

ARTICLE XII

BUILDING SEWERS: CONNECTIONS AND PERMITS

Section 1201 Authorization to Connect

No unauthorized person shall uncover, make any connection with an opening into, use, alter or disturb a public or private sanitary or combined sewer or appurtenance thereof. No person, authorized to do the above type of work, shall do so without first obtaining a permit therefor from the Director.

Section 1201a Unauthorized Discharge/Connection

In accordance with Section 401, no person shall discharge or cause to be discharged, either directly or indirectly, to a sanitary sewer system building connection or appurtenance thereof, surface water, foundation drains, groundwater, roof runoff, subsoil drains, subsurface drainage, cooling water, swimming pool water or unpolluted industrial process water.

The owner whose property is sewered by the building connection shall be responsible for any such unauthorized connection and its immediate removal and shall be subject to penalties in accordance with Section 2207, Article XXII.

Section 1202 Building Sewer

A separate and independent building sewer shall be provided for every building that is to be occupied. The minimum size shall be six (6) inches.

Section 1202-A Building Sewer Extension

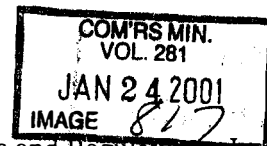
Where one building stands in the rear of another on an interior lot and no "building sewer-sanitary" connection to a sewer is available, or can be made through an adjoining alley, courtyard, side yard, or driveway, as determined by the Director, the "building sewer-sanitary" from the building on the front of the lot may be extended to the building on the rear of the lot and will be considered as one "building sewer-sanitary" with a 6" diameter minimum cleanout installed at the property line or right-of-way.

Section 1203 Building Sewer Connection to Manhole

A building sewer, six-inch (6"), connection to a public sanitary or combined sewer manhole is prohibited, except where special approval is granted by the Director.

Section 1204 Building Sewer Requirements

The building sewer, six-inch (6"), shall be constructed of materials meeting the standards of the District. It shall be laid at a minimum grade of one-fourth inch per lineal foot (2%) from the building to the public or private sewer; except that the Director may authorize the grade to be as little as one-eighth inch per lineal foot (1%) if he determines such to be desirable or necessary. The building sewers, larger than



six-inch (6"), shall be installed in accordance with Section 603 of these Rules and Regulations. In no case shall a floor level being served by the building sewer be less than thirty-six inches (36") above the crown of the receiving sewer at the point of connection of the building sewer thereto. It shall be the owner's responsibility to whom the permit is issued to take the necessary precautions in order to provide adequate protection from flooding for any new connection.

Section 1205 Building Sewer Connection

Building sewers shall be constructed as part of the improvement to the property line of the premises served. The connection of the building sewer to the main sewer shall be made in front of the premises served, unless otherwise approved by the Director.

Section 1206 Residential Subdivisions

In the development of residential subdivisions with sanitary sewers, all lots shall be served by connections to the sanitary sewer system either by gravity or by means of a pump or ejector. No individual disposal devices will be permitted.

In all buildings in which any sanitary building drain is too low to permit gravity flow to the sanitary sewer system, any sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 1207 Maintenance

For maintenance of building sewers, see Section 2008 of these regulations.

Section 1208 Sewer Tapping

Permits to connect building sewers, to open, or alter any public/ private sanitary or combined sewer or appurtenance will be issued only to a person engaged in the business of sewer construction or tapping and possessing a valid license and bond from the District.

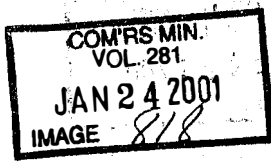
Section 1208-A Verification of No Clean Water Connections

Prior to the issuance of a sewer permit allowing for a new connection, opening, or alteration, to a sanitary sewer or appurtenance, on-site verification is necessary to insure that no clean water will enter the sanitary sewer system should a connection or alteration be permitted.

The owner of a property shall be responsible for complying with the District's current policies and procedures relative to protecting the sanitary sewer from clean water sources.

Section 1209 Responsibility of Permit Holder

The person to whom a connection permit is issued will be held responsible for the proper installation of the building sewer in accordance with these Rules and Regulations subject to the condition that the person holds the District harmless from any loss or damage.



