

ORDINANCE NO. 16 – 1141

AN ORDINANCE ENACTING SECTION 521.13 AND 521.15 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO

WHEREAS, the Village reviews and updates its codified ordinances regularly; and

WHEREAS, the Village has experienced recent problems whereby a nuisance has been created by residents that discharge sewage onto lands located within the village;

WHEREAS, the Village has experienced recent problems whereby residents have been operating generators in a manner that is detrimental to the residents of the village; and

WHEREAS, Council has determined that the codified ordinances must be updated to protect the residents of the Village from such nuisances in the Village; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Russells Point, Logan County, Ohio, that:

SECTION I: That Section 521.13 and 521.15 of the Codified Ordinances of the Village of Russells Point shall be enacted as follows:

521.13 PROHIBITED DISCHARGE OF SEWAGE

(a) No person shall throw, deposit, discharge or accumulate, or permit to be thrown, deposited, discharged or accumulated, any dirt, paper, filth, sweepings, sewage, filthy water, offal, wood, manure, refuse matter, or rubbish of any kind whatsoever into or upon any public street, road, alley, or public grounds, or upon any private premises.

(b) No person shall discharge or permit or cause to be discharged sewage, the overflow, drainage, or contents of a sewage tank, sewage pipe or sewage system, or other offensive waste onto the surface of the ground or onto any street, road, alley, excavation, drainage ditches, watercourse, water supply, wetland, cistern, natural or artificial well, sink hole, crevice, or other opening extending into limestone, sandstone, or other rock or shale formations.

(c) No sewage disposal device or equipment shall be installed or maintained on property whenever a sanitary sewer is available. Whenever a sanitary sewer is made available, any existing sewer disposal device or equipment shall be abandoned and the sewage discharged from the building to the sanitary sewer shall be through a watertight connecting sewer. No roof water, cistern overflow, interior water discharged from a sump pump, or surface overflow shall be discharged into the sanitary sewer.

(d) No sewage disposal device or equipment of necessity shall be installed, or the premises served thereby used for human habitation, until and unless a permit authorizing the installation and use has been duly issued by the Logan County Water Pollution Control District or the Village Code Enforcement Officer.

(e) Any person violating the provisions of this section is creating a public nuisance and shall forthwith remove the same on order of the Code Enforcement Officer. If the person violating the provisions of this section does not comply with the order of the Code Enforcement Officer immediately, the Village may temporarily suspend water service to the property where the nuisance is being created until the nuisance is

abated. A fee of \$50.00 shall be assessed to resume water service to the property owner where the nuisance was created. Water service shall not resume until said fee is paid.

(f) Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree. Each day on which an offense occurs or continues shall be deemed a separate offense.

521.15 PROHIBITED USE OF A GENERATOR

(a) "Generator" is defined as a device or equipment that can generate or supply electricity to a residential or commercial property. "Generator" does not include any device or equipment authorized for operation within the village pursuant to Chapter 1187 of the Codified Ordinances of the Village of Russells Point.

(b) No person shall operate a generator or similar equipment, except during periods of power outages, during a temporary unavailability of electricity or for periodic testing and necessary maintenance on a property. Temporary unavailability of electricity means the service cannot be turned on by the utility providing the service to the property.

(c) Any person violating the provisions of this section is creating a public nuisance and shall forthwith remove the same on order of the Code Enforcement Officer or upon the issuance of a citation by the Village Police department.

(d) Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree. Each day on which an offense occurs or continues shall be deemed a separate offense.

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

SECTION III: That this ordinance shall, therefore, be in force and take effect at the earliest period allowed by law.

John Huffman, President Pro Tem

Robin Reames, Mayor

Attested: _____
Jeff Weidner, Fiscal Officer

Approved as to form:
Rob Eshenbaugh, Village Solicitor