

Sylvania City Council
August 21, 2017

6:30 p.m. Zoning & Annexation Committee Meeting
Proposed amendments to Zoning Code-Marijuana

7:00 p.m. Public Hearing
Proposed Ordinance No. 31-2017, Special Use for Adult Day Care

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mrs. Westphal.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of July 17, 2017.
5. Report of the 7:00 p.m. Public Hearing regarding proposed Ordinance No. 31-2017, Special Uses for Adult Day Care.
6. Zoning Ordinance Amendment Application SUP-2-2017, request for a Special Use Permit for an Adult Day Services/Vocational Habilitation for property located at 5631, 5635, 5639 West Alexis Rd, 5530 and 5526 Alger Road, Sylvania, Ohio from Nicor, Inc. (Referral to the Planning Commission.)
7. Plan Commission's recommendation for proposed Ordinance No. 57-2017, Amending Chapter 1166 of the Sylvania Codified Ordinance by amending Section 1166.11-Signs permitted in B-2 General Business District, Section 1166.12-Signs permitted in B-3 Central Business District and Section 1166.13-Signs permitted in B-4 Shopping Center District. Set public hearing (earliest date: October 2, 2017) and authorize the clerk to advertise for same.
8. 2017 Highway Safety Improvement Program funding application.
 - a. Service Director's report on funding application.
 - b. Proposed Resolution No. 8-2017, Authorizing to prepare & submit an application to pursue Safety Funds through ODOT Highway Safety Improvement Program.
9. Main Street Reconstruction- Aesthetics Design Professional Services Contract.
 - a. Service Director's report on engineering design services.
 - b. Proposed Ordinance No. 58-2017, Accepting the amendment to the proposal of DGL Consulting Engineers to provide Engineering Design Services for Main St. project.

10. Sylvania Codified Ordinances Chapters 921 and 923, and proposed Chapter 922.
 - a. Service Director's report on regulations of water services.
 - b. Proposed Ordinance No. 59-2017, Amending Chapter 921-Water Regulations, amending Chapter 923-Water Service Charges and adding Chapter 922-Cross Connection Control and Water Quality Protection to Sylvania Codified Ordinances.
11. OUPS Vehicle Purchase.
 - a. Service Director's report on purchase and disposal.
 - b. Proposed Ordinance No. 60-2017, Authorizing to accept the proposal of Yark Automotive Group for the provision of a new 2018 Jeep Cherokee for the Department of Public Service.
 - c. Disposal of 2004 Jeep Grand Cherokee.
12. Proposed Ordinance No. 61-2017, authorizing to execute a Corporation Warranty Deed of Conveyance of Property from the City of Sylvania to the Board of Education of the Sylvania City School District. (Sylvan Elementary School)
13. Notice of the transfer of the D5, (Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30a.m.) and D6, (Sale of intoxicating liquor on Sunday between the hours 10:00a.m. or 11:00a.m. and midnight) permit to TLOO, Inc. d/b/a 21 West & Patio, 5605-07 W. Alexis Road, Sylvania, Ohio.
14. Committee reports.
15. Committee referrals.

INFORMATION

- A. July 2017 Bank Reconciliation.
- B. July 2017 Cash Report from the Division of Taxation.
- C. City of Sylvania Bond Rating.
- D. Board of Architectural Review minutes from August 16, 2017.
- E. Municipal Planning Commission minutes from August 16, 2017.
- F. Letter from Sylvania Fire Chief Michael J. Ramm regarding use of city property @4827 Holland-Sylvania Rd.

Minutes of the Meeting of Council
July 17, 2017

The Council of the City of Sylvania, Ohio met in regular session on July 17, 2017 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal; (7) present; (0) absent.

Roll call:
All present.

The Boy Scouts led the Pledge of Allegiance to the United States of America.

Pledge of
Allegiance.

Mayor Stough stated that Council will now consider agenda item 3.

- 8a. Replacement Ordinance 55-2017.
- F. 2nd Quarter 2017 Management Reports.
- 13. Proposed Resolution No. 7-2017.
- 14. Report of the Fireworks Display on July 3rd.

Mrs. Westphal moved, Mr. Haynam seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Agenda
approval.

Mayor Stough stated that Council will now consider agenda item 4.

Mrs. Westphal presented the June 19, 2017 meeting minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of June 19, 2017 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
June 19 meeting
minutes.

Mrs. Westphal presented the June 30, 2017 Special meeting minutes. Mrs. Westphal moved, Mr. Mishka seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of June 19, 2017 be approved; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Approval of the
June30 meeting
minutes.

Mayor Stough stated that Council will now consider agenda item 5.

Mrs. Westphal stated the Committee of the Whole meeting that took place on July 12, 2017 to discuss the TARTA sales tax issue. She stated after a lengthy discussion Council urged TARTA to put together a comprehensive plan that showed vision of the future. Mr. Luetke moved to forward this legislation to council, Husman seconded and was passed 5 yeas, 1 nay, nay being Haynam, and Mr. Frye didn't vote due to conflict of interest.

COW Mtg.
report from
6/12/17. RE:
TARTA tax
issue.

Minutes of the Meeting of Council
July 17, 2017

Mr. Haynam moved, Mr. Luetke seconded to have Mr. Frye withdraw from the table due to conflict of interest. Roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated anyone wishing to speak to come forward. Several residents spoke in favor of the TARTA sales tax as it provides them mobility throughout the community. One resident spoke in opposition to the tax. Mr. Gee from TARTA stated they will develop a strategic plan to address the future of TARTA. Mr. Ludwig, Council's representative to TARTA board spoke in favor of the tax. All council members voiced their opinions on the matter.

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 6-2017, a written copy of same having been previously furnished to each member of Council, "A Resolution amending the Resolutions previously adopted which created the Toledo Area Regional Transit Authority (TARTA) by: (1) adding Lucas County as a member of TARTA; (2) eliminating TARTA's 2.5 mill property taxes and substituting a one-half percent sales and use tax; (3) allocating 2/3 of the tax collected to TARTA to directly fund its operating and 1/3 to other local governmental entities for the installation, maintenance and improvement of mass transit related infrastructure; and (4) providing a new mechanism for withdrawal from membership in TARTA, provided that such changes are contingent upon voter approval of the new TARTA funding system at the November 7, 2017 General Election; and declaring an emergency"; Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being; Husman, Luetke, Westphal, (3) yeas; Cappellini, Mishka, Haynam, (3) nays. Mayor Stough broke the tie with a yes vote.

Resolution No. 6-2017,
"...eliminating TARTA's 2.5 mill property tax...substituting one-half percent sales & use tax.

Mrs. Westphal moved, Mr. Luetke to pass Resolution No. 6-2017 as emergency measure: roll call vote being; Husman, Luetke, Westphal, (3) yeas; Cappellini, Mishka, Haynam, (3) nays. Mayor Stough broke the tie with a yes vote, but does not meet the necessity of five votes to pass as an emergency measure.

Mrs. Westphal set a Special meeting of City Council to address the second reading of proposed Resolution No. 6-2017 for Wednesday, July 19, 2017 at 8:30 a.m. and a third reading on Tuesday, July 25, 2017 at 7:00 p.m.

Mr. Frye rejoined the table at the end of the TARTA subject.

Mayor Stough stated that Council will now consider agenda item 6.

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 51-2017, a written copy of same having been previously furnished to each member of Council, "To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches within the corporate limits of the City of Sylvania for the year ending December 31, 2017; and declaring an emergency."; Mr. Mishka moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No. 51-2017, "To assess a special tax... open drainage ditches..."

Mr. Mishka moved, Mr. Luetke seconded, that Ordinance No. 51-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 52-2017, a written copy of same having been previously furnished to each member of Council, "To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the removal and special treatment of shade trees for the purpose of controlling blight and disease of same; and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City for the year ending December 31, 2017; and declaring an emergency."; Mrs. Cappellini moved, Mr. Mishka seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 52-2017, "To assess a special tax... shade trees...."

Mrs. Cappellini moved, Mr. Luetke seconded, that Ordinance No. 52-2017 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 53-2017, a written copy of same having been previously furnished to each member of Council, "Ordinance approving the assessment heretofore authorized by Resolution No. 3-2017 for Street Lighting; levying said assessments; and declaring an emergency." Mr. Frye moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 53-2017, "Approving the assessment for street lighting..."

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Mr. Frye moved, Mr. Luetke seconded, that Ordinance No. 53-2017 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 7.

Service Director's report on the demolition of city owned buildings at 4827 Holland-Sylvania Rd was placed on file.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 54-2017, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Salenbien Trucking & Excavating for the demolition of the City's property at 4827 Holland-Sylvania Road, Sylvania, Ohio; appropriating funds therefore in the amount of \$48,000; and declaring an emergency." Mrs. Husman moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 54-2017, "...demolition of city property... 4827 Holland-Sylvania Rd...."

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 54-2017 be enacted as an emergency measure as declared therein; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 8.

Service Director's report on the 2016 Sanitary Lining Project Change Order No. 3 (Final) was placed on file.

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 55-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 3 (Final) to this City's agreement with Insituform Technologies USA, LLC for the 2016 Sanitary Sewer Lining Project which reflects the actual work performed on this project; decreasing the contract amount by \$27,176.75; and declaring an emergency." Mr. Mishka moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance No. 55-2017; "...2016 Sanitary Sewer Lining Project CO#3-Final...."

Mr. Mishka moved, Mrs. Westphal seconded, that Ordinance No. 55-2017 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 9.

Service Director's report on the Sylvania River Trail Phase 2 project was placed on file.

Mrs. Cappellini moved, Mr. Mishka seconded to authorize the Clerk to advertise for bids upon the receipt of ODNR approval of the project. Roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Authorize to bid
River Trail
Phase 2 project.

Mayor Stough stated that Council will now consider agenda item 10.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 56-2017, a written copy of same having been previously furnished to each member of Council, "Amending Sylvania Codified Ordinance Section 131.01-Depart of Law-Director, Division of Prosecution to add a full-time Prosecutor for the period from August 1, 2017 through January 31, 2018 at which time the additional full-time Prosecutor shall be eliminated: amending Sylvania Codified Ordinance Section 139.03(e)(3) to set the salary of the Prosecutor at \$80,000 annually and to change the salary of the Chief Prosecutor to \$80,000 annually effective February 1, 2018; and declaring an emergency." Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No.
56-2017,
"...add full-
time Prosecutor
...8/1/17-
1/31/18....."

Mr. Luetke moved, Mr. Frye seconded, that Ordinance No. 56-2017 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 11.

Mr. Luetke reported on the Employee & Community Relations Committee meeting from June 30, 2018 and July 7, 2017 regarding legislation to streamline the process of community funding requests and the City's Boards and Commissions appointment. Legislation on the Boards and Commissions appointments will be tabled until last 2017, early 2018.

Report on Emp
& Com
Relations from
6/30 and 7/7/17.
Re: appt
processes &
community
funding
requests.

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Mr. Luetke presented and read aloud by title only, proposed Resolution No. 7-2017, a written copy of same having been previously furnished to each member of Council, "A Resolution of the Council of the City of Sylvania adopting a funding request policy; and declaring an emergency." Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Resolution No. 7-2017, "... adopting a funding request policy..."

Mr. Luetke moved, Mrs. Westphal seconded, that Resolution No. 7-2017 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal reported on the Committee of the Whole meeting regarding the Main St Reconstruction Project held on July 12, 2017. After much council member feedback, administration will return options for council to review. Funding structure was presented. The Monroe Street bridge project discussion will continue.

Report of COW mtg. from 7/12/17, Main St Reconstruction project.

Mr. Haynam reported on the Zoning & Annexation Committee meeting held on this date at 6:45 p.m. regarding the Sign Code Revisions in Chapter 1166 of the Codified Ordinances. Tiny houses will be researched by administration for review of Council.

Report on Zoning & Annex mtg. from 7/17/17....Sign Code Revision.

Mayor Stough stated there are no items for agenda item 12, agenda item no. 13 has been considered, so agenda item 14 will be considered.

Mr. Frye reported on the fireworks display from July 3, 2017. He stated it was positively received by the community and very well attended. He reported on the new VIP section of the sponsors.

Mayor Stough stated that all items on the agenda had been considered.

Mrs. Westphal moved, Mr. Luetke seconded that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 9:28 p.m.

Adjournment.

Clerk of Council

Mayor

PETITION FOR ZONING ORDINANCE AMENDMENT

6

To: City of Sylvania, Ohio
City Council and
Municipal Planning Commission

Application No. SUP-2-2017
Date 7/13/2017

Petitioner Name(s) NICOR INC.
Petitioner Address 5631 ALEXIS ROAD
SYLVANIA, OH 43560
Telephone 419-882-7400

Location of property for which zoning amendment is requested:

5631 W. Alexis Road, 5635 W. Alexis 5639 W. Alexis 5530 Alger
Sylvania, OH 43560 5520 Alger

Purpose of amendment request: Adult Day Services/Vocational
Habilitation

Current Zoning: M-1

Requested Zoning: SUP

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments: 1. Full legal description of the property for which the Zoning Amendment is proposed.
2. Area location map.
3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted. -No Site Plan Req.

A check for \$450.00, payable to the City of Sylvania, is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By: NICOR INC.
Nicholas C. Frantzen PRES

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

\$1000 PD V* 1007
FB

8/14/17



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 17, 2017

To: Mayor and Members of City Council

Re: **Council Referral – Ordinance No. 57-2017**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of August 16, 2017, Council Referral – Proposed Ordinance No. 57-2017, Amending Chapter 1166 of the Sylvania Codified Ordinances by amending Section 1166.11 - Signs permitted in B-2 General Business District, Section 1166.12- Signs permitted in B-3 Central Business District and Section 1166.13 - Signs permitted in B-4 Shopping Center District:

..."Mr. Marciniak moved, Mr. McCann seconded to recommend to Council to approve the changes to the sign code as submitted. Vote being: McCann, Marciniak, Arnold and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote"...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission

8a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 21, 2017

To: The Mayor and Members of Sylvania City Council

Re: **LUC-184-(0.3-0.6), Alexis Road**
Request to Apply for 2017 Highway Safety Improvement Program Funding

Dear Mr. Mayor and Council Members:

On April 17, 2017 the Streets Committee recommended that City staff proceed ahead in pursuing safety funds with a traffic signal and signing improvement project in lieu of a raised median project based on public input. Our consultant, The Mannik & Smith Group, has completed their Highway Safety Improvement Program (HSIP) application and we are ready to submit our funding request to the Ohio Department of Transportation (ODOT).

The finalized project is anticipated to cost \$745,000 and includes traffic signal upgrades at Acres Road and Elliott Road, a southbound right turn drop lane for Acres Road, ADA compliant curb ramps and crosswalks, overhead lane use signage, and updated timing/phasing for the new traffic signals. A project summary sheet is enclosed for your reference.

We are requesting HSIP funding assistance for 74% of the project (\$551,300). The remaining 26% (\$193,700) would be covered by local funds. If we are successful design for the project would start in 2018 with construction anticipated to occur in 2019.

Please call if you should have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

6730 MONROE STREET • SYLVANIA, OHIO 43560-1948 • (419) 885-8965 • FAX (419) 885-0486
www.cityofsylvania.com

SAFETY APPLICATION SUMMARY

LUC-184-(0.3-0.6) Approximately 1,500-ft Alexis Rd. (SR184) – Acres Rd. to Elliot Rd.