Section 1210 Additional Permits

The person to whom a connection permit is issued shall be responsible for obtaining any additional required permits to open cut any street, road or highway, from the appropriate public authority having jurisdiction over such street, road or highway, and shall comply with all conditions required by such additional permits.

Section 1211 Building Sewer Connection Permits (Tap Permit)

There shall be two types of permits for building sewer connection (tap permit): (1) for residential and commercial service, and (2) for service to establishments discharging industrial wastes. In either case, the owner or his agent shall make application on a special form to be obtained from the District. The application for permit shall be supplemented by a copy of the Building Permit, documentation stating the domestic water meter size, detailed site plan showing elevations at the sewer main and the lowest floor elevation of the building, applicable street opening permits, a schematic plan of the footing and foundation drainage system showing the point of discharge and any plans, specifications or other information considered pertinent in the judgment of the Director. A separate tap permit must be obtained for each building sewer connection. A tap-in-fee in accordance with Section 1215 for each tap permit requested shall be paid to the District at the time the application is filed. This fee is specified in Sections 1215 and 2501 of these Rules and Regulations.

Section 1212 Licenses and Bonds

Sewer tappers performing building sewer connections to the District's sewer system shall be licensed by the District. The annual license fee is specified in Section 2501. The license shall be in effect from January 1 to December 31 of each year. Failure to renew this license within a two-year period, after the expiration date, shall result in a new examination being required.

Each license application shall be accompanied by a sewer tapper's bond in the amount of ten thousand dollars (\$10,000.00).

All licensed and bonded sewer tappers are responsible for controlling erosion and sediment.

The District reserves the right to revoke or suspend the license of any holder whose work, or misconduct as a sewer tapper is not in the District's and/or public's best interest. The Director will investigate and review the instance(s), notify the license holder of the time and place for a hearing at which the licensee shall have the right to appear and produce evidence and witnesses for his/her own defense, and make a final decision as to the revocation or suspension of a license.

Section 1213 Inspection of Building Sewers

Inspection of building sewer connections will be provided by appointment, arranged through the Field Section, during normal working hours that are 7:30 a.m. to 4:00 p.m., Monday through Friday. Special Services will be provided when requested. Typical Special Services are (1) return trips due to lack of

expected progress; (2) emergency conditions necessitating immediate response; and (3) abnormal working hours. The permit holder will be billed for Special Services of inspection time at a rate per hour, established and published from time to time by the Board.

Section 1214 Method of Connecting Building Sewers

Building sewers shall be connected to 33-inch or smaller diameter sanitary or combined sewers by one of the following methods:

1. By utilizing an existing T or Y branch.
2. By the use of an approved tapping saddle.
3. By removing a full pipe-length of the existing sewer and "rolling-in" a new length of pipe with a T or Y branch made an integral part thereof.
4. By the use of other methods as may be approved by the Director.

If a new length of pipe is "rolled-in," a concrete collar in accordance with Standard Acc. No. 49031 shall be constructed or an approved coupling installed at each end where the new pipe meets the existing pipe.

Building sewers shall be connected to 36-inch or larger diameter sanitary or combined sewers in a manner as approved by the Director.

"Break-in" connections shall not be permitted unless approved by the Director.

Section 1215 Tap-in-Fee

The tap-in-fee shall apply to direct or indirect connections to public or private sanitary and combined sewer systems within the jurisdiction of the District.

- A. Every person (meaning individuals, firms, corporations and public bodies) whose premises will be served by a sanitary or combined sewer of the Metropolitan Sewer District shall pay a Tap-in Fee in accordance with Table 1215-1 and subject to the provisions of Section 1215 B of these Rules and Regulations. The Tap-in Fee shall be paid when a sewer tap permit is issued by the Metropolitan Sewer District or when the responsibility of the applicant to supply to MSD a record of the relevant water service in order to verify the size of the water meter at the time of the tap-in is required.

