

**CITY OF SOUTH LEBANON, OHIO  
ORDINANCE NO. 2022-12**

**AN ORDINANCE TO PROVIDE AN EFFECTIVE MEANS FOR  
PROTECTING THE PUBLIC WATER SYSTEM FROM  
CONTAMINATION DUE TO BACKFLOW OF CONTAMINATES  
THROUGH THE WATER SERVICE CONNECTION INTO THE  
PUBLIC WATER, AMENDING ORDINANCE NO. 2018-1, AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Section 6109.13 of the Ohio Revised Code requires protection of the public water system from contamination through any connection whereby water from a private, auxiliary, or emergency water system may enter the public water system; and

**WHEREAS**, Section 3745-95 of the Ohio Administrative Code requires protection of the public water system from contamination due to backflow of contaminants through the water service connection; and

**WHEREAS**, the Ohio Environmental Protection Agency requires the maintenance of a continuing program of backflow prevention and cross-connection control which will systematically and effectively prevent the contamination of all potable water systems; and

**WHEREAS**, in order to accomplish these goals, it is necessary to introduce restrictions that go beyond usual plumbing code requirements; and

**WHEREAS**, immediate action is required in order to preserve the public peace, health, safety and general welfare of the City in order to be compliant with the recommendations and directives of the Ohio Environmental Protection Agency.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

**Section 1.** That if, in the judgment of the City Administrator, an approved backflow prevention assembly is necessary for the safety of the public water system, the City Administrator will give notice to the water consumer to install such an approved assembly immediately. The water consumer shall, at his own expense, install such an approved assembly at a location in a manner approved by the City Administrator and shall have inspections and tests made of such approved assemblies as required by the City Administrator.

**Section 2.** That 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 the City of South Lebanon may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the City Administrator of the City of South Lebanon and by the Ohio Environmental Protection Agency.

**Section 3.** That it shall be the duty of the City Administrator to 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 City Administrator shall deem necessary.

**Section 4.** That the City Administrator of the City of South Lebanon 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 of South Lebanon 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 City Administrator 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 City Administrator, be deemed evidence of the presence of improper connections as provided in this ordinance.

**Section 5.** That the City Administrator 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 ordinance 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 shall have been eliminated or corrected in compliance with the provisions of this ordinance.


**Section 6.** That this Ordinance is hereby declared to be an emergency measure in accordance with Section 731.30 of the Ohio Revised Code for the immediate preservation of the public peace, health, safety and general welfare; and, this Ordinance shall be in full force and effective immediately upon its passage.


*Remainder of page left blank intentionally*

Ordinance No. 2022-12

Page 4

Adopted this day of March, 2022.

Attest:   
Petrina Williams, Fiscal Officer/Clerk

  
James D. Smith, Mayor

Rules Suspended: 3/17/2022 (if applicable)

Effective Date - 3 / 17 /2022

Vote - 6 Yeas

\_\_\_\_ Nays

First Reading - \_\_\_\_ / \_\_\_\_ /2022

Effective Date - \_\_\_\_ / \_\_\_\_ /2022

Second Reading - \_\_\_\_ / \_\_\_\_ /2022

Third Reading- \_\_\_\_ / \_\_\_\_ /2022

Vote - \_\_\_\_ Yeas

\_\_\_\_ Nays

Prepared by and approved as to form:

ANDREW P. MEIER  
CITY SOLICITOR  
SOUTH LEBANON, OHIO

By: 

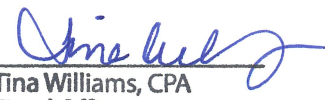
Date: 3/19/2022

17

CERTIFICATE OF POSTING

I, Tina Williams, CPA, Fiscal Officer of the City of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the City as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of the City of South Lebanon, Ohio

3/18/22  
Date

  
Tina Williams, CPA  
Fiscal Officer  
City of South Lebanon, Ohio