PROJECT SPONSOR:

CITY OF SYLVANIA (September 2017)



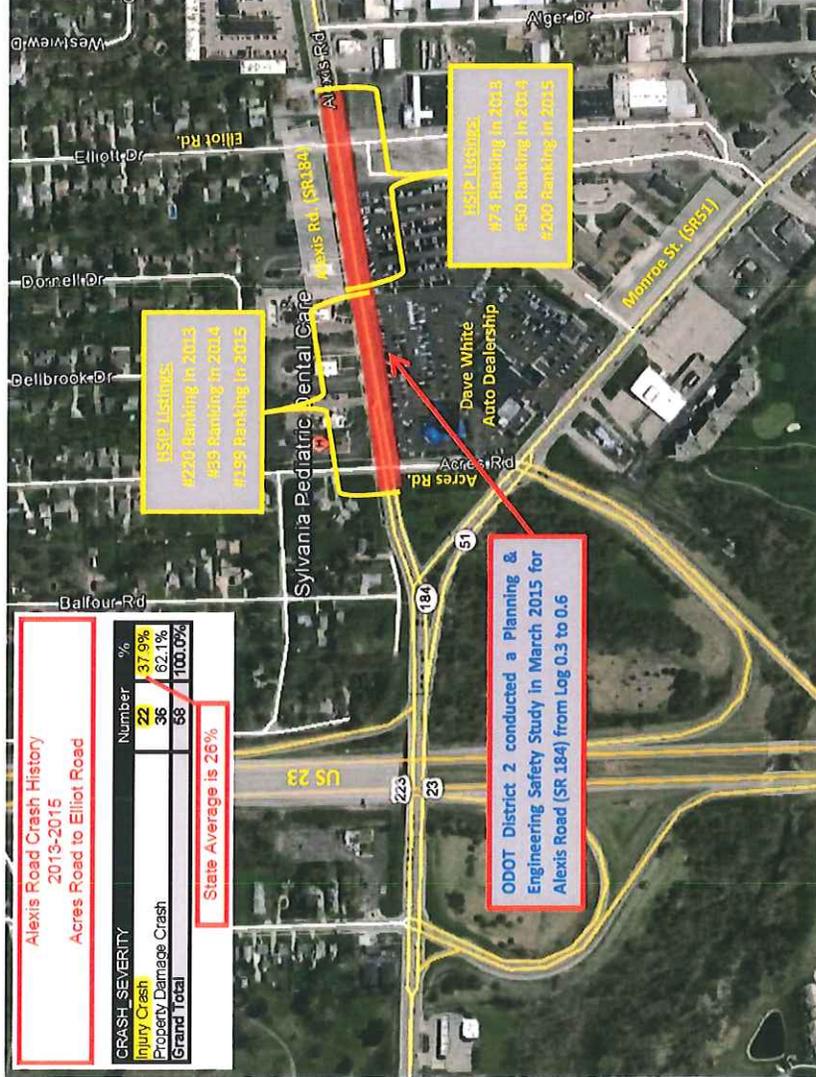
Cost Estimate

- **Safety Program Project:**
 - Total Project Costs \$745,000 (FY2020 Construction)
 - Safety Fund Request **(\$551,300 or 74% of costs)**
 - \$193,700 Local Funds **(26% of costs)**
- **Other Corridor Improvements:**
 - Speed Zone Study On-going (reduce to 35mph from 40mph)
 - Feasibility Study taking place in 2017-2018 to evaluate US23 & Monroe/Alexis interchange options and corridor long term improvements on both Monroe & Alexis

Alexis Road Crash History
2013-2015
Acres Road to Elliot Road

CRASH SEVERITY	Number	%
Injury Crash	22	37.9%
Property Damage Crash	36	62.1%
Grand Total	58	100.0%

State Average is 26%



Existing Conditions

- Two sections listed on HSP Systematic Safety Program List
- Two signalized intersections with antiquated signals with no back plates
- Facility is an Urban Principal Arterial carrying an AADT volume of 23,840
- No overhead guide signs to assist non-local drivers in this interchange area
- Five-lane roadway with center two-way left turn lane

Crash Data (2013-2015) on the 1,500-ft section of roadway

- 58 crashes including 22 (37.9%) injury crashes – State Avg. is 26%
- Rear-end crashes (20 crashes, 34.5%) – State Avg. is 31.1%
- Two (2) bicycle crashes or 3.4% compared to State Avg. of 0.6%
- 18 angle crashes or 31% compared to State Avg. of 16%
- 8 left turn crashes or 13.8% compared to State Avg. of 5.3%
- 6 sideswipe-passing crashes or 10.3% compared to State Avg. of 8.7%

Strategic Highway Safety Plan

Ohio Emphasis Area V – Incident and Congestion Related Crashes

- Rear-End Crashes
- Roadway signs and traffic control
 - Modify traffic signal – modernization/replacement

FHWA Emphasis – Improving the Design and Operation of Highway Intersections

Project Description

- Traffic signal upgrades (2 locations) at Acres Road and at Elliot Road
- Add southbound right turn lane to Acres Road
- Provide enhanced crosswalks and ADA curb ramps/sidewalks
- Erect overhead lane use signs to Alexis Road approaches to both the signalized intersections of Acres Rd./Alexis Rd. and at Elliot Rd./Alexis Rd.
- Provide improved timing/phasing and coordination to signals

The proposed countermeasures **result in an ECAT benefit-cost ratio of 1.22**

The existing predicted average crash frequency **reduces from 21.1 crashes per year to 18.8 crashes per year with the proposed improvements.**

A Speed Zone Study has been conducted on the corridor and is under review to lower the posted speed from 40mph to 35mph.

A Feasibility Study to evaluate the nearby US23 interchange with Monroe St. & Alexis Rd. will be conducted in 2017-2018 and will assess long term improvements for Alexis Rd.

RESOLUTION NO. 8-2017**A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO PREPARE AND SUBMIT AN APPLICATION TO PURSUE SAFETY FUNDS THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION'S HIGHWAY SAFETY IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.**

WHEREAS, the Highway Safety Improvement Program ("HSIP") managed by the Ohio Department of Transportation ("ODOT") provides financial assistance to political subdivisions for improving highway safety; and,

WHEREAS, the City of Sylvania is planning to improve Alexis Road through traffic signal upgrades at Acres Road and Elliott Road, adding a southbound right turn drop lane for Acres Road, ADA compliant curb ramps and crosswalks, overhead lane use signage and updated timing/phasing for the new traffic signals; and,

WHEREAS, the total cost of the project is estimated to be \$745,000, with the City requesting up to \$551,300 in HSIP funding assistance to be used towards the project with the remaining \$193,700 being the City's anticipated cost.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to apply to the ODOT for HSIP funding as described above.

SECTION 2. The Mayor and Director of Finance are further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 3. If the Alexis Road Improvement Project is approved for financial assistance, the City of Sylvania will commit the necessary funds to meet the local share as indicated in the corresponding project application and will enter into an agreement with ODOT for the grant.

SECTION 4. It is hereby found and determined that for all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Resolution in the office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12 of the Charter of this City.

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should file its application for the grant immediately and indicate its willingness to enter into an Agreement and appropriate the funds for said project as necessary and therefore this Resolution should be made effective immediately. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas ____ Nays ____

Passed, _____, 2017, as an emergency measure.

ATTEST:

President of Council

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 21, 2017

To: The Mayor and Members of Sylvania City Council

Re: **Aesthetics Design Professional Services Contract
LUC-Main Street Reconstruction (PID 104438)**

Dear Mr. Mayor and Council Members:

Our design consultant, DGL Consulting Engineers, LLC, is very close to having the construction plans ready for a Stage 3 submission for the Main Street Reconstruction Project. One last piece of design to incorporate into the plans is the aesthetic appearance of the roadway.

Over the course of the last couple of months we have presented aesthetics options to members of Council for their review and input and conducted several meetings with interested stakeholders. We have reviewed this input and will be incorporating several decorative components into this project including hanging baskets on light poles, stamped/stained concrete, and brick pillars with black screening fencing along adjacent parking lot areas.

DGL has reviewed these decorative options and has provided the City with a contract modification proposal to complete the work in the lump sum amount of \$14,658.

We would recommend approval of this contract modification with DGL Consulting Engineers, LLC in the amount of \$14,658.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service



DGL Consulting Engineers, LLC

Providing civil engineering solutions since 1926.

August 10, 2017

Mr. Joseph E. Shaw, P.E., P.S.
City of Sylvania Deputy Director
6730 Monroe Street
Sylvania, Ohio 43560

Re: Fee Proposal 104438 LUC-CR-1572-8.96 Main Street Reconstruction

Dear Mr. Shaw:

Please consider this letter as **DGL Consulting Engineers'** fee proposal for the professional engineering services required for aesthetic plan preparation of the decorative corridor of Main Street.

Scope

DGL will perform activities necessary for development of the additional aesthetics portion of the final construction plans. Further scope activities are as follows:

Main Street Plans – prepare design sheets that include an updated Typical Section, Plan and Profile, Cross Sections, as well as fence, column and decorative pole details per the City of Sylvania's direction.

Miscellaneous – DGL will contact suppliers to get costs for these new items and also submit a preliminary set of aesthetic plans to the City for approval. DGL will attend any meetings regarding the plans with the City as requested. Once the aesthetics are approved, DGL will continue to finalize Stage 3 plans, the general summary and cost estimate.

The hours and fee attachment provides further clarification of the individual work items.

Fee

DGL proposes to complete the work as scoped herein for a **Lump Sum Fee of \$14,658.**

I have also attached meeting minutes from the August 8, 2017 aesthetic review meeting at your office. We believe this fee proposal accurately reflects the tasks required for the requested additional work items. Please contact me if additional information is required.

Sincerely,

DGL Consulting Engineers, LLC



Richard J. McGuckin, PE, CPESC
Principal, Director of Transportation

T: 419-535-1015 X208

C: 419-343-5857

E: rmcguckin@dgl-ltd.com

9b.

ORDINANCE NO. 58 -2017

ACCEPTING THE AMENDMENT TO THE PROPOSAL OF DGL CONSULTING ENGINEERS TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE MAIN STREET RECONSTRUCTION PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$71,657.91; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1-2017, passed January 4, 2017, accepted the proposal of DGL Consulting Engineers to provide engineering design services for the Main Street Reconstruction Project and appropriated funds therefore in the amount of \$71,657.91; and,

WHEREAS, Ordinance No. 44-2017, passed June 5, 2017, accepted the amendment to the proposal of DGL Consulting Engineers to provide engineering design services for the Main Street Reconstruction Project in the amount of \$26,913.00; and,

WHEREAS, the City's Administration and Sylvania City Council have worked over the last couple of months to finalize the aesthetic appearance of the roadway, which is the final piece of design to incorporate into the construction plans; and,

WHEREAS, DGL has reviewed the decorative options and additional components to be included in the construction plans and has provided the City with a contract modification proposal to complete the work in the amount of \$14,658; and,

WHEREAS, the Director of Public Service, by report dated August 21, 2017, has recommended that the contract modification of DGL Consulting Engineers to complete the construction plans incorporating several decorative components into the Main Street Reconstruction Project in the amount of Fourteen Thousand Six Hundred Fifty-Eight Dollars (\$14,658.00), be accepted.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the proposal of DGL Consulting Engineers in the amount Fourteen Thousand Six Hundred Fifty-Eight Dollars (\$14,658.00) for completing the construction plans relative to the Main Street Reconstruction Project from Monroe Street to the bridge over Ten Mile Creek, is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to said consultant to proceed under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, STREET IMPROVEMENTS**, the amount of Fourteen Thousand Six Hundred Fifty-Eight Dollars (\$14,658.00).

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

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the services at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

10a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 15, 2017

To: The Mayor and Members of Sylvania City Council

Re: **Sylvania Codified Ordinances Chapters 921 and 923**
Proposed Chapter 922

Dear Mr. Mayor and Council Members:

We have performed a thorough review of the above existing Chapters 921 and 923 which regulate our water services. Several updates are recommended due to cost increases, material modifications and operational improvements.

We are also proposing that Chapter 922 be added as a new chapter addressing Cross Connection Control. The intent of the chapter is to prevent contaminants entering our water system through the use of proper backflow prevention devices.

We hereby request approval of the attached modifications. We are available any time to discuss any questions or comments you may have. Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

CHAPTER 921
Water Regulations

- [921.01](#) Contract with consumer.
- [921.02](#) Right to discontinue service.
- [921.03](#) Orders for stoppage of plumbing work.
- [921.04](#) Inspection of pipes and fixtures; tests.
- [921.05](#) Notice to consumers.
- [921.06](#) Application for tapping permit.
- [921.07](#) Improvement of street; failure to apply for tap.
- [921.08](#) Licensing of tappers.
- [921.09](#) Quality of service pipe; maintenance.
- [921.10](#) Gate valve.
- [921.11](#) Compliance with plumbing regulations.
- [921.12](#) Water meters; installation and control.
- [921.13](#) Protection and repair of pipes.
- [921.14](#) Supplying water to others; permit required.
- [921.15](#) Opening fire hydrant.
- [921.16](#) Damage to water works system.
- [921.17](#) Tampering with water works system after discontinuance of service.
- [921.18](#) Tampering with water lines or meter.
- [921.19](#) Minimum size of water lines.
- [921.20](#) Enforcement of water rules and regulations.
- [921.21](#) Service to newly annexed territory.
- [921.22](#) Assessment equivalent outside connection charge.
- [921.23](#) Cross-connection control.
- [921.99](#) Penalty.

CROSS REFERENCES

- Service Director to supervise improvements to water system - see Chtr. Art. VII, [§4.0](#)
- Tampering with water hydrants, pipes or meters; unauthorized connections - see Ohio R.C. 4933.22
- Excavations - see S.U. & P.S. Ch. [905](#)
- Water service charges - see S.U. & P.S. Ch. [923](#)
- Improvements - see S.U. & P.S. [933.05](#)

921.01 CONTRACT WITH CONSUMER.

(a) The regulations set forth in this chapter and Chapter [923](#) shall be considered a part of the contract with every person, company or corporation that is supplied with water through the water works system of the City, ~~or served by the sewer system in the City~~, and every such person, company or corporation using and accepting water through such water works system ~~or as served by such sewer system~~, shall be considered to express his, its or their consent to be governed thereby.

(b) The City reserves the right to change, alter or amend the provisions of this chapter or Chapter [923](#) at any time; but any alterations or additions shall not affect any contract with consumers for the current ~~quartermonth~~.

(c) No water service shall be extended to any users outside the corporate limits of the City except under the conditions set forth in subsections (d) and (e) hereof. Provided, further, that any person presently receiving water service from the City shall, upon notice from the City, immediately comply with the provisions of subsection (d). Failure to comply with such policy shall result in the water service being terminated 60 days from the date of notice.

(d) The City may extend water service to land which is outside of the corporate limits of the City but within the City's water service area provided that before such water service is extended or continued, the owner of such land must comply with the following:

(1) Compliance with the zoning regulations of the governmental entity in which the property is located.

(2) Compliance with the Planning Code of the City of Sylvania.

(3) Execute an agreement to annex the property to the City or a petition for annexation to the City, as determined by the City. Such owner shall exert all efforts to obtain annexation of his or her property, including, if requested by the City, signing an annexation petition. In the case of an agreement to annex to the City, the owner of such land must also agree to require a similar agreement from anyone to whom he or she sells all or any part of his or her land.

(4) The water service area is as described in the contract between the City of Sylvania and the City of Toledo dated September 15, 2008, or as hereafter amended.

(5) All water main extensions that have been extended pursuant to and subject to this Rule shall be dedicated to the City of Sylvania.

(e) The Director of Public Service shall review and either approve or deny requests for the extension of water service. The request for extension of water service shall be denied unless the criteria set forth in subsection (d) above are met.

(Ord. 11-2009. Passed 2-18-09.)

921.02 RIGHT TO DISCONTINUE SERVICE.

The City reserves the right, power and authority to shut off the supply of water at any time without incurring any liability or cause of action for damages, any permit granted or any regulation to the contrary notwithstanding, and in no case shall the City be liable for damages for failure to supply water in consequence of accident or any other unavoidable cause.

(Ord. 34-64. Passed 4-20-64.)

921.03 ORDERS FOR STOPPAGE OF PLUMBING WORK.

The City reserves the right to stop any and all work on connections or plumbing on any premises where water is to be used at any time for good and sufficient reasons, and the City may refuse the use of water to any consumer until all connections are made to conform to the plumbing regulations of the City as contained in this chapter or in the Building Code.

(Ord. 34-64. Passed 4-20-64,)

921.04 INSPECTION OF PIPES AND FIXTURES; TESTS.

The Director or other authorized persons shall have free access at all proper and reasonable hours to all parts of any building or place where water is delivered to consumers to examine the pipe and fixtures and to ascertain their condition. The City reserves the right to test the quantity of water used.

(Ord. 34-64. Passed 4-20-64.)

921.05 NOTICE TO CONSUMERS.

Whenever in this chapter or Chapter [923](#) it is stated that notice shall be given to the consumer, it signifies that

notice left on or sent to the premises where water is consumed shall be sufficient notification.
(Ord. 34-64. Passed 4-20-64.)

921.06 APPLICATION FOR TAPPING PERMIT.

(a) The Director of Public Service ~~or designee~~ is hereby authorized and directed to receive applications for and issue water tapping permits under the provisions of this chapter.

(b) The fee required with the application includes a water meter, all necessary materials and labor to deliver water inside of the curb line at a point most convenient for setting the curb box, such curb box to be located where it will be best protected from damage in streets, and to the lot line in alleys, of property abutting on alleys where mains are located.

(Ord. 47-87. Passed 5-4-87.)

(c) The tapping fee shall accompany the application. The fee shall be determined as follows:

~~The fee for a standard one inch tap shall be one thousand two hundred dollars~~

~~1" Tap = (\$1,200.00_(WD1))~~

~~2" Tap = \$5,700.00_(WD2)~~

~~The fee for larger installations shall be net cost plus twenty-five percent overhead. Net cost shall include cost of materials, equipment and payroll. Payroll is defined as the cost of salaries, including sick leave, vacation time, holiday pay, hospitalization, employer's contribution to P.E.R.S., Worker's Compensation and all other basic and fringe benefits granted to City employees. (Ord. 92-2013. Passed 12-2-13.)~~

(d) No permit to tap, either directly or indirectly, into a water line of the City shall be issued by any official of the City to any person, persons, firm or corporation, unless the lot or lots or lands ~~to~~ to be connected with such water line are wholly inside of the Sylvania Water District as defined in the Sylvania-Toledo Water Agreement as amended from time to time, or inside of the territorial limits of the City, and in either case the Director may issue such permit. (Ord. 74- 79. Passed 8-20-79.)

921.07 IMPROVEMENT OF STREET; FAILURE TO APPLY FOR TAP.

Any applicant for water service, having been duly notified of the improvement of a street or alley from which the water service tap must be made to his premises, shall, if such tap is not applied for before the completion of such street or alley, be compelled to pay all additional expense on making such a tap at a future time.

(Ord. 34-64. Passed 4-20-64.)

921_(WD3).08 LICENSING OF TAPPERS.

All tapping and inserting of ferrules in the street mains or distributing pipes of the water works shall be done only by persons ~~licensed~~ approved by the Director of Public Service ~~or his representative~~.

(Ord. 34-64. Passed 4-20-64.)

921.09 QUALITY OF SERVICE PIPE; MAINTENANCE.

(a) From the curb box to the meter, each service pipe or pipes must be copper (type K soft roll type) and must be laid under the direction of the ~~Service Director~~ Water Division. The applicant shall first have the ~~Director~~ Water Division establish the location of the curb box. When this has been done, the service line may be installed beginning at a point six feet outside the property line and laid at a depth of four feet. The City shall make the connection to the curb box. Under Section 921.12(c), where a meter pit is required the applicant shall ~~extend connect to the City service line and install the meter setting and remaining house service inside the pit, ready for connection by the Director, to the meter.~~

(b) All service pipes, plumbing and fixtures must be of sufficient strength, with a sufficient margin of safety, to withstand ~~changing changes from in~~ domestic pressure, which ~~will may~~ range from ~~sixty~~ 50 to 120 pounds per square inch.

(c) All consumers shall keep their own service pipes and apparatus in good repair and protected from frost at their own risk and expense. By the acceptance of water service each consumer agrees that no claims shall be made against the City by reason of the breaking of any service pipe or service cock, or from damage arising from shutting off water to repair mains, or for other purposes. (Ord. 34-64. Passed 4-20-64.)

921_(WD4).10 GATE-METER VALVE & BACKFLOW PREVENTION.

The applicant shall provide a gate locking Ford meter valve, or equivalent, on each the street side of the water meter with no other valves or connections between the meter and the curb box and an approved ball valve on the house side of the water meter. (Ord. 34-64. Passed 4-20-64.)

921.11 COMPLIANCE WITH PLUMBING REGULATIONS.

The applicant must comply with all provisions of this chapter and the Building Code. (Ord. 34-64. Passed 4-20-64.)

921.12 WATER METERS; INSTALLATION AND CONTROL.

(a) All water shall be metered unless the use of water for temporary purposes is permitted by the Director as provided in Section 923.04. All meters shall be installed by the Director, or other person commissioned by the Director, only when meter space is provided.

(b) Meters shall remain the property of the City, and the City reserves the right to examine and repair or change any meter at any time. Only meters approved by the City shall be installed.

^[wds](c) Any building or dwelling 125 feet or more from the curb line shall have a meter pit at such curb line, constructed to specifications set up by the Director and on file with the ~~Clerk-Auditor~~ Water Division.

(d) Owners of existing apartment houses, flats, office buildings, halls, store rooms or dwellings occupying the same lot may supply two or more tenants through one meter under the provisions of Section 923.02.

(e) The City reserves the right to install two or more meters in any building or any other place where ~~the~~ City water is used when, in the judgment of the Director, the amount of water consumed is more than should be delivered through the meter in use.

^[wds](f) Upon request from an owner or consumer and agreement to pay the test charge, the Director shall ~~remove test~~ any meter ~~to the meter shop for test~~ upon payment of a fee, ~~not to exceed of five twenty~~ dollars (\$520.00), for a five-eighths inch meter. The customer shall be responsible for all coordination and costs for and a fee equalling the cost of removing and testing the meter for all other sizes. Meters larger than 1-inch shall be tested every 5 years or more often if deemed necessary by the City.

—If, upon examination and test, it is found that the meter registers outside the tolerance limits of the following percentages of water through it: two percent over or under on disc meters, sizes one-half inch to two inches, on flows from one to twenty gallons per minute; five percent over or under on all other types and sizes of meters on flows from low to high ratings; then the meter shall be considered inaccurate and the water charges shall be adjusted upon the basis of that test, for the preceding period only. Testing fees or costs will be reimbursed to the owner if a refund is warranted. (Ord. 34-64. Passed 4-20-64.)

921.13 PROTECTION AND REPAIR OF PIPES.

(a) The consumer shall not allow service pipes or fixtures connected therewith to remain out of order or unprotected from frost.

(b) In case of neglect or refusal to promptly repair any imperfection in service pipes, service stops or other fixtures, the City may cause the same to be done at the expense of the owner of such service, which expense shall be paid before the water is turned on.

(c) There shall be a minimum charge of ~~three sixty~~ dollars (\$360.00) for the first hour or less and ~~two sixty~~ dollars (\$260.00) an hour thereafter, for thawing service lines or plumbing if during regular working hours. There shall be a minimum charge of two hundred forty (\$240.00) for the first hour or less and sixty dollars (\$60.00) an hour thereafter, for thawing service lines or plumbing if not during regular working hours. (Ord. 34-64. Passed 4-20-64.)

921.14 SUPPLYING WATER TO OTHERS; PERMIT REQUIRED.

No consumer shall supply others except by special permit from the ~~Service~~ Director. (Ord. 34-64. Passed 4-20-64.)

921.15 OPENING FIRE HYDRANT.

No persons except those authorized by the Service Director shall be permitted to turn water into a fire hydrant or remove the caps therefrom, except in case of fire. (Ord. 34-64. Passed 4-20-74.)

921.16 DAMAGE TO WATER WORKS SYSTEM.

No person shall open any private stop cock or street washer, or place or deposit any dirt or any other material in any stop cock box, or turn any private stop cock or public valve, or commit any act tending to obstruct the use thereof, or enter or mar any building or injure in any manner any fixture, valve box, machinery, pipe or apparatus of the water works system. (Ord. 34-64. Passed 4-20-64.)

921.17 TAMPERING WITH WATER WORKS SYSTEM AFTER DISCONTINUANCE OF SERVICE.

No person shall operate, open or otherwise tamper with any valve, stop cock, curb cock or other device, after the same have been closed for violation of any regulation of the City or provision of this chapter, or lawfully secure a supply of water through such valve, stop cock, curb cock or other device after the same have been closed for the violation of any regulation of the City or provision of this chapter or in any way take water for private use unlawfully or without first having secured the necessary permit from the Director ~~of Public Service~~. (Ord. 34-64. Passed 4-20-64.)

921.18 TAMPERING WITH WATER LINES OR METER.

No person shall connect to any public water line, tamper with or remove any meter or metal seal or insert a meter bypass without the permission of the Director under penalty of having the water turned off, or being fined as provided in Section [921.99](#). (Ord. 34-64. Passed 4-20-64.)

921.19 MINIMUM SIZE OF WATER LINES.

All public water lines installed or relocated in the City in streets, rights of way or easements, except service pipes, shall be of eight inch minimum diameter. (Ord. 11-77. Passed 2-7-77.)

921.20 ENFORCEMENT OF WATER RULES AND REGULATIONS.

The Director shall make and enforce such rules and regulations as he may deem necessary and proper for the enforcement of the provisions of this chapter and for the safe, economical and efficient management and protection of the water system. (Ord. 11-77. Passed 2-7-77.)

921.21 SERVICE TO NEWLY ANNEXED TERRITORY.

Whenever any person or corporation, who is the owner of any lots and lands hereafter annexed to the City, desires to tap into any water main or line in the City, and which newly annexed lots and lands have not been especially assessed for the construction of any such water mains or lines whether such tap is directly into such water mains or lines or by way of newly constructed water mains or lines, such owner of any such lots or lands shall, for the right and privilege of tapping and using such water mains or lines, pay in addition to the regular tapping fee a sum equal to the special assessments charged against comparable lots and lands bounding and abutting any such water mains and lines or charged against lots and lands benefitted by such water mains and lines. (Ord. 83-64. Passed 11-2-64.)

921.22 ASSESSMENT EQUIVALENT OUTSIDE CONNECTION CHARGE.

No water tapping permit shall be issued for premises outside the territorial limits of the City unless there is first paid to the City the sum of ~~two five thousand five hundred dollars (\$2,5005,000)~~, which currently is the approximate assessment equivalent for the installation of a proper waterline to serve any lot inside the City; provided, however, that such assessment equivalent charge shall be waived for any lot intended to be served by such tapping permit as to which there has been extended, by one or ones other than the City, along the entire frontage of the lot intended to be so served, an eight inch or larger waterline pursuant to the City Master Plan, and provided further, however, that such assessment equivalent charge shall not apply if the City has created a specific waterline service area which includes the premises sought to be connected to the City water system and for which service area the City has established a connection fee. (Ord. 72-92. Passed 8-3-92_[WD7].)

~~921.99~~ ~~Ord. 23~~ ~~CROSS CONNECTION CONTROL~~

- ~~-(a) If, in the judgment of the Director of Public Service, an approved backflow prevention device is necessary for the safety of the public water system, the Director shall give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Director and shall have inspections and tests made of such approved devices as required by the Director.~~
- ~~-(b) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply, other than the regular public water supply of this City, may enter the supply or distributing system of this City, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply is approved by the Director and by the State Environmental Protection Agency.~~
- ~~-(c) The Director shall cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Director deems necessary.~~
- ~~-(d) The Director or his or its duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of inspecting the piping system or systems thereof. On demand the owner, lessees or occupants of any property so served shall furnish to the Director any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Director, be deemed evidence of the presence of improper connections as provided in this section.~~
- ~~-(e) The Director is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section is known to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provisions of this section. (Ord. 48 88. Passed 5-16-88.)~~

921.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than five hundred dollars (\$500.00) and a separate offense shall be deemed committed upon each day during or on which a violation has occurred or continues.

CHAPTER 922
Cross Connection Control and Water Quality Protection

922.01 Backflow protection.	922.06 Type of protection required
922.02 Definitions.	922.07 Backflow prevention devices.
922.03 Cross connections prohibited	922.08 Booster Pumps
922.04 Surveys and investigations.	922.09 Penalty
922.05 Where protection is required.	

CROSS REFERENCES

Cross connections – see OAC 3745-95-02
Backflow prevention devices – see OAC 3745-95-06
Violations – see OAC 3745-95-08

922.01 BACKFLOW PROTECTION.

If, in the judgment of the Director of Public Service (“Director”), the integrity of the public water system is, or can be, endangered by backflow from an actual or a potential cross connection within the plumbing system of a water consumer, the Director may order the installation of an approved backflow prevention method or device consisting of either an air-gap, vacuum breaker, reduced pressure principle backflow preventer or any combination thereof at the water service connection to the premise. The water consumer shall install the designated device or method at his own expense, and failure, refusal or inability to install such device or method immediately shall constitute a ground for discontinuing water service to the premise until such device or method has been installed and approved by the Director. The use of the approved backflow preventer at the water service connection does not in any way affect or eliminate the need for individual fixture devices or air-gaps as required by the laws of the State of Ohio.

922.02 DEFINITIONS.

As used in this chapter, certain terms are defined as follows:

- (a) “Air gap separation” means unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet water supply to a tank, plumbing fixture or other device and the flood level rim of the receptacle.
- (b) “Approved” means that a backflow prevention device or method has been accepted by the Service Department and the Ohio Environmental Protection Agency as suitable for the proposed use.
- (c) “Auxiliary” means any water system on or available to the premises other than the City’s public water system and includes the water supplied by the system. These auxiliary water systems may include, but are not limited to, water from another purveyor’s public water system; or water from a source such as wells, cisterns, tanks, lakes or streams; or process fluids; or used water.

- (d) "Backflow" means the flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.
- (e) "Backflow prevention device" means any device, method or type of construction intended to prevent backflow into a potable water system.
- (f) "City" means the City of Sylvania, Ohio.
- (g) "Consumer" means the owner or person in control of any premises supplied by or in any manner connected to a public water system.
- (h) "Consumers water system" means any water system, located on the premises occupied by the consumer, supplied by, or in any manner connected to a public water system.
- (i) "Containment" means an impairment of the quality of the water by sewage or process fluids or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.
- (j) "Cross connection" means any arrangement whereby backflow can occur.
- (k) "Double check valve assembly" means an assembly composed of two single, independently acting, check valves including tightly closing shut-off valves located at each end of the assembly and suitable connections for testing the watertightness of each check valve.
- (l) "Health hazard" means any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of users. The word "severe" as used to qualify "health hazard" means a hazard to the health of the water system user or the public that could reasonably be expected to result in potentially lethal or permanently debilitating morbidity or in death.
- (m) "Interchangeable" connection means an arrangement or device that will allow alternate but not simultaneous use of two sources of water.
- (n) "Nonpotable water" means water not safe for drinking, personal hygienic or culinary use.
- (o) "Person" means the state, any political subdivision, public or private corporation, individual, partnership, association, trust, or other legal entity.
- (p) "Pollution" means the presence in water of any foreign substance that tends to degrade its quality so as to constitute a health hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely affect such waters for domestic use.
- (q) "Potable water" means water which is satisfactory for drinking, culinary, and personal hygienic purposes and meets the requirements of the Toledo Lucas County Health District.
- (r) "Process fluids" means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional or system hazard if introduced into the public or a potable consumer's water system. This includes, but is not limited to:
 - (1) Polluted or contaminated waters;
 - (2) Process waters;
 - (3) Used waters originating from the public water system which may have deteriorated in sanitary quality;
 - (4) Cooling waters;
 - (5) Contaminated natural waters taken from wells, lakes, tanks, cisterns, streams, or irrigation systems;
 - (6) Chemicals in solution or suspension;
 - (7) Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.
- (s) "Public water system" means any publicly or privately owned potable water system defined in to Ohio R.C. 6109.01(A).
- (t) "Reduced pressure principle backflow prevention device" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check

valves at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks.

- (u) "Service connection" means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.
- (v) "System hazard" means a condition through which posing an actual or potential threat of damage to the physical properties of the public water system or a potable consumer's water system.
- (w) "Pollutional hazard" means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water system or a potable consumer's water system.
- (x) "Used water" means any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water purveyor.
- (y) "Water purveyor" means the owner or operator of a public water system.
- (z) "Water system" means the pumps, plumbing, and connected appurtenances and connected water storage devices used to transport and store water.
- (aa) "Ohio EPA" means the Ohio State Environmental Protection Agency.

922.03 CROSS CONNECTIONS PROHIBITED

(a) No person shall install or maintain a water service connection to any premises where actual or potential cross connections to a public water system or a potable consumer's water system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the Director.

(b) No person shall install or maintain any connection whereby water from an auxiliary water system may enter a public water system or potable consumer's water system unless the auxiliary water system and the method of connection and use of such system shall have been approved by the Director and by the Ohio E.P.A. as required by Ohio R.C. 6109.13-15.

(c) Except as otherwise provided in this chapter, no person shall install or maintain a water system wherein any air gap separation distance is less than twice the diameter of the water supply pipe or faucet or is less than one inch, whichever is the greater distance.

922.04 SURVEYS AND INVESTIGATIONS.

(a) The Director, or his authorized representative, shall have the right to enter premises served by the public water system at all reasonable times for the purpose of making surveys and investigations of water use practices within the premises.

(b) On request by the Director, or his authorized representative, the consumer shall furnish the water purveyor, or its authorized representative, information on water use practices within the consumer's premises.

(c) Subsection (a) hereof does not relieve the consumer of the responsibility for conducting, or causing to be conducted, periodic surveys of water use practices on his premises to determine whether there are actual or potential cross connections in the consumer's water system through which contaminants or pollutants could backflow into a public water system or a potable consumer's water system.

922.05 WHERE PROTECTION IS REQUIRED.

(a) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the consumer's premises, where in the judgment of the Director or the Ohio E.P.A., a real or potential health, pollutional, or system hazard to the public water system exists.

(b) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the consumer's premises where the following conditions exist:

- (1) The premises has an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Director and the additional source is approved by the Ohio E.P.A.
- (2) Any substance is handled on the premises in such a fashion as to create an actual or potential hazard to a public water system.
- (3) The premises has internal cross connections that, in the judgment of the Director, are not correctable or intricate plumbing arrangements which make it impracticable to determine whether or not cross connections exist.
- (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross connection survey.
- (5) The premises has a repeated history of cross connections being established or re-established.
- (6) Other conditions in which an approved backflow prevention device is required by Federal or Ohio law.

(c) An approved backflow prevention device shall be installed at each point of connection between a public water system and an auxiliary water system and at each point of connection between a potable consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Director and the additional source is approved by the Ohio E.P.A.

922.06 TYPE OF PROTECTION REQUIRED.

(a) The type of protection required under Section 922.05(b), shall depend on the degree of hazard which exists as follows:

- (1) A required air gap separation and an approved reduced pressure principle backflow prevention device shall be maintained where a public water system may be contaminated with substances that could cause a severe health hazard;
- (2) A required air gap separation shall be maintained or an approved reduced pressure principle backflow prevention device shall be installed where a public water system may be contaminated with any substance that could cause a system or health hazard or a pollutional hazard.

(b) The type of protection required under Section 922.05(c) shall be a required air gap separation or an approved interchangeable connection.

(c) Where an auxiliary water system is used as a secondary source of water for a fire protection system, the provisions of subsection (b) hereof for a required air gap separation or an approved interchangeable connection may be waived by the Director and the Ohio E.P.A. provided:

- (1) At premises where the auxiliary water system may be contaminated with substances that could cause a system or health hazard, a public water system or a potable consumer's water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;
- (2) At all other premises, a public water system or a potable consumer's water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;
- (3) A public water system or a potable consumer's water system shall be the primary source of water for the fire protection system;
- (4) The fire protection system shall be normally filled with water from a public water system or a potable consumer's water system;
- (5) The water in the fire protection system shall be used for fire protection only, with no other use of water from the fire protection system, downstream from the approved backflow prevention device.

(d) Type of Backflow Protection Required; Domestic and Commercial Water Services. An

approved Reduced Pressure Principle Backflow Prevention device or an Air Gap Separation shall be installed on each domestic water service connection to the following types of facilities unless the Director determines that no real or potential health, pollutional, or system hazard to the public water system exists:

Type of Facility

Breweries, distilleries, bottling plants	Power plants
Car wash with recycling system and/or wax eductor	Radioactive material plants
Chemical plants	Restaurants with soap eductors and/or industrial type disposal
Dairies.	Sand and gravel pits
Health care facilities	Schools with laboratories having acid wastes
Fertilizer plants	Sprinkling or irrigation systems
Film laboratory or processing plant	Swimming pools with piped fill line
Food or beverage plant	Sewage treatment plants
Laboratories	Sewage pumping stations
Laundries and dry cleaning plants	Veterinary establishments
Machine tool plants (health or system hazard)	Premises having submerged inlets to equipment
Machine tool plants (pollutional hazard)	Premises having self-draining yard hydrants, fountains, hose boxes or similar devices presenting a health or system hazard (i.e., chemical storage plants, tank farms, bulk storage yards)
Metal processing plant (health or system hazard)	Premises having self-draining yard hydrants, fountains, hose boxes or similar devices presenting a pollutional hazard (i.e., parks, play fields, cemeteries)
Metal processing plant (pollutional hazard)	
Metal plating plant	
Morgues and mortuaries	
Packing houses or rendering plants	
Paper products plant	
Petroleum processing plant	
Petroleum storage yard (health or system hazard)	
Pharmaceutical or cosmetic plant	

(e) Type of Backflow Protection Required; Fire Protection Service. An approved double detector check valve assembly device or the use of a reduced or detector pressure principle backflow prevention device shall be installed on each fire protection service to any premises unless the Director determines that no real or potential health, pollutional, or system hazard to the public water system exists. The double check assembly device must meet all of the following requirements before it can be approved by the City Water and Sylvania Township Fire Divisions.

- (1) Water from the downstream side of the double check valve assembly device shall be used for fire protection only.
- (2) There shall be no regular use of water downstream from the double check valve assembly device other than for fire system make-up water.
- (3) The fire system shall be filled with water from the public water supply only.
- (4) The public water supply must be the primary source of water for fighting fires.
- (5) The water system must contain no additives. Provided, however, where the fire protection system contains any of the following components, a reduced pressure principle backflow prevention device shall be installed between such component and the rest of the water system so as to isolate such component from the rest of the water system:

Auxiliary Water System
Anti-Freeze Legs
Covered Gravity or Pressure Storage Tanks
Uncovered Storage Tanks or Reservoirs

(f) The Sylvania Township Fire Division shall maintain a current record of all double check valve assembly devices which are a part of a fire sprinkler system connected to the City public water system.

922.07 BACKFLOW PREVENTION DEVICES.

(a) Any backflow prevention device installed in the City shall be of a model or construction approved by the Director and the Ohio E.P.A. and shall be tested and be found to function properly and shall be certified by an inspector certified pursuant to Ohio R.C. 3703.01(D), 3703.04, and 3703.05 before the device is put in use.

(b) Any backflow prevention device required shall be installed at a location and in a manner approved by the Director and shall be installed by and at the expense of the water consumer.

(c) It shall be the duty of the consumer, on any premises on which backflow prevention devices have been installed to have thorough inspections and operational tests made of the devices at such intervals and in such manner as may be required by the Director or the Ohio E.P.A., but in no event shall such tests be made at greater than twelve- month intervals. These inspections and test shall be at the expense of the water consumer and shall be performed by an inspector certified pursuant to Ohio R.C. 3703.01(D), 3703.04 and 3703.05.

(d) Backflow prevention devices shall be repaired, overhauled, or replaced at the expense of the consumer within fourteen days after they are found to be defective. Records of such inspections, tests, repairs, and overhaul shall be kept by the consumer and made available to the Director.

(e) Existing backflow prevention devices approved by the Director or the Ohio E.P.A. prior to the effective date of this regulation and which are properly maintained shall, except for inspection, testing, and maintenance requirements, be excluded from the requirements of subsections (a) and (b) hereof, if the Director and the Ohio E.P.A. are assured that the devices will satisfactorily protect the public water system.

(f) The City shall maintain a current record of all backflow prevention devices which are a part of any water system connected to a public water system.

(g) Persons performing inspections as required in this section shall, within fifteen days of performing such inspection, file with the City of Sylvania Water Department a test report. The test report shall include the following data:

- (1) Type of backflow prevention device.
- (2) Size of backflow prevention device.
- (3) Location of backflow prevention device.
- (4) Model designation of backflow prevention device.
- (5) Date backflow prevention device was installed.
- (6) Test results before backflow prevention device was repaired.
- (7) Description of repairs made.
- (8) Description of materials used in making repairs.
- (9) Results of a final test of the backflow prevention device after the repair or installation.
- (10) Inspector's signature.
- (11) Date of inspection.
- (12) Certification by the owner of the premises on which the backflow prevention device is located certifying that the backflow prevention device has been in constant use at the location of the backflow prevention device during the entire proscribed interval between test periods and that during that period the backflow prevention device was not by-passed, made inoperative, or removed without proper authorization.
- (13) Such other information as the Director deems necessary.

922.08 BOOSTER PUMPS.

(a) No person shall install or maintain a water service connection to any premises where a booster pump has been installed on the service line to or within such premises, unless such booster pump

is equipped with a pressure sustaining valve designed to maintain pressure on the suction side of the pump at no less than ten pounds per square inch gauge or less. No person shall install a booster pump on the service line of a domestic service.

(b) It shall be the duty of the water consumer to maintain the low-pressure cutoff device in proper working order and to certify to the Director, at least once a year, that the device is operable.

(c) The low-pressure cutoff control for booster pumps shall conform to the Ohio E.P.A. Specifications as described in the Ohio E.P.A. publication, *Backflow Prevention and Cross-Connection Control*, 2006

922.99 PENALTY.

Whoever violates any provision of this chapter for which another penalty is not specifically provided shall be guilty of a misdemeanor of the first degree, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months or both.

CHAPTER 923
Water Service Charges

- [923.01](#) Director defined; powers.
- [923.02](#) Water rate schedule.
- [923.03](#) City reserves right to change water rates.
- [923.04](#) Water used for temporary construction purposes.
- [923.05](#) Taking water for private uses from public sources.
- [923.06](#) Fire service charge.
- [923.07](#) Swimming pool filling on application.
- [923.08](#) Due date for payment of water and repair charges.
- [923.09](#) Delinquent accounts.
- [923.10](#) Responsibility of property owners for water charges.
- [923.11](#) Consumer moving to new premises; payment of former bills.
- [923.12](#) No allowance for loss of water through leakage.
- [923.13](#) No charge for turning water on and off unless for violation or vacation.
- [923.14](#) Misuse or waste of water.
- [923.15](#) Discontinuance of service for tampering with meter.
- [923.16](#) Discontinuance of service for violation or nonpayment of charges.
- [923.99](#) Penalty.

CROSS REFERENCES

- Service Director to manage and have control over water supply - see Chtr. Art. VII, [§4.0](#)
- Water works mortgage revenue bonds - see Ohio R.C. 715.09 et seq.
- Weekly deposit of water works money collected - see Ohio R.C. 743.06
- Water regulations - see S.U. & P.S. Ch. [921](#)
- Improvements - see S.U. & P.S. [933.05](#)

923^[WD1].01 DIRECTOR DEFINED; POWERS.

(a) As used in this chapter and Chapter ~~921~~**923**, "Director" means the Director of Public Service, or, if no person has been appointed to such office, the Director of Finance or other City official who has been assigned the responsibilities provided in this chapter.

(b) The Director ~~of Public Service~~ shall make such rules and regulations as he may deem necessary and proper for the enforcement of the provisions of this chapter and the safe, economical and efficient management and protection of the water system.
(Ord. 3-65. Passed 1-4-65.)

923.02 WATER RATE SCHEDULE.

The following rate is hereby established for consumers of water of the City and such rate applies to water consumed during each ~~three month~~**monthly** period unless otherwise provided in these regulations.

Water Rate Schedule

	<u>City-User</u> <u>City User</u>	<u>Non-City-User</u> <u>Non-City User</u>
<u>Commencing January 25, 2016</u>	<u>\$8.09 per 1,000</u>	<u>\$10.11 per 1,000</u>
<u>Commencing January 1, 2017</u>	<u>gallons \$9.71 per 1,000</u> <u>gallons</u>	<u>gallons \$12.14 per 1,000</u> <u>gallons</u>

(Ord. 80-2015. Passed 12-7-15.)

923.03 CITY RESERVES RIGHT TO CHANGE WATER RATES.

The City reserves the right to change the rates for the use of water from time to time as experience may show to be necessary and to impose such restrictions on the uses of water as may be deemed reasonable and proper.
(Ord. 34-64. Passed 4-20-64.)

923.04 WATER USED FOR TEMPORARY CONSTRUCTION PURPOSES.

All applications for use of water for temporary construction purposes, without a meter, shall be referred to the ~~Service~~ Director for specific determination as to rates and conditions in each case. (Ord. 34-64. Passed 4-20-64.)

923.05 TAKING WATER FOR PRIVATE USES FROM PUBLIC SOURCES.

No person shall take for private use water from any public fountain, hydrant, street sprinkler, draw-cock or hose pipe, except for fire purposes, or in any way take any water for private use which is supplied by the water works system without paying therefor as a temporary user as provided in Section 923.04.
(Ord. 34-64. Passed 4-20-64.)

923.06 FIRE SERVICE CHARGE.

The owners of private fire hydrants attached to the City water distribution system shall pay the City through the Division of Utilities, a fire hydrant maintenance charge of ~~two five~~ dollars (~~\$2.005.00~~) per ~~quarter-month~~ per hydrant. Fire hydrants and fire lines shall meet City standards. Where fire mains are connected to the City water system, a charge of ~~one two~~ dollars (~~\$1.002.00~~) ~~quarterly~~ **monthly** per inch diameter of such mains shall be made. Such charges shall cover routine operation and maintenance of the fire main system. Repairs of lines and hydrants and replacement of parts, when necessary, shall be billed in addition to the above charges at cost of labor, materials and equipment plus ~~twenty-10~~^[WD2] percent overhead costs. These charges shall be billed and paid ~~quarterly~~ **monthly** in the same manner as the water bills and subject to the penalties prescribed in Section 923.09. (Ord. 29-69. Passed 7-7-69.)

923.07 SWIMMING POOL/ICE RINK FILLING ON APPLICATION.

A consumer, on prior application therefor filed with the ~~Service Director~~ Utilities Office, shall ~~by the Director~~, be permitted to have a seasonal fill or refill of a swimming pool or ice rink with water at the rate established in Section 923.02(a)(1) per 1,000 gallons of water exclusive of the water used by such consumer for

all other purposes.
(Ord. 41-83. Passed 5-23-83.)

923.08 DUE DATE FOR PAYMENT OF WATER AND REPAIR CHARGES.

~~(a) All water rents for those accounts of consumers with a water service meter installed prior to January 1, 2002 shall be due and payable quarterly on January 1, April 1, July 1 and October 1, or on such other day in each of the four quarters of each year as the Director establishes by rule at the office of the Division of Utilities, Department of Public Service; provided that water rent accounts of consumers determined by the Director to have a consumption history averaging 100,000 gallons or more per month shall be due and payable monthly on the first day of each month or on such other day of each month as the Director shall establish by rule.~~

~~(b) All water rents for those accounts of consumers with a water service meter installed or upgraded after January 1, 2002 shall be due and payable monthly on January 1, February 1, March 1, April 1, May 1, June 1, July 1, August 1, September 1, October 1, November 1 and December 1 or about the 24th day of each month, or on such other day in each of the twelve months of each year as the Director establishes by rule at the office of the Division of Utilities, Department of Public Service.~~

~~(c) The cost of all repairs shall be due and payable upon completion of the work. Any moneys received on a combined labor and water rent bill shall be applied to the labor bill first and the balance, if any, shall be applied to the water rent bill.~~

~~(Ord. 21-2002. Passed 2-18-02.)~~

923.09 DELINQUENT ACCOUNTS.

(a) Each and every bill rendered for water used shall be paid within twenty days after the same becomes due. No discount shall be allowed for payment within that period. Ten percent (10%) additional shall be charged on each and every bill rendered for water used if not paid within twenty days after the same becomes due, and such delinquent water accounts are subject to shut-off at the discretion of the ~~Service~~ Director.

(b) When water rents are not paid within twenty days after becoming due, the Director ~~of Public Service~~ may do either or both of the following:

(1) Certify them, together with the penalties provided hereinabove and interest allowed by law, to the County Auditor who shall place them on the real property tax list and duplicate against the property served by the connection. The Director ~~of Public Service~~ shall, at the time of such certification, also certify that the unpaid rents have arisen pursuant to a service contract made directly with the owner ~~who occupies~~ of the property served. The amount placed on the tax list and duplicate shall be a lien on the property served from the date placed on the tax list and duplicate and shall be collected in the same manner as other Municipal taxes.

(2) Collect them, together with the penalties provided hereinabove and interest allowed by law, by action at law, in the name of the City, from the owner, tenant and/or other person who is liable to pay the rents.

(Ord. 44-88. Passed 5-16-88.)

923.10 RESPONSIBILITY OF PROPERTY OWNERS FOR WATER CHARGES.

(a) All applications for water service shall be made by contract between the record title owner of the property to be served and the City, ~~provided~~; however, that an agent who represents himself to be authorized by the owner may make the application and contract on behalf of the owner upon agreeing to be personally liable for water and sewer charges and providing such security as the Director ~~of Public Service~~ may require. Within fourteen days of the signing of any contract for water service with the City, proper proof of ownership of the premises to be served shall be presented to the City. Should proper proof of ownership not be presented within fourteen days, the City shall have the right to cancel the contract and to terminate the water service provided to the premises.

(b) As used in this section, "proper proof of ownership" means either the original or a photocopy of the owner's deed, land contract, or similar document setting forth the ownership of the property to be served.

(c) As used in this section, "record title owner" includes the grantee or grantees named in a deed which grantee or grantees are also listed as the current owner or owners on the records of the Auditor of Lucas County, Ohio, Real Estate Division, and shall also include the land contract vendee or vendees of such a grantee or grantees.

(d) In the event that the record title owner of the property to be served is a corporation, partnership,

association or other entity, the application for water service shall be signed by a duly authorized officer of such entity.

(Ord. 85-83. Passed 11-7-83.)

923.11 CONSUMER MOVING TO NEW PREMISES; PAYMENT OF FORMER BILLS.

Any person or persons, firm, corporation or association owing water rent and removing to other premises where there are water connections, or where connections shall be made, before being permitted to use the water, shall pay all former delinquencies. Should it come to the attention of the Director that any person or persons, firm, corporation or association, currently using City water, owes the City for any water charges incurred at a former premises in the City Water District, those charges owed plus penalty and interest shall be added to the account for water currently being used and the same shall be billed to the consumer; provided, however, the late charge shall not be compounded. All unpaid accounts for water shall be a lien against the property served and all unpaid accounts for water charges of any person or persons, firm, corporation or association incurred previously at premises served by a City water connection shall be a lien against the premises currently being served.

(Ord. 45-88. Passed 5-16-88.)

923.12 NO ALLOWANCE FOR LOSS OF WATER THROUGH LEAKAGE.

No allowance shall be made for water use, lost or wasted through leaks, carelessness, neglect or otherwise, after the same has passed through the meter.

(Ord. 34-64. Passed 4-20-64.)

923.13 NO CHARGE FOR TURNING WATER ON AND OFF UNLESS FOR VIOLATION OR VACATION.

(a) New water customers shall not be required to pay a water turn-on charge regardless of when it is turned on.

(b) Customers applying for a vacation turn-off and turn-on shall pay a charge of twenty- five dollars (\$25.00) on applying for the turn-off.

(c) Except as provided in subsections (a) and (b) hereof, there shall be no charge for turning water off and/or on for any owner unless shut-off and/or turn-on is caused by a violation of this chapter or Chapter 921, or any part thereof; provided, however, that a special charge of ~~twenty-five dollars~~ one hundred twenty (\$25.00|20.00) for a shut-off and/or turn-on, ~~a shut-off only or a turn-on only~~ for the same owner, shall be made to the owner of premises served if any of the work necessary to effect such shut-off and/or turn-on, ~~shut-off only or turn-on only~~ is completed by any City employee at a time other than ~~between the hours of 8:00 a.m. and 4:30 p.m. on any Monday through Friday which is not designated a holiday~~ regular working hours for City employees.

(Ord. 47-88. Passed 5-16-88.)