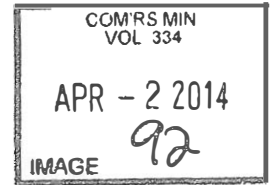
Table 1215-1		Tap-in Fee
Water Meter Size	up to 3/4"	\$2,500.00
	1"	\$4,530.00

Section 1215 Amendments April 2, 2014

Other Amendments to this Section were adopted

- August 28, 2002
- September 7, 2005

These were repealed with the 2014 Amendment



ARTICLE XII

BUILDING SEWERS: CONNECTIONS AND PERMITS

Section 1215 Tap-in-Fee

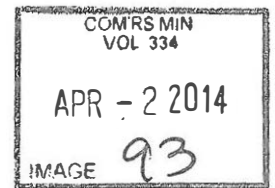
The tap-in-fee shall apply to all new direct or indirect connections to both public or private sanitary and combined sewer systems under the jurisdiction of the District.

- A. Every person (meaning natural persons, firms, associations, corporations and public bodies) whose premises will be served by a direct or indirect connection to a sanitary or combined sewer of the Metropolitan Sewer District of Greater Cincinnati shall be charged a Tap-in Fee in accordance with Table 1215-1 and subject to the applicable provisions in Section 1215 B of these Rules and Regulations. The Tap-in Fee is due and payable when a sewer tap permit is issued by the Metropolitan Sewer District or its designee. It will be the responsibility of the applicant to supply to MSD a record of the relevant water works application of water service in order to verify the size of the water meter at the time the permit application is submitted.

Table 1215-1

Water Meter Size	2014 Tap-in Fee
up to ¾"	\$3,620.00
1"	\$6,560.00
1-½"	\$15,010.00
2"	\$27,020.00
3"	\$61,280.00
4"	\$109,430.00
6"	\$247,530.00
8"	\$440,740.00
10"	\$688,280.00
12"	\$990,130.00

- 1. The tap-in-fee will be adjusted annually as follows, in accordance with Section 2501:
 - a. Based on the September Engineering News Record Construction Cost Index (ENR CCI) for Cincinnati, Ohio, the fees in Table 1215-1 shall be multiplied by the ratio of the current year September ENR CCI to the ENR CCI for September, 2000 (5907.06), rounded to the nearest \$10.



- b. The Tap-in fees determined in a., above, shall become effective on January 1 of each year.

B. Conditions, exceptions, and additional information:

1. For single-family residences existing as of July 1, 1996, the Tap-in Fee shall be \$480. For purposes of this section, a single-family residence shall be considered to be "existing" if a final plumbing inspection was completed and approval granted by the appropriate local authority on or before July 1, 1996. It shall be the responsibility of the applicant to furnish a record of the final plumbing inspection in order to verify the date of final plumbing approval.
2. For single-family residences constructed after July 1, 1996 that are converting from private to publicly-owned, operated, and maintained sanitary sewers, the Tap-in Fee for up to ¾" water meter branch size shall be \$480, in accordance with Table 1215-3
3. For residential condominium properties, in accordance with Chapter 5311 of the Ohio Revised Code, the Tap-in Fee shall be calculated based upon number of units, and the Tap-in Fee shall be \$480 per unit.
4. In areas where a connection charge or local benefit charge greater than the applicable Tap-in Fee set forth in Table 1215-1 was established by a prior resolution of this Board or by another political subdivision which has since joined the Metropolitan Sewer District, only the applicable Tap-in Fee set forth in the prior resolution shall be collected.
5. In areas where a connection charge or local benefit charge less than the applicable Tap-in Fee set forth in Table 1215-1 was established by a prior resolution of this Board or by another political subdivision which has since joined the Metropolitan Sewer District, only the applicable Tap-in Fee set forth in Table 1215-1 shall be collected.
6. Properties located outside of Hamilton County and served by the sewer facilities of the Metropolitan Sewer District are subject to the Tap-in Fees in this Section. The agency issuing that tap permit shall collect the appropriate Fee and shall forward this Fee to the Metropolitan Sewer District.
7. When a premises is supplied either in whole or in part with water from wells or any other source other than a public water supply, MSD will contact the local water district to determine the comparable water meter size which would be needed to serve the premises. In the event there is no local water district, the Director of the Metropolitan Sewer District will determine comparable water meter size.
8. Where a combination service line and water meter for both domestic and fire service is provided MSD will contact the local water district to determine the domestic water demand and appropriate water meter size for that demand in



order to determine the Tap-in Fee. The Director of the Metropolitan Sewer District shall have the authority to determine the proper Tap-in Fee.

