

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 11-73

INTRODUCED BY: Willey, Nickell, Kasaris, Marnecheck

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TEN STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 1042 CONSTRUCTION SPECIFICATIONS FOR SANITARY AND STORM SEWERS, SECTION 1042.02 CONNECTION SPECIFICATIONS AND SECTION 1042.06 CONNECTIONS UNDER PAVED ROADWAYS, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be in the city's best interest to provide for the use of certain alternate materials of equal or greater quality which are less expensive for the construction of sanitary and storm sewers; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Ten Streets, Utilities and Public Services Code, Chapter 1042 Construction Specifications for Sanitary and Storm Sewers, Section 1042.02 Connection Specifications and Section 1042.06 Connections Under Paved Roadways; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Codified Ordinances of the City of North Royalton, Part Ten Streets, Utilities and Public Services Code, Chapter 1042 Construction Specifications for Sanitary and Storm Sewers, Section 1042.02 Connection Specifications is hereby amended to hereinafter read as follows:

#### 1042.02 CONNECTION SPECIFICATIONS.

(b) The furnishing and/or installation of pipe, pipe fittings and jointing materials, other than those specified herein, ~~is expressly prohibited.~~ ***may be submitted to the City Engineer for review and approval as an alternate material. The submittal of an alternate material does not constitute the use of the alternate.***

Section 2. The Codified Ordinances of the City of North Royalton, Part Ten Streets, Utilities and Public Services Code, Chapter 1042 Construction Specifications for Sanitary and Storm Sewers, Section 1042.06 Connections Under Paved Roadways is hereby amended by creating a new paragraph (a) (3) which shall hereinafter read as follows:

#### 1042.06 CONNECTIONS UNDER PAVED ROADWAYS.

(a) Sanitary sewer service connections may be constructed under paved portions of the public roadway by one of the following methods, other than open trenching:

(1) By directional drilling or auger boring and continuous jacking of small diameter steel casing (twelve inches minimum diameter); or

(2) By directional drilling or auger boring without casing (twelve inches maximum diameter) and subsequent service connection insertion by approved means.

(3) ***By directional drilling or auger boring and continuous jacking of small diameter "Certainteed CertaFlo Greeline" PVC restrained joint piping system (twelve inches minimum diameter) or preapproved equal meeting all performance requirements of ASTM D2241. The applicant shall submit the necessary product specifications at the time of the permit application submittal.***

Section 3. Chapter 1042 is hereby amended as provided for herein and all other provisions of Chapter 1042 shall remain in full force and effect.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 5. 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.

Section 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Ten Streets, Utilities and Public Services Code, Chapter 1042 Construction Specifications for Sanitary and Storm Sewers in order to provide for the use of certain alternate materials of equal or greater quality which are less expensive for the construction of sanitary and storm sewers.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Vincent A. Gentile  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: June 21, 2011

DATE APPROVED: June 22, 2011

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading June 21, 2011  
Amended June 21, 2011

YEAS: Gentile, Nickell, Petrusky, Willey  
Marnecheck, Antoskiewicz, Kasaris

NAYS: none