923.14 MISUSE OR WASTE OF WATER.

In all cases of misuse or waste of water, the water shall be immediately turned off and a shut-off and turn-on charge made against the owner of sufficient size to compensate the City for water waste and damage done, if any.

(Ord. 34-64. Passed 4-20-64.)

923.15 DISCONTINUANCE OF SERVICE FOR TAMPERING WITH METER.

If the Director finds that a meter seal has been broken or any bypass inserted and there is evidence that the meter has been tampered with, the water shall be shut off and shall not be turned on again until the owner of the premises pays for the estimated quantity of water which has been used and not registered, and in addition thereto, the special charge provided in Section 923.16 for turning on such water. The payments made as hereinabove required shall not in any way relieve any person from criminal prosecution and penalties provided by the laws of the State or by ordinance.

(Ord. 79-74. Passed 12-9-74.)

923.16 DISCONTINUANCE OF SERVICE FOR VIOLATIONS OR NONPAYMENT OF CHARGES.

For a violation of any of the provisions of this chapter or Chapter 921, or for nonpayment of water rent ~~or sewer rental~~ charges within twenty days after the due date thereof, the City reserves the right to shut off the supply of water without any preliminary notice and such water shall not be turned on again until all back water bills ~~and back sewer rental charges~~ together with all delinquency penalties thereon and the charges required by any provision violated plus the special charge as determined herein have been paid. A special charge referred to herein shall be made for a shut-off only without a turn-on for the same owner or for a shut-off and turn-on for the same owner, and in either event, such charge shall be as follows:

(a) ~~Fifty-Sixty~~ dollars (~~\$50.00~~60.00), if the work necessary to effect such shut-off or shut-off and turn-on is completed by the City employee or ~~employees between the hours of 8:00 a.m. and 4:30 p.m. on any Monday through Friday, except when such time is a designated holiday during regular working hours~~ for City employees.

(b) One hundred ~~twenty~~ dollars (~~\$100.00~~120.00), if any part of such work is completed at a time other than the time specified in subsection (a) hereof, ~~for the fifty-dollar (\$50.00) special charge.~~

(Ord. 46-88. Passed 5-16-88.)

923.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate violation shall be deemed committed upon each day during or on which the violation occurs or continues.

ORDINANCE NO. 59 -2017**AMENDING CHAPTER 921 – WATER REGULATIONS; AMENDING CHAPTER 923 – WATER SERVICE CHARGES; ADDING CHAPTER 922 – CROSS CONNECTION CONTROL AND WATER QUALITY PROTECTION OF THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED; AND DECLARING AN EMERGENCY.**

WHEREAS, the Director of Public Service has recommended that Chapters 921 and 923 be amended and that Chapter 922 be added as set forth on the attached “Exhibit A.”

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That Chapter 921 – Water Regulations of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit A.”

SECTION 2. That Chapter 922 – Cross Connection Control and Water Quality Protection of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby added to read as set forth on the attached “Exhibit B.”

SECTION 3. That Chapter 923 – Water Service Charges of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit C.”

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

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendment to this Chapter should be provided for immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the

Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by this Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2017, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

CHAPTER 921
Water Regulations

- 921.01 Contract with consumer.
- 921.02 Right to discontinue service.
- 921.03 Orders for stoppage of plumbing work.
- 921.04 Inspection of pipes and fixtures; tests.
- 921.05 Notice to consumers.
- 921.06 Application for tapping permit.
- 921.07 Improvement of street; failure to apply for tap.
- 921.08 Licensing of tappers.
- 921.09 Quality of service pipe; maintenance.
- 921.10 Gate valve.
- 921.11 Compliance with plumbing regulations.
- 921.12 Water meters; installation and control.
- 921.13 Protection and repair of pipes.
- 921.14 Supplying water to others; permit required.
- 921.15 Opening fire hydrant.
- 921.16 Damage to water works system.
- 921.17 Tampering with water works system after discontinuance of service.
- 921.18 Tampering with water lines or meter.
- 921.19 Minimum size of water lines.
- 921.20 Enforcement of water rules and regulations.
- 921.21 Service to newly annexed territory.
- 921.22 Assessment equivalent outside connection charge.
- 921.23 Cross-connection control.
- 921.99 Penalty.

CROSS REFERENCES

- Service Director to supervise improvements to water system - see
Chtr. Art. VII, §4.0
- Tampering with water hydrants, pipes or meters; unauthorized
connections - see Ohio R.C. 4933.22
- Excavations - see S.U. & P.S. Ch. 905
- Water service charges - see S.U. & P.S. Ch. 923
- Improvements - see S.U. & P.S. 933.05

921.01 CONTRACT WITH CONSUMER.

(a) The regulations set forth in this chapter and Chapter **923** shall be considered a part of the contract with every person, company or corporation that is supplied with water through the water works system of the City, and every such person, company or corporation using and accepting water through such water works system shall be considered to express his, its or their consent to be governed thereby.

(b) The City reserves the right to change, alter or amend the provisions of this chapter or Chapter **923** at any time; but any alterations or additions shall not affect any contract with consumers for the current month.

(c) No water service shall be extended to any users outside the corporate limits of the City except under the conditions set forth in subsections (d) and (e) hereof. Provided, further, that any person presently receiving water service from the City shall, upon notice from the City, immediately comply with the provisions of subsection (d). Failure to comply with such policy shall result in the water service being terminated 60 days from the date of notice.

(d) The City may extend water service to land which is outside of the corporate limits of the City but within the City's water service area provided that before such water service is extended or continued, the owner of such land must comply with the following:

(1) Compliance with the zoning regulations of the governmental entity in which the property is located.

(2) Compliance with the Planning Code of the City of Sylvania.

(3) Execute an agreement to annex the property to the City or a petition for annexation to the City, as determined by the City. Such owner shall exert all efforts to obtain annexation of his or her property, including, if requested by the City, signing an annexation petition. In the case of an agreement to annex to the City, the owner of such land must also agree to require a similar agreement from anyone to whom he or she sells all or any part of his or her land.

(4) The water service area is as described in the contract between the City of Sylvania and the City of Toledo dated September 15, 2008, or as hereafter amended.

(5) All water main extensions that have been extended pursuant to and subject to this Rule shall be dedicated to the City of Sylvania.

(e) The Director of Public Service shall review and either approve or deny requests for the extension of water service. The request for extension of water service shall be denied unless the criteria set forth in subsection (d) above are met.

(Ord. _____-2017. Passed _____-2017.)

921.02 RIGHT TO DISCONTINUE SERVICE.

The City reserves the right, power and authority to shut off the supply of water at any time without incurring any liability or cause of action for damages, any permit granted or any regulation to the contrary notwithstanding, and in no case shall the City be liable for damages for failure to supply water in consequence of accident or any other unavoidable cause.

(Ord. _____-2017. Passed _____-2017.)

921.03 ORDERS FOR STOPPAGE OF PLUMBING WORK.

The City reserves the right to stop any and all work on connections or plumbing on any premises where water is to be used at any time for good and sufficient reasons, and the City may refuse the use of water to any consumer until all connections are made to conform to the plumbing regulations of the City as contained in this chapter or in the Building Code.

(Ord. _____-2017. Passed _____-2017.)

921.04 INSPECTION OF PIPES AND FIXTURES; TESTS.

The Director or other authorized persons shall have free access at all proper and reasonable hours to all parts of any building or place where water is delivered to consumers to examine the pipe and fixtures and to ascertain their condition. The City reserves the right to test the quantity of water used.

(Ord. _____-2017. Passed _____-2017.)

921.05 NOTICE TO CONSUMERS.

Whenever in this chapter or Chapter **923** it is stated that notice shall be given to the consumer, it signifies that notice left on or sent to the premises where water is consumed shall be sufficient notification.

(Ord. _____-2017. Passed _____-2017.)

921.06 APPLICATION FOR TAPPING PERMIT.

(a) The Director of Public Service or designee is hereby authorized and directed to receive applications for and issue water tapping permits under the provisions of this chapter.

(b) The fee required with the application includes a water meter, all necessary materials and labor to deliver water inside of the curb line at a point most convenient for setting the curb box, such curb box to be located where it will be best protected from damage in streets, and to the lot line in alleys, of property abutting on alleys where mains are located.

(Ord. 47-87. Passed 5-4-87.)

(c) The tapping fee shall accompany the application. The fee shall be determined as follows:

1" Tap = \$1,200.00
2" Tap = \$5,700.00

Comment [WD1]: ?

Comment [WD2]: ?

The fee for larger installations shall be net cost plus twenty-five percent overhead. Net cost shall include cost of materials, equipment and payroll. Payroll is defined as the cost of salaries, including sick leave, vacation time, holiday pay, hospitalization, employer's contribution to P.E.R.S., Worker's Compensation and all other basic and fringe benefits granted to City employees. (Ord. 92-2013. Passed 12-2-13.)

(d) No permit to tap, either directly or indirectly, into a water line of the City shall be issued by any official of the City to any person, persons, firm or corporation, unless the lot or lots or lands to be connected with such water line are wholly inside of the Sylvania Water District as defined in the Sylvania-Toledo Water Agreement as amended from time to time, or inside of the territorial limits of the City, and in either case the Director may issue such permit. (Ord. 74- 79. Passed 8-20-79.) (Ord. _____-2017. Passed _____-2017.)

921.07 IMPROVEMENT OF STREET; FAILURE TO APPLY FOR TAP.

Any applicant for water service, having been duly notified of the improvement of a street or alley from which the water service tap must be made to his premises, shall, if such tap is not applied for before the completion of such street or alley, be compelled to pay all additional expense on making such a tap at a future time.

(Ord. _____-2017. Passed _____-2017.)

921.08 LICENSING OF TAPPERS.

Comment [WD3]: ?

All tapping and inserting of ferrules in the street mains or distributing pipes of the water works shall be done only by persons approved by the Director of Public Service or his representative.

((Ord. _____-2017. Passed _____-2017.)

921.09 QUALITY OF SERVICE PIPE; MAINTENANCE.

(a) From the curb box to the meter, each service pipe or pipes must be copper (type K soft roll type) and must be laid under the direction of the Water Division. The applicant shall first have the Water Division establish the location of the curb box. When this has been done, the service line may be installed beginning at a point six feet outside the property line and laid at a depth of four feet. The City shall make the connection to the curb box. Under Section 921.12(c), where a meter pit is required the applicant shall connect to the City service line and install the meter setting and remaining house service ..

(b) All service pipes, plumbing and fixtures must be of sufficient strength, with a sufficient margin of safety, to withstand changes in domestic pressure, which may range from 50 to 120 pounds per square inch.

(c) All consumers shall keep their own service pipes and apparatus in good repair and protected from frost at their own risk and expense. By the acceptance of water service each consumer agrees that no claims shall be made against the City by reason of the breaking of any service pipe or service cock, or from damage arising from shutting off water to repair mains, or for other purposes. (Ord. _____-2017. Passed _____-2017.)

921.10 METER VALVE & BACKFLOW PREVENTION .

Comment [WD4]: ?

The applicant shall provide a locking Ford meter valve, or equivalent, on the street side of the water meter and an approved ball valve on the house side of the water meter. (Ord. _____-2017. Passed _____-2017.)

921.11 COMPLIANCE WITH PLUMBING REGULATIONS.

The applicant must comply with all provisions of this chapter and the Building Code. (Ord. _____-2017. Passed _____-2017.)

921.12 WATER METERS; INSTALLATION AND CONTROL.

(a) All water shall be metered unless the use of water for temporary purposes is permitted by the Director as provided in Section 923.04. All meters shall be installed by the Director, or other person commissioned by the Director, only when meter space is provided.

(b) Meters shall remain the property of the City, and the City reserves the right to examine and repair or change any meter at any time. Only meters approved by the City shall be installed.

(c) Any building or dwelling 125 feet or more from the curb line shall have a meter pit at such curb line, constructed to specifications set up by the Director and on file with the Water Division.

Comment [WD5]: ?

(d) Owners of existing apartment houses, flats, office buildings, halls, store rooms or dwellings occupying the same lot may supply two or more tenants through one meter under the provisions of Section 923.02.

(e) The City reserves the right to install two or more meters in any building or any other place where City water is used when, in the judgment of the Director, the amount of water consumed is more than should be delivered through the meter in use.

(f) Upon request from an owner or consumer and agreement to pay the test charge, the

Comment [WD6]: Are %'s still applicable?

Director shall test any meter upon payment of a fee, of twenty dollars (\$20.00), for a five-eighths inch meter. The customer shall be responsible for all coordination and costs for testing the meter for all other sizes. Meters larger than 1-inch shall be tested every 5 years or more often if deemed necessary by the City. If, upon examination and test, it is found that the meter registers outside the tolerance limits of the following percentages of water through it: two percent over or under on disc meters, sizes one-half inch to two inches, on flows from one to twenty gallons per minute; five percent over or under on all other types and sizes of meters on flows from low to high ratings; then the meter shall be considered inaccurate and the water charges shall be adjusted upon the basis of that test, for the preceding period only. Testing fees or costs will be reimbursed to the owner if a refund is warranted. (Ord. _____-2017. Passed _____-2017.)

921.13 PROTECTION AND REPAIR OF PIPES.

(a) The consumer shall not allow service pipes or fixtures connected therewith to remain out of order or unprotected from frost.

(b) In case of neglect or refusal to promptly repair any imperfection in service pipes, service stops or other fixtures, the City may cause the same to be done at the expense of the owner of such service, which expense shall be paid before the water is turned on.

(c) There shall be a minimum charge of sixty dollars (\$60.00) for the first hour or less and sixty dollars (\$60.00) an hour thereafter, for thawing service lines or plumbing if during regular working hours. There shall be a minimum charge of two hundred forty (\$240.00) for the first hour or less and sixty dollars (\$60.00) an hour thereafter, for thawing service lines or plumbing if not during regular working hours.

(Ord. _____-2017. Passed _____-2017.)

921.14 SUPPLYING WATER TO OTHERS; PERMIT REQUIRED.

No consumer shall supply others except by special permit from the Director.

(Ord. _____-2017. Passed _____-2017.)

921.15 OPENING FIRE HYDRANT.

No persons except those authorized by the Service Director shall be permitted to turn water into a fire hydrant or remove the caps therefrom, except in case of fire.

(Ord. _____-2017. Passed _____-2017.)

921.16 DAMAGE TO WATER WORKS SYSTEM.

No person shall open any private stop cock or street washer, or place or deposit any dirt or any other material in any stop cock box, or turn any private stop cock or public valve, or commit any act tending to obstruct the use thereof, or enter or mar any building or injure in any manner any fixture, valve box, machinery, pipe or apparatus of the water works system.

(Ord. _____-2017. Passed _____-2017.)

921.17 TAMPERING WITH WATER WORKS SYSTEM AFTER DISCONTINUANCE OF SERVICE.

No person shall operate, open or otherwise tamper with any valve, stop cock, curb cock or other device, after the same have been closed for violation of any regulation of the City or provision of this chapter, or lawfully secure a supply of water through such valve, stop cock, curb cock or other device after the same have been closed for the violation of any regulation of the City or provision of this chapter or in any way take water for private use unlawfully or without first having secured the necessary permit from the Director.

(Ord. _____-2017. Passed _____-2017.)

921.18 TAMPERING WITH WATER LINES OR METER.

No person shall connect to any public water line, tamper with or remove any meter or metal seal or insert a meter bypass without the permission of the Director under penalty of having the water turned off, or being fined as provided in Section 921.99.

(Ord. _____-2017. Passed _____-2017.)

921.19 MINIMUM SIZE OF WATER LINES.

All public water lines installed or relocated in the City in streets, rights of way or easements, except service pipes, shall be of eight inch minimum diameter.

(Ord. _____-2017. Passed _____-2017.)

921.20 ENFORCEMENT OF WATER RULES AND REGULATIONS.

The Director shall make and enforce such rules and regulations as he may deem necessary and proper for the enforcement of the provisions of this chapter and for the safe, economical and efficient management and protection of the water system. (Ord. _____-2017. Passed _____-2017.)

921.21 SERVICE TO NEWLY ANNEXED TERRITORY.

Whenever any person or corporation, who is the owner of any lots and lands hereafter annexed to the City, desires to tap into any water main or line in the City, and which newly annexed lots and lands have not been especially assessed for the construction of any such water mains or lines whether such tap is directly into such water mains or lines or by way of newly constructed water mains or lines, such owner of any such lots or lands shall, for the right and privilege of tapping and using such water mains or lines, pay in addition to the regular tapping fee a sum equal to the special assessments charged against comparable lots and lands bounding and abutting any such water mains and lines or charged against lots and lands benefitted by such water mains and lines.

(Ord. _____-2017. Passed _____-2017.)

921.22 ASSESSMENT EQUIVALENT OUTSIDE CONNECTION CHARGE.

No water tapping permit shall be issued for premises outside the territorial limits of the City unless there is first paid to the City the sum of five thousand (\$5,000), which currently is the approximate assessment equivalent for the installation of a proper waterline to serve any lot inside the City; provided, however, that such assessment equivalent charge shall be waived for any lot intended to be served by such tapping permit as to which there has been extended, by one or ones other than the City, along the entire frontage of the lot intended to be so served, an eight inch or larger waterline pursuant to the City Master Plan, and provided further, however, that such assessment equivalent charge shall not apply if the City has created a specific waterline service area which includes the premises sought to be connected to the City water

system and for which service area the City has established a connection fee.