9. When a person can show to the satisfaction of the Director of the Metropolitan Sewer District that a portion of the water used on the premises will not enter the sewer system, The Director of the Metropolitan Sewer District shall have the authority to reduce the Tap-in Fee.
10. An owner of a single family residence with a water meter larger than 3/4-inch may pay a Tap-in Fee equal to the rate set for buildings with up to a 3/4" water meter, provided the owner furnishes an affidavit stating the reason for the increased size of the water meter and a statement confirming that no non-residential activities will occur at the premises which will allow additional water to enter the sewer system.
11. Applicants for sewer tap permits under the following circumstances will be charged Tap-in Fees as follows:
 - a. No additional tap-in fee will be charged for an existing building with a permitted sewer tap which is demolished or destroyed, is replaced with a new building on the same site, and for which the water meter size for the replacement building is the same as the water meter size for the demolished or destroyed building. Where records do not exist on water meter size, the minimum water meter size, as indicated in Table 1215-2, will be assumed.
 - b. For an existing building with a permitted sewer tap which is demolished or destroyed, is replaced with a new building on the same site, and for which the water meter size for the replacement building is increased from the water meter size for the demolished or destroyed building, or in the case where water meter size records do not exist and the minimum size meter is assumed, the Tap-in Fee will be calculated based on the current rates for Tap-in Fees, less the Tap-in Fee previously paid. If no record of prior Tap-in fee payment exists, the Tap-in Fee amount previously paid will be assumed to be in accordance with Table 1215 -2, below, as applicable. Plumbers who fail to pay this fee are subject to being removed from the MSD approved sewer tapper list and have their sewer tapper license revoked.
 - c. For an existing building with a permitted sewer tap for which the water meter is replaced with a new, larger water meter, the Tap-in Fee will be calculated based on the current rates for Tap-in Fees, less the Tap-in fee previously paid. If no record of prior Tap-in fee payment exists, the Tap-in Fee amount previously paid will be assumed to be in accordance with Table 1215 -2, below, as applicable. Plumbers who fail to pay this fee are subject to being removed from the MSD approved sewer tapper list and have their sewer tapper license revoked.

Table 1215-2. For single-family residences:



Water Meter Size	Tap-in Fee
up to ¾"	\$480.00
1"	\$870.00
1-½"	\$1,990.00
2"	\$3,580.00
3"	\$8,120.00
4"	\$14,500.00
6"	\$32,800.00
8"	\$58,400.00

Table 1215-3. For buildings constructed on or after July 2, 1996:
(eff. 1/1/2014)

Water Meter Size	Tap-in Fee
up to ¾"	\$480 for properties in accordance with Section 1215(B)(2)
	\$3,620.00 for properties in accordance with Section 1215(A)
1"	\$6,560.00
1-½"	\$15,010.00
2"	\$27,020.00
3"	\$61,280.00
4"	\$109,430.00
6"	\$247,530.00
8"	\$440,740.00
10"	\$688,280.00
12"	\$990,130.00

12. Policy Concerning Tap-in-Fees associated with Residential and Non-Residential Redevelopment.

It is the policy of the Board of County Commissioners to encourage redevelopment throughout Hamilton County. Redevelopment is defined as the removal of one or more buildings of any type from one or more parcels of any zoning, and the replacement of that structure or structures with any number of new structures.

MSD will calculate the tap-in-fees for the new structure(s) within residential or

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IMAGE 90

non-residential redevelopments based on the current rates for tap-in-fees (Table 1215-1 et. seq.), less the tap-in-fee amount for the old structure. The tap-in-fee equivalent for the redevelopment will be the sum of the various size meters times the rate for that meter minus the sum of the pre-redevelopment meter sizes times the present rate for that size meter.

