the village of Bluffton, Allen and Hancock counties. The project is reconstructing pavement and ramps at the Interstate 75 interchange with State Route 696. Construction began in 2020 and will complete this summer.

Street Paving: Bluffton Paving will be milling and be preparing the areas below for pavement early this week, and paving those areas later this week.

- Brush Dump lot and shop Parking lot
- Cherry St. – Railroad to Vance St.
- Shannon St.
- Sunset Drive
- Kibler St. – Main to Harmon
- Garau St. – Main to Harmon
- Beaver St.
- 1st 100' of Tower Drive off of SR 103



Water Meter Updates – Radio Replacement

All units have been replaced as part of the equipment warranty through Sensus.

Thank you for the replacement work performed by Advanced Utility Service (AUS) & needed coordination from the Public Works Department

- Project was completed in 3 weeks.
- **No interruptions in service** occurred with this project.



ODNR Grant Funding Applications:

Grant applications to assist with acquisition costs of property for the S.R. 103 Pedestrian Pathway will be submitted before Thursday, April 15th. Application will be for both the Recreational Trails Program and Clean Ohio Trails Fund. Grant amount being requested near \$90,000.00. Pathway project is scheduled for construction June 2023.

Annual Spring Hydrant Flushing

Public Works Department will begin this project the last week of April.

2021 Bluffton Swimming Pool Employment: Applications are being accepted for lifeguards and Assistant Managers. Pick up the application at the Town Hall.



Spring Community Clean-Up

Dates of the Community Clean up will be from Monday May 24th – Wednesday May 27th.

Sanitary Sewer Line Replacement

J&D Snyder Excavation began replacement work of sanitary sewer line in alley behind Railroad Street today.

3rd Floor Town Hall Maintenance

Council discussion of improvements/updates to the 3rd floor of the Town Hall.

Council Committee Meetings: Request for meetings with: