

EMERGENCY
City of Cincinnati

AEY *AWB*

An Ordinance No. 254

- 2020

MODIFYING the provisions of Chapter 401, "Water Works," of Title IV, "Public Utilities," of the Cincinnati Municipal Code by **ORDAINING** new Section 401-24, "Owner Requested Replacement of Existing Water Mains," under Division B, "Water Main Installations," in order to establish conditions and requirements for replacement of existing water mains in public rights-of-way or easements.

WHEREAS, the recent redevelopment of older neighborhoods in the City of Cincinnati, including Over-the-Rhine, the Central Business District, and Pendleton, and the modernization of fire suppression and other building code requirements have created new water distribution demands that may not be supported by the existing water mains, some of which may be over eighty years old; and

WHEREAS, for decades, the City focused its capital project planning on water system expansion to meet suburban development needs, but more recently has prioritized the replacement of aging water mains to address frequent breaks and the removal of lead service branches from the system; and

WHEREAS, water main replacements in older urban neighborhoods are more challenging, expensive, and disruptive to residents and businesses because of existing utilities and improvements and narrower rights-of-way, and a typical water main replacement project may take over two years from initiation to completion; and

WHEREAS, the City and the private sector have made considerable investments to stimulate revitalization of older urban neighborhoods, and the City Administration desires to establish a systematic process to upgrade the water infrastructure to support urban neighborhood revitalization and to make water service economically available to all parcels so development can proceed; and

WHEREAS, in response to Council Motion No. 20190184 dated December 10, 2019, the City Administration provided a report to Council (Doc. 202000251) proposing a long-term solution to the challenges of upgrading the water distribution system to support urban core redevelopment, including possible modifications to the Municipal Code and Greater Cincinnati Water Works rules and regulations to address fair allocation of costs and the timing of requests for water main replacement initiated to meet water needs of a particular development; now, therefore,

BE IT **ORDAINED** by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Section 401-24, "Owner Requested Replacement of Existing Water Mains," of the Cincinnati Municipal Code is hereby ordained to read as follows:

Sec. 401-24. Owner Requested Replacement of Existing Water Mains.

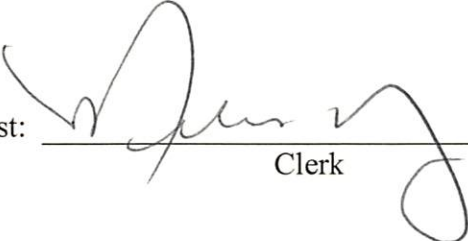
When one or more owners propose redevelopment of properties along existing water mains located in public rights-of-way or easements, such owner or owners may request that the director evaluate the sufficiency and capacity of the existing water mains to provide adequate water service to the proposed redevelopment as described in plans provided to the department. If the director determines that an existing water main of 6" or less in diameter cannot meet the requirements for the redevelopment based on review of current requirements, including, without limitation, Chapter 401, the rules and regulations, and applicable building code and fire protection standards, the director may authorize the main to be replaced in accordance with rules and regulations promulgated by the director to implement this section, which may specify allocation of the replacement cost and performance between the department and the owner.

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow for replacement of existing water mains for upcoming development projects.

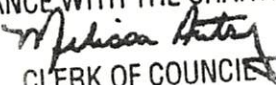
Passed: August 5, 2020



John Cranley, Mayor

Attest: 

Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 254-2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 8-18-2020

CLERK OF COUNCIL