Rates to be used are the rates in effect at the time the development plans are approved for construction.

The redevelopment tap-in-fees balance shall be collected based on building meter size prior to the credit balance being issued. In the event the predevelopment amount is greater than the redevelopment amount, there will be no refund of the difference.

Only those taps within the specific recorded land parcel limits of the original development, whose bounds have been defined by a development plans that has been reviewed and approved by a County or Municipal Zoning or Planning Board or Commission sanctioned by the Ohio Revised Code and Ohio Administrative Code, are transferable.

Each redevelopment that occurs will be based on the most recent previous development. No credits will be given for past redevelopment activity.

To receive the credit for pre-existing taps, the developer must submit satisfactory proof to establish the number and size of pre-existing water meters available for the new development units during the concept or detail plan review process defined under Section V of the MSD Rules and Regulations. The following shall be used to determine "satisfactory proof":

1. Clear written description describing the source of the pre-existing information.
2. A plan clearly showing the location of the pre-existing buildings and water meters in relation to the current parcels lines for which credit is requested.

Approval shall be void if construction has not commenced within twelve (12) months and completed within thirty-six (36) months from the date of the approval of construction letter consistent with Section 510 of these Rules and Regulations. The Director may extend approval for a period not be exceed twelve months.

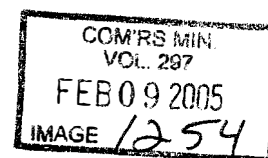
Credit for pre-existing taps approved during Concept of Detail Plan Review will be granted after Tap Permits have been applied for and granted. No credits for the planned demolition of structure(s) will be granted until the demolition of such structure(s) is complete.

Section 1216 Amendments

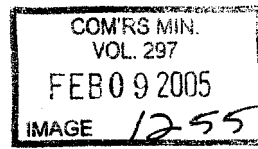
AMENDMENT: MSD RULES & REGULATIONS

Section 1216

Policy for Levying Sewer Assessments for Local Collector Sewers - Assessment Credit



- A. **Single Family or “Primary” Assessment Credit.** It is the policy of the Board to encourage public sewers and to finance sewer improvements, which provide local sewer service, by levying special assessments on the properties receiving benefit from the sewer improvement as provided in Ohio Revised Code Chapter 6117. For single family residences existing as of September 20, 1995, MSD will pay, in the form of a single-family or primary assessment credit, the special assessment for a local sewer, up to \$5,000, provided that:
- 1.) The local sewer eliminates the need for on-site sewage disposal systems and connects to the public sewer system of the Metropolitan Sewer District; or
 - 2.) The local sewer is a replacement or repair of a privately owned local sewer which connects to the public sewer system of the Metropolitan Sewer District, and the private sewer meets MSD standards and is dedicated by its owners to public use in accordance with *MSD Rules and Regulations*.
- B. **“Secondary” Assessment Credit.** It is the policy of the Board to encourage public sewers and to finance sewer improvements, which provide local sewer service, by levying special assessments on the properties receiving benefit from the sewer improvement, as provided in Ohio Revised Code Chapter 6117. For all properties so specially assessed, it is the policy of this Board that MSD will pay, in the form of a secondary assessment credit, all public improvement project costs exceeding \$12,000. **It is the policy of the Board that total actual per-benefit costs of the local public sewer improvement which remains in excess of \$12,000 per benefited property, once the single-family assessment credit has been applied, shall be funded from Metropolitan Sewer District unappropriated funds as a secondary credit.** This secondary credit is applicable to all property types as defined by the Hamilton County Auditor and subject to special assessment under the Revised Code.
- C. **Annual Credit Adjustment.** The single-family assessment credit of Section 1216 (A) will be adjusted annually in accordance with Article 25, as follows:
- 1.) Based on the September Engineering News Record Construction Cost Index (ENR CCI) for Cincinnati, Ohio, the \$5,000 credit shall be multiplied by the ratio of the current year September ENR CCI to the ENR CCI for September 2000 (5907.06), rounded to the nearest \$100.
 - 2.) The Assessment Credit determined in Section 1216 (A) shall become effective on January 1 of each year.
 - 3.) The Assessment Credit in effect at the time of adoption of the Resolution Confirming Revised Assessment shall be applied. For each single family residence, existing as of the September 20, 1995, served by a local collector sewer whose construction costs are assessed under this policy, a sewer tap-in-fee in the amount of \$480.00 will be charged by the Metropolitan Sewer District at the time of connection of the property to the public sewer.