(Ord. _____-2017. Passed _____-2017.)

921.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than five hundred dollars (\$500.00) and a separate offense shall be deemed committed upon each day during or on which a violation has occurred or continues.

“Exhibit A”

CHAPTER 922
Cross Connection Control and Water Quality Protection

922.01 Backflow protection.	922.06 Type of protection required
922.02 Definitions.	922.07 Backflow prevention devices.
922.03 Cross connections prohibited	922.08 Booster Pumps
922.04 Surveys and investigations.	922.09 Penalty
922.05 Where protection is required.	

CROSS REFERENCES

Cross connections – see OAC 3745-95-02
 Backflow prevention devices – see OAC 3745-95-06
 Violations – see OAC 3745-95-08

922.01 BACKFLOW PROTECTION.

If, in the judgment of the Director of Public Service (“Director”), the integrity of the public water system is, or can be, endangered by backflow from an actual or a potential cross connection within the plumbing system of a water consumer, the Director may order the installation of an approved backflow prevention method or device consisting of either an air-gap, vacuum breaker, reduced pressure principle backflow preventer or any combination thereof at the water service connection to the premise. The water consumer shall install the designated device or method at his own expense, and failure, refusal or inability to install such device or method immediately shall constitute a ground for discontinuing water service to the premise until such device or method has been installed and approved by the Director. The use of the approved backflow preventer at the water service connection does not in any way affect or eliminate the need for individual fixture devices or air-gaps as required by the laws of the State of Ohio.

922.02 DEFINITIONS.

As used in this chapter, certain terms are defined as follows:

- (a) “Air gap separation” means unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet water supply to a tank, plumbing fixture or other device and the flood level rim of the receptacle.
- (b) “Approved” means that a backflow prevention device or method has been accepted by the Service Department and the Ohio Environmental Protection Agency as suitable for the proposed use.
- (c) “Auxiliary” means any water system on or available to the premises other than the City’s public water system and includes the water supplied by the system. These auxiliary water systems may include, but are not limited to, water from another purveyor’s public water system; or water from a source such as wells, cisterns, tanks, lakes or streams; or process fluids; or used water.
- (d) “Backflow” means the flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable water supply from any source other than the intended source of the potable water supply.
- (e) “Backflow prevention device” means any device, method or type of construction intended to prevent backflow into a potable water system.
- (f) “City” means the City of Sylvania, Ohio.
- (g) “Consumer” means the owner or person in control of any premises supplied by or in any manner connected to a public water system.

- (h) "Consumers water system" means any water system, located on the premises occupied by the consumer, supplied by, or in any manner connected to a public water system.
- (i) "Containment" means an impairment of the quality of the water by sewage or process fluids or waste to a degree which could create an actual hazard to the public health through poisoning or through spread of disease by exposure.
- (j) "Cross connection" means any arrangement whereby backflow can occur.
- (k) "Double check valve assembly" means an assembly composed of two single, independently acting, check valves including tightly closing shut-off valves located at each end of the assembly and suitable connections for testing the watertightness of each check valve.
- (l) "Health hazard" means any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well-being of users. The word "severe" as used to qualify "health hazard" means a hazard to the health of the water system user or the public that could reasonably be expected to result in potentially lethal or permanently debilitating morbidity or in death.
- (m) "Interchangeable" connection means an arrangement or device that will allow alternate but not simultaneous use of two sources of water.
- (n) "Nonpotable water" means water not safe for drinking, personal hygienic or culinary use.
- (o) "Person" means the state, any political subdivision, public or private corporation, individual, partnership, association, trust, or other legal entity.
- (p) "Pollution" means the presence in water of any foreign substance that tends to degrade its quality so as to constitute a health hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely affect such waters for domestic use.
- (q) "Potable water" means water which is satisfactory for drinking, culinary, and personal hygienic purposes and meets the requirements of the Toledo Lucas County Health District.
- (r) "Process fluids" means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional or system hazard if introduced into the public or a potable consumer's water system. This includes, but is not limited to:
 - (1) Polluted or contaminated waters;
 - (2) Process waters;
 - (3) Used waters originating from the public water system which may have deteriorated in sanitary quality;
 - (4) Cooling waters;
 - (5) Contaminated natural waters taken from wells, lakes, tanks, cisterns, streams, or irrigation systems;
 - (6) Chemicals in solution or suspension;
 - (7) Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.
- (s) "Public water system" means any publicly or privately owned potable water system defined in to Ohio R.C. 6109.01(A).
- (t) "Reduced pressure principle backflow prevention device" means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks.
- (u) "Service connection" means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

- (v) "System hazard" means a condition through which posing an actual or potential threat of damage to the physical properties of the public water system or a potable consumer's water system.
- (w) "Pollutional hazard" means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water system or a potable consumer's water system.
- (x) "Used water" means any water supplied by a water purveyor from a public water system to a consumer's water system after it has passed through the service connection and is no longer under the control of the water purveyor.
- (y) "Water purveyor" means the owner or operator of a public water system.
- (z) "Water system" means the pumps, plumbing, and connected appurtenances and connected water storage devices used to transport and store water.
- (aa) "Ohio EPA" means the Ohio State Environmental Protection Agency.

922.03 CROSS CONNECTIONS PROHIBITED

(a) No person shall install or maintain a water service connection to any premises where actual or potential cross connections to a public water system or a potable consumer's water system may exist unless such actual or potential cross connections are abated or controlled to the satisfaction of the Director.

(b) No person shall install or maintain any connection whereby water from an auxiliary water system may enter a public water system or potable consumer's water system unless the auxiliary water system and the method of connection and use of such system shall have been approved by the Director and by the Ohio E.P.A. as required by Ohio R.C. 6109.13-15.

(c) Except as otherwise provided in this chapter, no person shall install or maintain a water system wherein any air gap separation distance is less than twice the diameter of the water supply pipe or faucet or is less than one inch, whichever is the greater distance.

922.04 SURVEYS AND INVESTIGATIONS.

(a) The Director, or his authorized representative, shall have the right to enter premises served by the public water system at all reasonable times for the purpose of making surveys and investigations of water use practices within the premises.

(b) On request by the Director, or his authorized representative, the consumer shall furnish the water purveyor, or its authorized representative, information on water use practices within the consumer's premises.

(c) Subsection (a) hereof does not relieve the consumer of the responsibility for conducting, or causing to be conducted, periodic surveys of water use practices on his premises to determine whether there are actual or potential cross connections in the consumer's water system through which contaminants or pollutants could backflow into a public water system or a potable consumer's water system.

922.05 WHERE PROTECTION IS REQUIRED.

(a) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the consumer's premises, where in the judgment of the Director or the Ohio E.P.A., a real or potential health, pollutional, or system hazard to the public water system exists.

(b) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving the consumer's premises where the following conditions exist:

- (1) The premises has an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Director and the additional source is approved by the Ohio E.P.A.

- (2) Any substance is handled on the premises in such a fashion as to create an actual or potential hazard to a public water system.
- (3) The premises has internal cross connections that, in the judgment of the Director, are not correctable or intricate plumbing arrangements which make it impracticable to determine whether or not cross connections exist.
- (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross connection survey.
- (5) The premises has a repeated history of cross connections being established or re-established.
- (6) Other conditions in which an approved backflow prevention device is required by Federal or Ohio law.

(c) An approved backflow prevention device shall be installed at each point of connection between a public water system and an auxiliary water system and at each point of connection between a potable consumer's water system and an auxiliary water system, unless such auxiliary system is accepted as an additional source by the Director and the additional source is approved by the Ohio E.P.A.

922.06 TYPE OF PROTECTION REQUIRED.

(a) The type of protection required under Section 922.05(b), shall depend on the degree of hazard which exists as follows:

- (1) A required air gap separation and an approved reduced pressure principle backflow prevention device shall be maintained where a public water system may be contaminated with substances that could cause a severe health hazard;
- (2) A required air gap separation shall be maintained or an approved reduced pressure principle backflow prevention device shall be installed where a public water system may be contaminated with any substance that could cause a system or health hazard or a pollutional hazard.

(b) The type of protection required under Section 922.05(c) shall be a required air gap separation or an approved interchangeable connection.

(c) Where an auxiliary water system is used as a secondary source of water for a fire protection system, the provisions of subsection (b) hereof for a required air gap separation or an approved interchangeable connection may be waived by the Director and the Ohio E.P.A. provided:

- (1) At premises where the auxiliary water system may be contaminated with substances that could cause a system or health hazard, a public water system or a potable consumer's water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;
- (2) At all other premises, a public water system or a potable consumer's water system shall be protected against backflow by installation of an approved reduced pressure principle backflow prevention device;
- (3) A public water system or a potable consumer's water system shall be the primary source of water for the fire protection system;
- (4) The fire protection system shall be normally filled with water from a public water system or a potable consumer's water system;
- (5) The water in the fire protection system shall be used for fire protection only, with no other use of water from the fire protection system, downstream from the approved backflow prevention device.

(d) Type of Backflow Protection Required; Domestic and Commercial Water Services. An approved Reduced Pressure Principle Backflow Prevention device or an Air Gap Separation shall be installed on each domestic water service connection to the following types of facilities unless the Director determines that no real or potential health, pollutional, or system hazard to the public water

system exists:

Type of Facility

Breweries, distilleries, bottling plants	Power plants
Car wash with recycling system and/or wax eductor	Radioactive material plants
Chemical plants	Restaurants with soap eductors and/or industrial type disposal
Dairies.	Sand and gravel pits
Health care facilities	Schools with laboratories having acid wastes
Fertilizer plants	Sprinkling or irrigation systems
Film laboratory or processing plant	Swimming pools with piped fill line
Food or beverage plant	Sewage treatment plants
Laboratories	Sewage pumping stations
Laundries and dry cleaning plants	Veterinary establishments
Machine tool plants (health or system hazard)	Premises having submerged inlets to equipment
Machine tool plants (pollutional hazard)	Premises having self-draining yard hydrants, fountains, hose boxes or similar devices presenting a health or system hazard (i.e., chemical storage plants, tank farms, bulk storage yards)
Metal processing plant (health or system hazard)	Premises having self-draining yard hydrants, fountains, hose boxes or similar devices presenting a pollutional hazard (i.e., parks, play fields, cemeteries)
Metal processing plant (pollutional hazard)	
Metal plating plant	
Morgues and mortuaries	
Packing houses or rendering plants	
Paper products plant	
Petroleum processing plant	
Petroleum storage yard (health or system hazard)	
Pharmaceutical or cosmetic plant	

(e) Type of Backflow Protection Required: Fire Protection Service. An approved double detector check valve assembly device or the use of a reduced or detector pressure principle backflow prevention device shall be installed on each fire protection service to any premises unless the Director determines that no real or potential health, pollutional, or system hazard to the public water system exists. The double check assembly device must meet all of the following requirements before it can be approved by the City Water and Sylvania Township Fire Divisions.

- (1) Water from the downstream side of the double check valve assembly device shall be used for fire protection only.
- (2) There shall be no regular use of water downstream from the double check valve assembly device other than for fire system make-up water.
- (3) The fire system shall be filled with water from the public water supply only.
- (4) The public water supply must be the primary source of water for fighting fires.
- (5) The water system must contain no additives. Provided, however, where the fire protection system contains any of the following components, a reduced pressure principle backflow prevention device shall be installed between such component and the rest of the water system so as to isolate such component from the rest of the water system:

Auxiliary Water System
Anti-Freeze Legs
Covered Gravity or Pressure Storage Tanks
Uncovered Storage Tanks or Reservoirs

(f) The Sylvania Township Fire Division shall maintain a current record of all double check valve assembly devices which are a part of a fire sprinkler system connected to the City public water system.

922.07 BACKFLOW PREVENTION DEVICES.

(a) Any backflow prevention device installed in the City shall be of a model or construction approved by the Director and the Ohio E.P.A. and shall be tested and be found to function properly and shall be certified by an inspector certified pursuant to Ohio R.C. 3703.01(D), 3703.04, and 3703.05 before the device is put in use.

(b) Any backflow prevention device required shall be installed at a location and in a manner approved by the Director and shall be installed by and at the expense of the water consumer.

(c) It shall be the duty of the consumer, on any premises on which backflow prevention devices have been installed to have thorough inspections and operational tests made of the devices at such intervals and in such manner as may be required by the Director or the Ohio E.P.A., but in no event shall such tests be made at greater than twelve- month intervals. These inspections and test shall be at the expense of the water consumer and shall be performed by an inspector certified pursuant to Ohio R.C. 3703.01(D), 3703.04 and 3703.05.

(d) Backflow prevention devices shall be repaired, overhauled, or replaced at the expense of the consumer within fourteen days after they are found to be defective. Records of such inspections, tests, repairs, and overhaul shall be kept by the consumer and made available to the Director.

(e) Existing backflow prevention devices approved by the Director or the Ohio E.P.A. prior to the effective date of this regulation and which are properly maintained shall, except for inspection, testing, and maintenance requirements, be excluded from the requirements of subsections (a) and (b) hereof, if the Director and the Ohio E.P.A. are assured that the devices will satisfactorily protect the public water system.

(f) The City shall maintain a current record of all backflow prevention devices which are a part of any water system connected to a public water system.

(g) Persons performing inspections as required in this section shall, within fifteen days of performing such inspection, file with the City of Sylvania Water Department a test report. The test report shall include the following data:

- (1) Type of backflow prevention device.
- (2) Size of backflow prevention device.
- (3) Location of backflow prevention device.
- (4) Model designation of backflow prevention device.
- (5) Date backflow prevention device was installed.
- (6) Test results before backflow prevention device was repaired.
- (7) Description of repairs made.
- (8) Description of materials used in making repairs.
- (9) Results of a final test of the backflow prevention device after the repair or installation.
- (10) Inspector's signature.
- (11) Date of inspection.
- (12) Certification by the owner of the premises on which the backflow prevention device is located certifying that the backflow prevention device has been in constant use at the location of the backflow prevention device during the entire proscribed interval between test periods and that during that period the backflow prevention device was not by-passed, made inoperative, or removed without proper authorization.
- (13) Such other information as the Director deems necessary.

922.08 BOOSTER PUMPS.

(a) No person shall install or maintain a water service connection to any premises where a

booster pump has been installed on the service line to or within such premises, unless such booster pump is equipped with a pressure sustaining valve designed to maintain pressure on the suction side of the pump at no less than ten pounds per square inch gauge or less. No person shall install a booster pump on the service line of a domestic service.

(b) It shall be the duty of the water consumer to maintain the low-pressure cutoff device in proper working order and to certify to the Director, at least once a year, that the device is operable.

(c) The low-pressure cutoff control for booster pumps shall conform to the Ohio E.P.A. Specifications as described in the Ohio E.P.A. publication, *Backflow Prevention and Cross-Connection Control*, 2006

922.99 PENALTY.

Whoever violates any provision of this chapter for which another penalty is not specifically provided shall be guilty of a misdemeanor of the first degree, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months or both.

“Exhibit B”

CHAPTER 923

Water Service Charges

923.01 Director defined; powers.

923.02 Water rate schedule.

- 923.03** City reserves right to change water rates.
923.04 Water used for temporary construction purposes.
923.05 Taking water for private uses from public sources.
923.06 Fire service charge.
923.07 Swimming pool filling on application.
923.08 Due date for payment of water and repair charges.
923.09 Delinquent accounts.
923.10 Responsibility of property owners for water charges.
923.11 Consumer moving to new premises; payment of former bills.
923.12 No allowance for loss of water through leakage.
923.13 No charge for turning water on and off unless for violation or vacation.
923.14 Misuse or waste of water.
923.15 Discontinuance of service for tampering with meter.
923.16 Discontinuance of service for violation or nonpayment of charges.
923.99 Penalty.

CROSS REFERENCES

- Service Director to manage and have control over water supply - see Chtr.
Art. VII, **§4.0**
Water works mortgage revenue bonds - see Ohio R.C. 715.09 et seq.
Weekly deposit of water works money collected - see Ohio R.C. 743.06
Water regulations - see S.U. & P.S. Ch. **921**
Improvements - see S.U. & P.S. **933.05**

923.01 DIRECTOR DEFINED; POWERS.

Comment [WD7]: Should this be moved to 921?

(a) As used in this chapter and Chapter 923, "Director" means the Director of Public Service, or, if no person has been appointed to such office, the Director of Finance or other City official who has been assigned the responsibilities provided in this chapter.

(b) The Director shall make such rules and regulations as he may deem necessary and proper for the enforcement of the provisions of this chapter and the safe, economical and efficient management and protection of the water system.

(Ord. 3-65. Passed 1-4-65.)

923.02 WATER RATE SCHEDULE.

The following rate is hereby established for consumers of water of the City and such rate applies to water consumed during each monthly period unless otherwise provided in these regulations.

	<u>Water Rate Schedule</u>
<u>City User</u> Commencing January 1, 2017	\$9.71 per 1,000 gallons
<u>Non-City User</u>	\$12.14 per 1,000 gallons
(Ord. 80-2015. Passed 12-7-15.)	

923.03 CITY RESERVES RIGHT TO CHANGE WATER RATES.

The City reserves the right to change the rates for the use of water from time to time as experience may show to be necessary and to impose such restrictions on the uses of water as may be deemed reasonable and proper.

(Ord. 34-64. Passed 4-20-64.)

923.04 WATER USED FOR TEMPORARY CONSTRUCTION PURPOSES.

All applications for use of water for temporary construction purposes, without a meter, shall be referred to the Director for specific determination as to rates and conditions in each case. (Ord. 34-64. Passed 4-20-64.)

923.05 TAKING WATER FOR PRIVATE USES FROM PUBLIC SOURCES.

No person shall take for private use water from any public fountain, hydrant, street sprinkler, draw-cock or hose pipe, except for fire purposes, or in any way take any water for private use which is supplied by the water works system without paying therefor as a temporary user as provided in Section 923.04.

(Ord. 34-64. Passed 4-20-64.)

923.06 FIRE SERVICE CHARGE.

The owners of private fire hydrants attached to the City water distribution system shall pay the City through the Division of Utilities, a fire hydrant maintenance charge of five dollars (\$5.00) per month per hydrant. Fire hydrants and fire lines shall meet City standards. Where fire mains are connected to the City water system, a charge of two dollars (\$2.00) monthly per inch diameter of such mains shall be made. Such charges shall cover routine operation and maintenance of the fire main system. Repairs of lines and hydrants and replacement of parts, when necessary, shall be billed in addition to the above charges at cost of labor, materials and equipment plus 10 percent overhead costs. These charges shall be

Comment [WD8]: ?

billed and paid monthly in the same manner as the water bills and subject to the penalties prescribed in Section **923.09**. (Ord. 29-69. Passed 7-7-69.)

923.07 SWIMMING POOL/ICE RINK FILLING ON APPLICATION.

A consumer, on prior application therefor filed with the Utilities Office shall be permitted to have a seasonal fill or refill of a swimming pool or ice rink with water at the rate established in Section **923.02(a)(1)** per 1,000 gallons of water exclusive of the water used by such consumer for all other purposes.
(Ord. 41-83. Passed 5-23-83.)

923.08 DUE DATE FOR PAYMENT OF WATER AND REPAIR CHARGES.

(a) All water rents for those accounts of consumers with a water service meter shall be due and payable monthly on or about the 24th day of each month, or on such other day in each of the twelve months of each year as the Director establishes by rule at the office of the Division of Utilities, Department of Public Service.

Comment [WD9]: ?

(b) The cost of all repairs shall be due and payable upon completion of the work. Any moneys received on a combined labor and water rent bill shall be applied to the labor bill first and the balance, if any, shall be applied to the water rent bill.
(Ord. 21-2002. Passed 2-18-02.)

923.09 DELINQUENT ACCOUNTS.

(a) Each and every bill rendered for water used shall be paid within twenty days after the same becomes due. No discount shall be allowed for payment within that period. Ten percent (10%) additional shall be charged on each and every bill rendered for water used if not paid within twenty days after the same becomes due, and such delinquent water accounts are subject to shut-off at the discretion of the Director.

(b) When water rents are not paid within twenty days after becoming due, the Director may do either or both of the following:

(1) Certify them, together with the penalties provided hereinabove and interest allowed by law, to the County Auditor who shall place them on the real property tax list and duplicate against the property served by the connection. The Director shall, at the time of such certification, also certify that the unpaid rents have arisen pursuant to a service contract made directly with the owner of the property served. The amount placed on the tax list and duplicate shall be a lien on the property served from the date placed on the tax list and duplicate and shall be collected in the same manner as other Municipal taxes.

(2) Collect them, together with the penalties provided hereinabove and interest allowed by law, by action at law, in the name of the City, from the owner, tenant and/or other person who is liable to pay the rents.

(Ord. 44-88. Passed 5-16-88.)

923.10 RESPONSIBILITY OF PROPERTY OWNERS FOR WATER CHARGES.

(a) All applications for water service shall be made by contract between the record title owner of the property to be served and the City, provided however, that an agent who represents himself to be authorized by the owner may make the application and contract on behalf of the owner upon agreeing to be personally liable for water and sewer charges and providing such security as the Director may require. Within fourteen days of the signing of

any contract for water service with the City, proper proof of ownership of the premises to be served shall be presented to the City. Should proper proof of ownership not be presented within fourteen days, the City shall have the right to cancel the contract and to terminate the water service provided to the premises.

(b) As used in this section, "proper proof of ownership" means either the original or a photocopy of the owner's deed, land contract, or similar document setting forth the ownership of the property to be served.

(c) As used in this section, "record title owner" includes the grantee or grantees named in a deed which grantee or grantees are also listed as the current owner or owners on the records of the Auditor of Lucas County, Ohio, Real Estate Division, and shall also include the land contract vendee or vendees of such a grantee or grantees.

(d) In the event that the record title owner of the property to be served is a corporation, partnership, association or other entity, the application for water service shall be signed by a duly authorized officer of such entity.

(Ord. 85-83. Passed 11-7-83.)

923.11 CONSUMER MOVING TO NEW PREMISES; PAYMENT OF FORMER BILLS.

Any person or persons, firm, corporation or association owing water rent and moving to other premises where there are water connections, or where connections shall be made, before being permitted to use the water, shall pay all former delinquencies. Should it come to the attention of the Director that any person or persons, firm, corporation or association, currently using City water, owes the City for any water charges incurred at a former premises in the City Water District, those charges owed plus penalty and interest shall be added to the account for water currently being used and the same shall be billed to the consumer; provided, however, the late charge shall not be compounded. All unpaid accounts for water shall be a lien against the property served and all unpaid accounts for water charges of any person or persons, firm, corporation or association incurred previously at premises served by a City water connection shall be a lien against the premises currently being served. (Ord. 45-88. Passed 5-16-88.)

923.12 NO ALLOWANCE FOR LOSS OF WATER THROUGH LEAKAGE.

No allowance shall be made for water use, lost or wasted through leaks, carelessness, neglect or otherwise, after the same has passed through the meter.

(Ord. 34-64. Passed 4-20-64.)

923.13 NO CHARGE FOR TURNING WATER ON AND OFF UNLESS FOR VIOLATION OR VACATION.

(a) New water customers shall not be required to pay a water turn-on charge regardless of when it is turned on.

(b) Customers applying for a vacation turn-off and turn-on shall pay a charge of twenty-five dollars (\$25.00) on applying for the turn-off.

(c) Except as provided in subsections (a) and (b) hereof, there shall be no charge for turning water off and/or on for any owner unless shut-off and/or turn-on is caused by a violation of this chapter or Chapter 921, or any part thereof; provided, however, that a special charge of one hundred twenty (\$120.00) for a shut-off and/or turn-on for the same owner, shall be made to the owner of premises served if any of the work necessary to effect such shut-off and/or turn-on is completed by any City employee at a time other than regular

working hours for City employees.
(Ord. 47-88. Passed 5-16-88.)

923.14 MISUSE OR WASTE OF WATER.

In all cases of misuse or waste of water, the water shall be immediately turned off and a shut-off and turn-on charge made against the owner of sufficient size to compensate the City for water waste and damage done, if any.
(Ord. 34-64. Passed 4-20-64.)

923.15 DISCONTINUANCE OF SERVICE FOR TAMPERING WITH METER.

If the Director finds that a meter seal has been broken or any bypass inserted and there is evidence that the meter has been tampered with, the water shall be shut off and shall not be turned on again until the owner of the premises pays for the estimated quantity of water which has been used and not registered, and in addition thereto, the special charge provided in Section **923.16** for turning on such water. The payments made as hereinabove required shall not in any way relieve any person from criminal prosecution and penalties provided by the laws of the State or by ordinance.
(Ord. 79-74. Passed 12-9-74.)

923.16 DISCONTINUANCE OF SERVICE FOR VIOLATIONS OR NONPAYMENT OF CHARGES.

For a violation of any of the provisions of this chapter or Chapter **921**, or for nonpayment of water rent charges within twenty days after the due date thereof, the City reserves the right to shut off the supply of water without any preliminary notice and such water shall not be turned on again until all back water bills together with all delinquency penalties thereon and the charges required by any provision violated plus the special charge as determined herein have been paid. A special charge referred to herein shall be made for a shut-off only without a turn-on for the same owner or for a shut-off and turn-on for the same owner, and in either event, such charge shall be as follows:

(a) Sixty dollars (\$60.00), if the work necessary to effect such shut-off or shut-off and turn-on is completed by the City employee or during regular working hours for City employees.

(b) One hundred twenty dollars (\$120.00), if any part of such work is completed at a time other than the time specified in subsection (a) hereof.

(Ord. 46-88. Passed 5-16-88.)

923.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate violation shall be deemed committed upon each day during or on which the violation occurs or continues.

“Exhibit C”

1/a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 17, 2017

To: The Mayor and Members of Sylvania City Council

Re: **OUPS Vehicle Purchase**

Dear Mr. Mayor and Council Members:

We are requesting approval to purchase a new 2018 Jeep Cherokee per the attached quotes. The vehicle will be placed into service as and OUPS vehicle. We will transfer the existing OUPS vehicle to the Zoning Department and offer the existing Zoning vehicle on GovDeals.

We request authorization to purchase a 2018 Jeep Cherokee as well as dispose of a 2004 Jeep Grand Cherokee.

We believe this to be a needed replacement and recommend purchasing the vehicle from Yark Automotive Group at a cost of \$22,706.50. The purchase price is less than state term pricing.

This purchase was included in the 2017 capital improvement plan. Please call if you have any questions.

Sincerely,

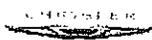
A handwritten signature in blue ink that reads "Kevin G. Aller".

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

YARK AUTOMOTIVE GROUP



Jeep

DODGE



SUBARU



August 14, 2017

Jeff Stasa
Foreman of Sewage
City of Sylvania

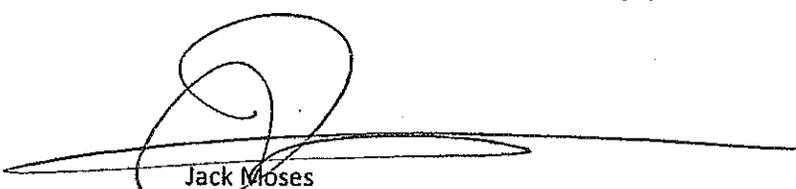
RE: Quote for Ordered 2018 Jeep Cherokee FWD Latitude.

Please accept the following pricing for the following ordered vehicle.

2018 Jeep Cherokee FWD Latitude

Model Number: KLTM74 Trim Number: 26J
Color: Bright White Clear Coat Interior: Cloth Seats, Color Black
3.2L V6 24V VVT
Compact Spare Tire
Municipal Pricing
Lead Time 6 to 8 weeks after RO.
Pricing includes all fees.
Bid Price: 22706.50

Please feel free to contact me with any questions.



Jack Moses

Fleet Sales Manager
Yark Automotive Group
419-842-7707 – office
419-270-1956 – cell
jmoses@yarkauto.com

ORDINANCE NO. 60 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF YARK AUTOMOTIVE GROUP FOR THE PROVISION OF A NEW 2018 JEEP CHEROKEE FWD LATITUDE FOR THE DEPARTMENT OF PUBLIC SERVICE; APPROPRIATING \$22,706.50 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service has indicated that the existing Ohio Utilities Protection Services (“OUPS”) in the Service Department is in need of replacement; and,

WHEREAS, the Director of Public Service has received a proposal from Yark Automotive Group for the purchase of one (1) 2018 Jeep Cherokee FWD Latitude a total cost of \$22,706.50; and,

WHEREAS, the Director of Public Service, by report dated August 17, 2017, recommended the acceptance of the proposal of Yark Automotive Group to purchase a new 2018 Jeep Cherokee FWD Latitude to be used as the OUPS vehicle for the Department of Public Service.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Yark Automotive Group on behalf of this City, thereby indicating such approval and acceptance for the provision of a new 2018 Jeep Cherokee FWD Latitude for the Department of Public Service.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to sign any and all instruments and to do any and all things necessary to complete said purchase.

SECTION 3. That, upon receipt of delivery of said dump truck by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7110-53401 – Vehicles**, the total sum of Twenty-Two Thousand Seven Hundred Six and 50/100 Dollars (\$22,706.50).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in formal action, were in meetings open to the public, in compliance with all legal requirements

including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that proposal for said Jeep Cherokee FWD Latitude should be approved immediately so that the purchase can be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

12

ORDINANCE NO. 61 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE ON BEHALF OF THE CITY OF SYLVANIA, A CORPORATION WARRANTY DEED OF CONVEYANCE OF PROPERTY FROM THE CITY OF SYLVANIA TO THE BOARD OF EDUCATION OF THE SYLVANIA CITY SCHOOL DISTRICT, FOR THE PURPOSE OF CORRECTING AN OWNERSHIP ERROR RELATIVE TO SCHOOL PROPERTY; DECLARING AN EMERGENCY.

WHEREAS, it is necessary for the Mayor and Director of Finance to execute a Corporation Warranty Deed to the Board of Education of Sylvania City School District, on behalf of the City of Sylvania, concerning the Sylvan Elementary School property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the Mayor and Director of Finance are hereby authorized to execute a Corporation Warranty Deed, on behalf of the City of Sylvania, a copy of said Deed is attached hereto and marked "Exhibit A" and made a part hereof.

SECTION 2. That the real estate conveyed by said Corporation Warranty Deed, identified herein as "Exhibit A" be, and the same hereby is, conveyed to the Board of Education of Sylvania City School District, to correct an error.

SECTION 3. That the Director of Law shall cause said Deed to be recorded and thereafter to be filed with the Director of Finance, and to be maintained by him as a part of the records of this City.

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

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Deed tendered should be conveyed forthwith so that other matters relative to clearing title to the property and the overall project will not be delayed. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

After recording mail to:
Gregory L. Arnold, Esq.
5749 Park Center Court, Toledo, Ohio 43615

CORPORATION WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sylvania, an Ohio municipal corporation under the laws of the State of Ohio, the grantor, for valuable consideration paid, grants with general warranty covenants to the Board of Education of the Sylvania City School District, whose tax-mailing address is 4747 Holland-Sylvania Road, Sylvania, Ohio 43560, the following real property:

See Exhibit A attached hereto and fully incorporated herein.
Parcel #82-04523

Subject to: zoning ordinances, easements, and restrictions of record

Prior Instrument Reference: Lucas County, Ohio Deed Record Vol. 2022, page 88

To have and to hold the same to the said Grantee and to its successors and assigns forever; Grantor hereby covenants that it is the true and lawful owner of said premises; that it is well seized of the same in fee simple, and has good right and full power to bargain, sell and convey the same in the manner of aforesaid, and that the premises so conveyed are clear, free and unencumbered and that it will warrant and defend the same against all claims whatsoever, except taxes and assessments which become a lien after the date hereof.

CITY OF SYLVANIA

By _____
Craig A. Stough, Mayor

By _____
Toby A. Schroyer, Director of Finance

STATE OF OHIO, LUCAS COUNTY, SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2017 by Craig A. Stough, Mayor, and Toby A. Schroyer, Director of Finance, of the City of Sylvania, on behalf of the City of Sylvania.

Notary Public

This instrument prepared by:
GREGORY L. ARNOLD, ATTORNEY
Gregory L. Arnold & Associates, Ltd.
5749 Park Center Court
Toledo, Ohio 43615
PH: (419) 241-4441

EXHIBIT

A

All of that part of the Northwest quarter (1/4) of Section 15, Town 9 South, Range 6 East, in the City of Sylvania, Lucas County, Ohio, bounded and described as follows:

Beginning at a point in the southwesterly right of way line of the New York Central Railroad, which point is distant southeasterly 781.61 feet from the point of intersection of the said southwesterly right of way line and the center line of Brint Road; thence southeasterly, along the said southwesterly right of way line of the New York Central Railroad, a distance of 497.25 feet; thence westerly, along a line drawn parallel to the said center line of Brint Road, a distance of 725. feet; thence northerly, along a line that forms an angle of $103^{\circ}00'00''$, measured from east to northwest with the last described line, a distance of 69.60 feet to a point of curve; thence northwesterly and westerly along a circular curve to the left, or west, having a radius of 138.29 feet; an arc distance of 185.85 feet, the said arc subtending a central angle of $77^{\circ}00'00''$ to a point of tangent; thence westerly, along a line drawn parallel to the said center line of Brint Road, a distance of 75.45 feet; thence northwesterly, along a line that forms an angle of $103^{\circ}00'00''$ measured from east to northwest with the last described line, a distance of 261.71 feet; thence easterly, along a line drawn parallel to the said center line of Brint Road, a distance of 760. feet, more or less, to the place of beginning; containing 329,193 square feet or 7.557 acres of land, more or less.

13

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

8948240		STCK		TLOO INC 21 WEST & PATIO 5605-07 W ALEXIS RD PO BOX 44 SYLVANIA OHIO 43560
PERMIT NUMBER		TYPE		
ISSUE DATE				
05 11 2017				
FILING DATE				
D5 D6				
PERMIT CLASSES				
48	077	A	F18878	
TAX DISTRICT		RECEIPT NO.		

FROM 07/26/2017

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT	RECEIPT NO.		



