

Sponsor: Elliott/Peters

ORDINANCE NO. 42-23 Revised

**AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTION 927.09 RELATING TO THE DISCHARGE OF HAULED WASTE TO THE CITY AND DECLARING AN EMERGENCY.**

WHEREAS, the legislative authority of the City of Jackson has published certain general and permanent ordinances in a volume of Codified Ordinances including section 927.09 that governs the discharge of hauled waste to the City; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to revise sections 927.09; and

WHEREAS, this matter constitutes an emergency for the city to determine the classifications of waste in order to maintain the health, safety, and welfare of the City and its citizens; and

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT SECTION 927.09 OF THE CODIFIED ORDINANCES OF THE CITY OF JACKSON BE REPEALED AND AMENDED REGARDING THE DISCHARGE OF WASTE HAULED TO THE CITY, AS SET FORTH BELOW, WITH THOSE STRUCK THROUGH PORTIONS BEING REMOVED AND REPLACED WITH THE UNDERLINED LANGUAGE SHOWING THE AMENDMENTS TO THE ORIGINAL LANGUAGE AND THAT EACH BE REPLACED WITHIN THE JACKSON CITY CODE, IN REGULAR TEXT.**

**927.09 DISCHARGE OF SEPTIC-HAULED TANK WASTES.**

(a) The charge for accepting tankage shall be set by the Director of Public Service and Safety and published in a list of charges referred to as the City of Jackson Utility Charges and said list shall be maintained in the City of Jackson Utility Office. Separate charges will be assessed for; Recreational Vehicle, Domestic Waste and Non-Domestic Waste and a minimum processing charge for each vehicle dumped will be equal to the cost of labor and materials associated with bill creation and mailing.

**Recreational Vehicle**, as defined in Ohio R.C. 4501.01(Q)

**Domestic Waste**, defined as the liquid or solid material removed from a septic tank, cesspool, holding tank, portable toilet waste or a similar system that receives only domestic waste (household, non-commercial, non-industrial sewage).

**Non-Domestic Waste** may include non-hazardous commercial or industrial waste, groundwater remediation site waste, landfill leachate waste.

~~Each Hauler must provide to the City of Jackson Wastewater Treatment Plant a copy of their annual Jackson County Department of Health Septic Hauling Registration.~~

(b) Only authorized waste transporters may discharge hauled waste at the City's facilities. To be authorized, a waste transporter must provide the following:

(i) Proof of comprehensive general liability and auto liability insurance which includes the City as an additional insured and includes provisions for informing the City ten days prior to the time of policy cancellations or renewals. Applicants shall maintain general liability insurance and automobile liability insurance in such amounts as the City may, from time to time, deem appropriate.

(ii) A list of the vehicles applicant has in service for transportation of liquid waste. The list shall include the make and model, the state of registration, the state vehicle license number and the tank volume, in gallons, for each vehicle operated.

(iii) Any person who has been granted authorization to discharge hauled waste at the City's facilities shall annually provide proof to the Service Director of continued liability insurance and proof of continued compliance with applicable State of Ohio, City of Jackson and/or Jackson County laws and regulations.

(iv) Each Hauler must provide to the City of Jackson Wastewater Treatment Plant a copy of their annual Jackson County Department of Health Septic Hauling Registration.

(v) The City may rescind a transporter's authorization to discharge hauled waste if the transporter is found to be in violation of the provisions of this ordinance or other City ordinances.

~~(b) (c) Only wastes from septic tanks or aeration systems shall be accepted for discharge into the sewers. Any wastes originating from any other source shall not be accepted without approval of the Head of the Wastewater Treatment Plant Department.~~

~~(e) (d) Gallonage of wastewater shall be known and specified. The address of the actual source of the septic or aeration system waste shall be provided to the City.~~

~~(d) (e) Discharging shall occur between the hours of 7:30 a.m. to 11:00 a.m. and 12:00 p.m. to 3:00 p.m. Monday through Friday.~~

~~(e) (f) Discharging shall occur at a designated area as specified by the City. This specified location shall be the only point permitted for disposal for reasons of control and convenience.~~

~~(f) (g) Prior to discharging the load, the hauler shall report to the Administration Building of the Wastewater Treatment Plant (the first building) and sign a form in triplicate, stating the nature of the wastes and gallonage. The~~

fee for accepting the wastes shall be calculated and appear on the aforementioned form. This form shall also be signed by a representative of the City. One copy of the form is to be given to the hauler, one retained at the plant and the third is to be submitted to the Utility Office for billing purposes.

~~(g)~~ (h) A representative of the City may accompany the hauler to the specified disposal location and verify the contents of the load.

~~(h)~~ (i) During periods of abnormally high wastewater flows, severe weather conditions or operational concerns, no tankage shall be allowed per discretion of the Head of the Wastewater Treatment Plant Department.

~~(i)~~ (j) Samples of the tankage will be taken under the direction of the Head of the Wastewater Treatment Plant Department. Hauler will be responsible for all associated costs.

~~(j)~~ (k) Cleanup of any spill at the dump station will be the responsibility of the septic hauler. Any leaking hoses must be repaired prior to discharging. A fee will be assessed for any cleanup completed by City personnel.

~~(k)~~ (l) Failure to comply with these guidelines and associated City of Jackson Sewer Use Ordinance regulations shall render the hauler liable to enforcement and penalties as set forth in this chapter.

(m) The City may refuse to accept any further waste discharges from a transporter when a prior monthly charge has not been paid and has been delinquent for more than fifteen days after the due date.

(n) The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

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

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 24<sup>th</sup> day of July, 2023.

Samuel L. Fisher  
President of Council

ATTEST:

Cindi Kuhn  
Clerk of the Legislative Authority

Approved this 24<sup>th</sup> day of July, 2023.

RANDY MANN  
Mayor