



## Legislation Text

---

**File #:** 0327-2024, **Version:** 1

---

This ordinance amends section 1145.88 of the Columbus City Codes, Chapter 1145, “Sewer Use Regulations,” to authorize the Director of the Department of Public Utilities to access and take corrective actions on public sanitary service mains and manholes in those areas served by the City’s sanitary sewer system where the Blueprint Columbus inflow and infiltration program will be implemented. Blueprint Columbus projects include rehabilitation and replacement of private sanitary service laterals and public sanitary service mains and manholes. Some of the public sanitary sewer mains and manholes are located on private property or can only be accessed through private property. Currently, the corrective actions in section 1145.88(B) only include the private sanitary service laterals; thus, the public sanitary service mains and manholes will be added through this ordinance. This addition will provide the Director of the Department of Public Utilities, under section 1145.89, the right to enter the private property and/or building to perform corrective measures to the public sanitary service mains and manholes in order to abate the public nuisance.

**Fiscal Impact:** There is no direct fiscal impact from this legislation.

To amend section 1145.88 of Chapter 1145, “Sewer Use Regulations,” of the Columbus City Codes, to authorize the Director of the Department of Public Utilities to access and take corrective actions on public sanitary service mains and manholes in those areas served by the City’s sanitary sewer system where the Blueprint Columbus inflow and infiltration program will be implemented.

**WHEREAS**, during periods of heavy precipitation, rain water can enter into the sanitary sewer system, causing it to become overwhelmed; this is known as inflow and infiltration. Significant inflow and infiltration causes the sanitary system to overflow into streams and rivers (which events are known as sanitary sewer overflows) and also causes the sanitary sewer system to backup into basements; and

**WHEREAS**, in 2015 Council established the Blueprint Columbus inflow and infiltration program as it was necessary and appropriate and in the best interest of the City and its inhabitants to provide for the abatement of the nuisance conditions caused by excessive inflow and infiltration to the sanitary sewer system, and to authorize, for the purposes of the abatement, the rehabilitation and/or replacement of private sanitary laterals and the disconnection and/or redirecting of water from downspouts away from the sanitary sewer system, all for the public purposes of addressing conditions deleterious to the public health and safety and the environment and other natural resources, providing for and enabling the environmentally safe and productive use of private lands in the City, abating the public nuisances those conditions present, assisting the City in complying with its consent order with the Ohio EPA, and protecting the sanitary sewer system and promoting its effective and efficient operation; and

**WHEREAS**, public sanitary sewer lines, mains, and manholes located on private property receive inflow and infiltration both (1) directly from water flowing into the lines from the private property, and (2) indirectly from water flowing into lateral private lines located on private property, which then flows into the mains. Thus, rehabilitating private laterals and public mains and manholes are both required to accomplish the goals of Blueprint Columbus and eliminate the nuisance of inflow and infiltration; and

**WHEREAS**, some projects conducted through the Blueprint Columbus necessarily include rehabilitating public sanitary sewer service mains and manholes, and some of those mains and manholes are located on or are accessible through

private property; and

**WHEREAS**, the Department of Public Utilities is requesting City Council to amend section 1145.88 of Chapter 1145, "Sewer Use Regulations" to authorize the Director of Public Utilities to access private property in order to take corrective actions on public sanitary sewer service mains and manholes located in those areas served by the City's sanitary sewer system where the Blueprint Columbus inflow and infiltration program will be implemented; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That Council hereby determines that it is necessary and appropriate and in the best interest of the City and its inhabitants to amend the Blueprint Columbus designation to authorize the Director of the Department of Public Utilities to access private property for purposes of accessing public sanitary sewer service mains and manholes to abate a public nuisance.

**Section 2.** That Section 1145.88 of the Columbus City Codes is hereby amended to read as follows:

**1145.88 - Implementation of I/I Reduction Program**

- (A) **Investigation:** Pursuant to section 1145.89, the Director may access the exterior of the property of any person within an area designated by the Director pursuant to Section 1145.87 to perform necessary survey work, such as dye testing, smoke testing, or sewer videography.
- (B) **Corrective Measures:** Once the Director has made the designation authorized by section 1145.87, the Director is authorized to implement or contract for the implementation of these corrective measures at private residences, dwellings, buildings, properties, or other structures in the designated areas. Pursuant to section 1145.89, this may include entry onto the property and/or building.
- (1) The City may take the following corrective measures to reduce the contribution of I/I from private properties:
- (a) Rehabilitate private sanitary service laterals and public sanitary service mains and manholes;
- (b) Replace damaged private sanitary laterals and public sanitary service mains and manholes;
- (c) Disconnect and redirect downspouts that directly or indirectly connect to private sanitary lateral. A downspout is considered indirectly connected to a foundation drain if it discharges within seven feet of the foundation of the building. Said downspouts may be redirected to the street or at least seven feet from the building.
- (d) Rehabilitate or replace damaged or poorly functioning downspouts that are currently directed to the street or at least seven feet from the home.
- (2) With the property owner's written permission, the City may install a sump pump in single family or duplex residential buildings if the building does not have a sump pump.
- (3) Upon completion of any of the corrective measures set forth in Subsections (1) and (2), the City will restore the property at the City's expense.
- (D) **Post-Implementation Inspection:** Upon completion of required corrective measures, the Director is permitted to conduct a post-implementation inspection in accordance with section 1145.89. If additional corrective measures are required to further reduce I/I, the City will undertake those measures pursuant to this Section.

- (E) **Payment of Costs.** The costs of all corrective measures shall be paid by the City.
- (F) **Maintenance:** In accordance with this Chapter, the owner of the property shall be responsible for the maintenance of any rehabilitated or replaced private sanitary lateral, redirected downspouts and/or sump pump installed pursuant to this section. Any costs of repair, replacement, or maintenance incurred after the corrective measures taken by the City shall be paid by the owner and shall not be subject to reimbursement by the City. The City will, if applicable, transfer any warranty for the work to the owner of the property.

**Section 3.** That existing Section 1145.88 of the Columbus City Codes is hereby repealed.

**Section 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.