MAILED 07/26/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/28/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A STCK 8948240**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560

#1479 \$100

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>



APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP
PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name: TLOO Inc. / Tracy Loo Liquor Permit Number(s): 8948240 F-018878

Permit Premises Address: 5605-07 W. Alexis Rd. Sylvania, Ohio 43560

Email Address: [REDACTED]

Attorney's Name, Address and Telephone Number (If represented):
Laura Csomas 419-704-8411

Is Stock Traded on a National Exchange? YES NO If YES, give Name of Exchange and Symbol: N/A

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) <u>Tracy Loo</u>	[REDACTED]	[REDACTED]	<u>50</u>
2) <u>Rebecca Orwig</u>	[REDACTED]	[REDACTED]	<u>50</u>
3)			
4)			
5)			

SECTION B: REVISED 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) <u>Tracy Loo</u>	[REDACTED]	[REDACTED]	<u>100</u>
2)			
3)			
4)			
5) <u>FTI [REDACTED]</u>			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above. TOTAL NUMBER OF SHARES ISSUED: 100

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Birthdate
1) CEO/President <u>Tracy Loo</u>	[REDACTED]	[REDACTED]
2) Vice-President <u>none</u>		
3) Secretary <u>none</u>		
4) Treasurer <u>none</u>		

A

City of Sylvania

Bank Reconciliation

July 2017

Ending balance for June 2017 23,414,607.74
 Add: Monthly Receipts 2,183,993.23
 Subtotal \$ 25,598,600.97
 Less: Monthly Disbursements 1,720,073.75
 Ending balance for July 2017 \$ 23,878,527.22

Less:
 CD Metamora Bank \$ (2,000,000.00)
 Star Ohio (77,897.68)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (31,803.18)
 PNC Money Market (1,029,697.48)
 Key Bank Securities (1,008,143.10)
 5/3rd Securities (7,881,496.26)
 SJS Account (5,514,222.89)
 Morgan Stanley Investment (2,073,637.64)
 Sylvania Township Bonds (440,000.00)
 \$ 3,818,516.13

Less:

(1)
 Division of Public Service \$ 150.00
 Department of Finance 100.00
 Division of Water 600.00
 Division of Police 200.00
 Municipal Court 700.00
 Division of Taxation 150.00
 Division of Forestry 150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 3,854,218.67
 Deposit in Transit 4,052.50

Subtotal \$ 3,858,271.17

Less: Outstanding Checks (2) 39,755.04

Adjusted Bank Balance \$ 3,818,516.13

(2)
 June Outstanding Checks \$ 312,365.50

Checks written this month 906,231.70

Subtotal \$ 1,218,597.20

Checks Cleared this month (1,178,842.16)

July Outstanding Checks \$ 39,755.04

Toby Schroyer
Director of Finance, City of Sylvania

B



City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

August 2, 2017

Mayor Craig A. Stough and Members of Council
City of Sylvania
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
July 31, 2017	\$772,847.55	\$13,131.37	\$759,716.18
July 31, 2016	\$738,013.02	\$3,596.56	\$734,416.46
Monthly Difference	\$34,834.53	\$9,534.81	\$25,299.72
Year to Date 2017	\$6,841,132.17	\$183,200.49	\$6,657,931.68
Year to Date 2016	\$6,839,732.67	\$123,301.58	\$6,716,431.09
Yearly Difference	\$1,399.50	\$59,898.91	-\$58,499.41
			-0.87%

	Deposits	Refunds	Balance
July 31, 2017	\$772,847.55	\$13,131.37	\$759,716.18
July 31, 2015	\$776,721.93	\$17,832.33	\$758,889.60
Monthly Difference	-\$3,874.38	-\$4,700.96	\$826.58
Year to Date 2017	\$6,841,132.17	\$183,200.49	\$6,657,931.68
Year to Date 2015	\$6,106,867.17	\$163,918.67	\$5,942,948.50
Yearly Difference	\$734,265.00	\$19,281.82	\$714,983.18
			12.03%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

RatingsDirect®

Summary:

Sylvania City, Ohio; General Obligation

Primary Credit Analyst:

Errol R. Arne, New York (1) 212-438-2379; errol.arne@spglobal.com

Secondary Contact:

Taylor Budrow, Chicago 312-233-7082; taylor.budrow@spglobal.com

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Summary:

Sylvania City, Ohio; General Obligation

Credit Profile

US\$9.45 mil GO (ltd tax) various purp rfdg bnds ser 2017 due 12/01/2031

Long Term Rating AA+/Stable New

Sylvania City GO (ltd tax) various purp imp & rfdg bnds

Long Term Rating AA+/Stable Affirmed

Sylvania City ICR

Long Term Rating AA+/Stable Affirmed

Rationale

S&P Global Ratings has assigned its 'AA+' long-term rating to Sylvania, Ohio's series 2017 general obligation (GO) various purpose refunding bonds. At the same time, we affirmed our 'AA+' long-term rating on the city's existing GO debt. The outlook is stable.

A pledge of the city's full-faith-credit-and-resources and an agreement to levy ad valorem property taxes within the charter 15-mill limitation secure the bonds. The city expects that debt charges on certain portions of the bonds will be paid from municipal income tax revenues.

We do not differentiate between a full-faith-credit-and-resources GO pledge to levy ad valorem property taxes on an unlimited and limited basis because we believe that Sylvania possesses the financial flexibility necessary to sustain identical ratings in either scenario.

It is our understanding that bond proceeds for the series 2017 will be used to refund the series 2008 and series 2011 bonds for interest cost savings only.

The rating reflects our view of the following factors for the city:

- Strong economy, with access to a broad and diverse metropolitan statistical area (MSA);
- Strong management, with good financial policies and practices under our Financial Management Assessment methodology;
- Strong budgetary performance, with operating surpluses in the general fund and at the total governmental fund level in fiscal 2016;
- Very strong budgetary flexibility, with a high available fund balance in fiscal 2016 of 149% of operating expenditures;
- Very strong liquidity, with total government available cash at 89.5% of total governmental fund expenditures and 2.5x governmental debt service, and access to external liquidity we consider strong;
- Adequate debt and contingent liability position, with debt service carrying charges at 10.7% of expenditures and net direct debt that is 112.5% of total governmental fund revenue, as well as rapid amortization, with 67.7% of debt scheduled to be retired in 10 years; and

- Strong institutional framework score.

Strong economy

We consider Sylvania City's economy strong. The city, with an estimated population of 19,086, is in Lucas County in the Toledo, Ohio MSA, which we consider to be broad and diverse. The city has a projected per capita effective buying income of 123% of the national level and per capita market value of \$60,355. Overall, the city's market value grew by 3.4% over the past year to \$1.2 billion in 2017. The county unemployment rate was 5.1% in 2016.

Given its location near Toledo, residents have access to employment throughout the metropolitan area. Recent expansion with respect to ProMedica Health System (ProMedica) has added to its top position as the largest employer in the Toledo MSA and is expected to increase the income tax revenue for the city. Within the city, the Flower Hospital (which is part of ProMedica) is the largest employer with 2,009 employees follows by the Sylvania city school district (909) and Lourdes University (220). Although the city is mostly built-out, it has sold about four acres of land to a developer that is constructing high end apartments, which should add to its tax base. In addition, officials stated it is in discussions with Sylvania Township to create a joint economic development zone that should also create more income tax revenues.

The city's area is approximately six square miles, made up of mainly residential properties, which represent 77% of its tax base, while commercial and industrial properties constitute the remainder at nearly 23%. Officials are expecting increases in assessed values over the next few years including its sexennial update for fiscal 2019.

Strong management

We view the city's management as strong, with good financial policies and practices under our Financial Management Assessment methodology, indicating financial practices exist in most areas, but that governance officials might not formalize or monitor all of them on a regular basis.

The city performs a line by line approach for its budgetary process with each department and has many years of historical information with focus on the most recent prior three years of information to assist. The budget can be amended if needed and the council is updated on a budget to actual result on a monthly basis.

The city has no formal long-term financial plan or capital plan. There was a five-year plan developed in 2015 that incorporated projections in its general fund and also identified capital projects. It is updated each year for the specific budget year and remaining projected years until 2020.

There is a formal investment policy with monthly updates on the holdings with the performance and holdings done on an annual basis.

The city has a debt management policy that is detailed with internal hurdles that are stringent.

There is a formal reserve policy to maintain reserves at 30% of operating expenses on a cash basis so as to adjust to any unforeseen expense increase or revenue decline.

Strong budgetary performance

Sylvania City's budgetary performance is strong in our opinion. The city had operating surpluses of 7.5% of expenditures in the general fund and of 4.9% across all governmental funds in fiscal 2016. Our assessment accounts for

the fact that we expect budgetary results could deteriorate somewhat from 2016 results in the near term.

We expect the city's budgetary performance to remain at least strong over the next two fiscal years (Dec. 31, 2017 and 2018) because the city expects increases in income tax revenues in fiscal 2016, which were recognized due in part to recent expansion of ProMedica operations in the Toledo MSA. The city also expects continued growth in residential and commercial properties within and surrounding the city over our outlook period.

Sylvania officials indicated that there are no budgetary pressures that lie ahead and it should adopt a balanced budget for its general fund in fiscal 2018. The city adopted a balanced budget for fiscal 2017 and management stated that to date it is performing as expected. There are no plans to spend down available reserves over our outlook period.

For fiscal 2016, the city returned to a surplus in its general fund and total government fund operations due to material increase in income tax revenues due in part to the ProMedica expansion. Before 2016, the city had three straight deficits in its general fund mainly as a result in projections for income tax revenues fell short, despite having increased in each year since fiscal 2009. For fiscal 2016, the actual income tax revenues received was more than what was budgeted in the final budget for the first time in the past four years.

The surplus of \$811,750 for the general fund increased the available reserve fund to \$4.97 million or nearly 39% of operating expenses and transfers out, which we consider very strong. According to the 2016 audit, revenues from income taxes represented 73% of the total general fund revenues (which represented a nearly 19% increase over the income taxes collected in fiscal 2015) while property tax and intergovernmental revenues contributed about 6%. We expect these revenue streams to remain stable over the next two years.

The city levies a tax of 1.5% on all salaries, wages, commission and other compensation and on net profits earned within the city as well as on incomes of residents earned outside the city. In the latter case, the city allows a credit of 100% of the tax paid to another municipality to a maximum of the total amount assessed.

We expect the city's total governmental funds to have similar results to those of fiscal 2016 for fiscal years 2017 and 2018.

Very strong budgetary flexibility

Sylvania City's budgetary flexibility is very strong, in our view, with a high available fund balance in fiscal 2016 of 149% of operating expenditures, or \$16.1 million. We expect the available fund balance to remain above 75% of expenditures for the current and next fiscal years, which we view as a positive credit factor. The available fund balance includes \$5.0 million (46.0% of expenditures) in the general fund and \$11.1 million (103% of expenditures) that is outside the general fund but legally available for operations.

We have included the reserves of the capital improvement funds as available for general fund operations which could be available by city council approval. More recently, the state auditor has assessed that the city also needs approval from the Lucas County Court of Common Pleas. Traditionally, we have included those reserves in our analysis and will continue to do so unless there is a specific ruling where it is determined that these reserves should not be included. We do expect the city's budgetary flexibility to remain very strong for our outlook period as there are no plans to use reserves during that time.

Very strong liquidity

In our opinion, Sylvania City's liquidity is very strong, with total government available cash at 89.5% of total governmental fund expenditures and 8.4x governmental debt service in 2016. In our view, the city has strong access to external liquidity if necessary.

The city has been issuing GO debt for the past 20 years. We do not believe its cash position will improve or deteriorate within the two-year outlook horizon. Also, it has no direct-purchase or variable-rate debt that could pose a liquidity risk, and we expect the liquidity profile will remain very strong. The city's investments are mainly in highly rated securities, which we deem as not aggressive.

Adequate debt and contingent liability profile

In our view, Sylvania City's debt and contingent liability profile is adequate. Total governmental fund debt service is 10.7% of total governmental fund expenditures, and net direct debt is 112.5% of total governmental fund revenue. Approximately 67.7% of the direct debt is scheduled to be repaid within 10 years, which is in our view a positive credit factor.

It is our understanding that the city has no debt plans over the next two years.

Sylvania City's combined required pension and actual other postemployment benefits (OPEB) contributions totaled 6.4% of total governmental fund expenditures in 2016. Of that amount, 5.7% represented required contributions to pension obligations, and 0.7% represented OPEB payments. The city made its full annual required pension contribution in 2016.

The city participates in the Ohio Public Employees Retirement System (OPERS) for pension and OPEBs. OPERS administers three separate pension plans: traditional, combined, and member-directed. The traditional pension plan is a cost-sharing, multiple-employer defined-benefit pension plan. The member-directed plan is a defined-contribution plan and the combined plan is a cost-sharing, multiple-employer defined-benefit pension plan with defined-contribution features. (Substantially all city employees are part of the traditional pension plan). On an accrual basis the city annually pays 100% of its annual required contribution (ARC) for these plans and has done so the last three years.

The funded status for the OPERS traditional plan decreased to 81% from 86% for the Dec. 31, 2016, valuation versus the 2015 valuation. The city's proportion of the net pension liability for OPERS traditional plan was 0.04% for fiscal 2016 with the proportionate share of the net pension liability being \$7.2 million for 2016.

The city also participates in the Ohio Police and Fire Pension Fund (OP&F), a cost-sharing multiple-employer defined-benefit pension plan. The funded status for the OP&F plan fell to 67% from 72% for the Dec. 31, 2016, valuation versus the 2015 valuation. The city's proportion of the net pension liability for OP&F traditional plan was 0.11% for fiscal 2016 with the proportionate share of the net pension liability being \$7.2 million for 2016.

As per for the OPEB liability, the city has contributed its ARC in both plans for at least the past three years.

We do not expect the city's pension and OPEB costs to become a budgetary pressure over our outlook period.

Strong institutional framework

The institutional framework score is strong.

Outlook

The stable outlook reflects our anticipation that the city will maintain its very strong budget flexibility and liquidity profile, which are supported by its strong management profile. As such we don't expect to change the rating within our two-year outlook period.

Downside scenario

If the budgetary performance were to fall to adequate or weak and the budgetary flexibility is negatively affected to levels that we no longer consider comparable to similarly rated peers, the rating could be pressured.

Upside scenario

If the economic indicators such as per capita effective buying income and market value per capita improve to levels that are comparable to higher rated peers and as long as the other rating factors remain constant, the rating could be raised.

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at www.standardandpoors.com for further information. Complete ratings information is available to subscribers of RatingsDirect at www.globalcreditportal.com. All ratings affected by this rating action can be found on the S&P Global Ratings' public website at www.standardandpoors.com. Use the Ratings search box located in the left column.

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D

Board of Architectural Review

Minutes of the regular meeting of August 16, 2017. Mr. Lindsley called the meeting to order.

Members present: Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (4) present. Mayor Craig Stough excused. Zoning Administrator, Timothy Burns present.

Mr. McCann moved, Mr. Arnold seconded to approve the Minutes of the July 12, 2017 meeting as submitted. Vote being: Arnold, McCann, Marciniak and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Regulated Sign – app. no. 30-2017 requested by Champion Credit Union, 7525 Sylvania Avenue, Sylvania, Ohio 43560. Application is for an LED replacement sign on an existing monument sign. Sign within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Marciniak moved, Mr. Arnold seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

E

Sylvania Municipal Planning Commission

Minutes of the regular meeting of August 16, 2017. Mr. Lindsley called the meeting to order.

Members present: Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (4) present. Mayor Craig Stough excused. Zoning Administrator, Timothy Burns present.

Mr. McCann moved, Mr. Arnold seconded to approve the Minutes of the July 12, 2017 meeting as submitted. Vote being: McCann, Marciniak, Arnold and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Council Referral – Proposed Ordinance No. 57-2017, Amending Chapter 1166 of the Sylvania Codified Ordinances by amending Section 1166.11 - Signs permitted in B-2 General Business District, Section 1166.12- Signs permitted in B-3 Central Business District and Section 1166.13 - Signs permitted in B-4 Shopping Center District. Mr. Burns stated that the changes to the sign code are to clarify how to calculate the size allowed on a wall sign. Mr. Marciniak moved, Mr. McCann seconded to recommend to Council to approve the changes to the sign code as submitted. Vote being: McCann, Marciniak, Arnold and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Arnold moved, Mr. McCann seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission



DEPARTMENT HEADQUARTERS • FIRE STATION #4
8210 W. SYLVANIA AVE. • SYLVANIA, OHIO 43560-9646
PHONE 419-882-7676 • FAX 419-885-0031
WWW.SYLVANIATOWNSHIP.COM/FIRE_HOME.ASPX

7

SYLVANIA FIRE - EMS

WORKING SMOKE DETECTORS SAVE LIVES!

July 19, 2017

Mayor Craig Stough
Kevin Aller
City Council

The Sylvania Fire Department would like to “Thank You” for the use of your property @ 4827 Holland-Sylvania Rd.

Sylvania Fire Department personnel were able to complete some great quality training with the use of the building.

We appreciate and thank you again for your generosity.

Sincerely,

Chief Michael J. Ramm

Township Administrator John Zeitler