2/2/2005
Exhibit A

MSD IMPLEMENTATION – 1216. Per Chapter 6117 ORC, MSD will report to the Board all costs of a local public sewer improvement project. Also per Chapter 6117, the Board must assess the actual costs of a local public sewer improvement project. However, statute permits the Board to fund a portion of these actual costs from “other available funds” (§6117.06(E)). It is Board policy that the cost of special assessments for local public sewer improvements shall not exceed \$12,000 per benefited property. To this end, MSD will apply the single-family or “primary” assessment credit to the actual per-benefit cost in order to determine if the amount exceeds, is at or below \$12,000. If the amount is at or below \$12,000, this is the amount applied as a final assessment when the Board confirms special assessments (see Section 1805 (D), above). If the amount still exceeds \$12,000, MSD will apply a “secondary” assessment credit to bring the per-benefit amount to be equal to \$12,000. Sections 1805 (E) and 2502 are applicable as well in this implementation.

Costs associated with “private-side” improvements, i.e., connection to the public sewer and abandonment of the existing on-site household wastewater disposal system, are *not* a part of the local public sewer improvement costs.



Section 1216 Policy for Levying Sewer Assessments for Local Public Sewer Assessment Project - Assessment Credit

D. Home Septic Treatment System Reimbursement Credit. It shall be a policy of the Board if a benefited single-family property is currently served by a Home Sewage Treatment System (HSTS), it will qualify for an HSTS reimbursement credit based upon the conditions stipulated in this rule and regulation. This policy is designed to reimburse property owners who have made purchases of HSTS systems deemed to have the capability of effectively treating household wastewater discharges where those systems have been effectively maintained to ensure proper operation and compliance. Nothing in this policy is meant to imply that HSTS are technically or environmentally equivalent to public sanitary sewer systems as it relates to the treatment of household sewage.

Compliant HSTS systems include:

- 1.) Discharging systems, with NPDES permit(s) in effect at the time the credit is approved, and,
- 2.) On-site absorption systems, whereby wastewater is treated on-site and is not discharged to an adjacent property, waterway, or aquifer. Compliant HSTS systems do not include any on-site absorption system operating over an aquifer (otherwise termed by Hamilton County Public Health as a “dry well”).

The HSTS reimbursement credit will apply only to those HSTS systems which:

- 1) As indicated by Hamilton County Public Health, were installed in accordance with the provisions of Hamilton County Public Health regulations enacted on December 10, 2004; and
- 2) As indicated by Hamilton County Public Health, are in compliance with applicable laws and regulations governing the operation of HSTS systems at the time of the order to connect to the sewer system; and
- 3) Possess a discharging system NPDES permit(s) in effect at the time the credit is approved; or
 - a. (Non-NPDES Discharging systems are not eligible for reimbursement under this program.)
- 4) Possess a compliant absorption system.

The County, through MSD, will provide eligible property owners with an HSTS reimbursement credit at the following levels for abandoning their eligible system:

Type of HSTS System	Eligible Reimbursement Amount*
Absorption	\$5,800
Discharge (NPDES Compliant)	\$3,600

*Eligible HSTS reimbursement credit is calculated using the five year annual average cost of local systems as compiled by Hamilton County Public Health, and multiplied by a factor of .20.

Eligible HSTS reimbursement credit amounts, detailed above, will be applied on a parcel-



by-parcel basis to eligible benefited properties required to tap into the public sewer system due to the proximity of a local sewer. The net impact for eligible benefited properties will be to increase the applicable assessment credit by reducing the \$12,000 cost cap, as currently set by Board policy, commensurate with the eligible HSTS reimbursement credit amount.