

take effect and be in force from and after its passage and approval by the mayor.

Passed September 9, 1921.

J. C. NAILOR,
President of Council.

Approved September 9, 1921.

JAS. J. THOMAS, Mayor.

Attest: OPHA MOORE, City Clerk.

AN ORDINANCE NO. 32,800—Determining to proceed with the improvement of the alley north of Twelfth avenue, from Indianola avenue to the alley west of Summit street, in the city of Columbus, Ohio.

Be it ordained by the council of the city of Columbus:

Section 1. That it is hereby determined to proceed with the improvement of the alley north of Twelfth avenue, from Indianola avenue to the alley west of Summit street, by grading, draining, paving the roadway full width with brick or concrete, and laying the necessary water services and sewer connections in the city of Columbus, Ohio, in accordance with the resolution declaring it necessary to improve the same adopted by council May 16, 1921; and in accordance with the plans, profiles, specifications and estimate of cost therof approved and now on file in the office of the department of public service.

Sec. 2. That all claims for damages resulting from the completion of the proposed improvement, and the city attorney be and he is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims.

Sec. 3. That, subject to the provisions of the charter, the whole cost of said improvement, together with interest on bonds issued in anticipation of the collection of the assessments to be levied for said improvement and all other necessary expenditures, less one-fiftieth thereof and the cost of inspections, shall be assessed in proportion to the special benefits which may result from the improvement upon the following described lots and lands to-wit: All lots and lands fronting, bounding or abutting upon the proposed improvement, which said lots and lands are hereby determined to be specially benefited by said improvement and in an amount to be determined.

Sec. 4. That the sum of \$125 be and the same is hereby appropriated from the street improvement and intersection fund, to pay the remainder of the cost of said improvement.

Sec. 5. That the assessments so to be levied shall be paid in ten annual installments with interest on deferred payments at a rate not exceeding six per cent per annum; provided the owner of any property assessed may, at his option, pay such assessment or any number of installments thereof, at any time after said assessment has been levied, with interest to the semi-annual interest day of said bonds next following date of payment.

Sec. 6. That bonds of the city of Columbus, Ohio, shall be issued in anticipation of the collection of assessments by installments, in an amount equal thereto.

Sec. 7. That the director of public service be and is hereby authorized and directed to make and execute contract for said improvement with the lowest and best bidder after advertising according to law.

Sec. 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 9, 1921.

J. C. NAILOR,
President of Council.

Approved September 9, 1921.

JAS. J. THOMAS, Mayor.

Attest: OPHA MOORE, City Clerk.

AN ORDINANCE NO. 32,773—To vacate the first and second alleys east of Washington avenue running north from Naghten street.

Whereas, On the 6th day of September, 1921, a petition by persons owning the lots abutting on the first and second alleys east of Washington avenue running north from Naghten street to the north terminus thereof was duly presented to council praying that said alleys between the points named be vacated; and

Whereas, Council upon hearing is satisfied that there is good cause for said vacation as prayed for, that it will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the first and second alleys east of Washington avenue running north

from Naghten street a distance of 60.5 feet, said alleys being each 20.5 feet wide, as shown on John Morrison's subdivision adjoining the Catholic cemetery, in half section 12, township 5, range 22, refugee lands, as shown on plat book 1, page 103, Franklin county recorder's office, original copy destroyed by fire, be and the same are hereby vacated.

Sec. 2. This ordinance shall take effect and be in force from and after the earliest period allowed by law; provided, however, that the cost of publication of this ordinance shall be paid by Aquinas college prior to the publication and the taking effect of this ordinance, and if such costs are not paid then this ordinance shall be null and void.

Passed September 12, 1921.

J. C. NAILOR,

President of Council.

Returned without action by the Mayor, September 12, 1921.

Attest: OPHA MOORE, City Clerk.

AN ORDINANCE NO. 32,778—To fix the terms and conditions upon which sanitary sewage may be discharged into the sewer system of the city from Franklin county sewer district Franklin No. 1 and the villages of Grandview Heights, Marble Cliff and Upper Arlington.

Be it ordained by the council of the city of Columbus:

Section 1. That the county of Franklin, state of Ohio, and the villages of Grandview Heights, Marble Cliff and Upper Arlington, may acquire the right to discharge, from sewer district Franklin No. 1 of said county and from said villages, sanitary sewage only, not trade waste or surface water or drainage of any sort, into the intercepting sewer east of the Olentangy river at Goodale street, upon filing an agreement, properly executed by the commissioners of said county, and by the proper officials of said villages, duly authorized thereto in accordance with the following terms and conditions, with the director of service, and securing his approval.

The terms of said agreement and the right to make and maintain such sewer connection shall be subject to the following terms and conditions:

(1) The construction of all sewers and connections in such district and in such villages, including connection with the city sewers, shall be at the entire expense of said county and said villages and shall be equal in all respects to the grade of sewer work done by the city. Plans and specifications shall be satisfactory to the city engineer.

(2) No right shall be granted to any party or premises outside of such district and such villages to discharge sewage into the sewers constructed by the applicant until permission is given by the city engineer and proper legal agreements are executed and filed for and on behalf of such new parties or new premises. Any premises located within such district or such villages may be connected into such sewers on the filing of a notice with the city engineer that such connection is to be made.

(3) The city shall have the right to disconnect the sewer from such district or from any one of the said villages or from any property therein if the charges herein provided for are not paid within sixty days after the same shall become due, and shall have the right to recover the cost thereof from said Franklin county or such village, together with all unpaid charges.

Sec. 2. For each calendar year or part thereof the rate of charge for residences connected with such sewers, payable on or before February 1st of the following year, shall be as follows: For single houses, \$4.00; for double houses, \$3.50 for each side; for apartment houses, \$3.00 for each apartment.

Sec. 3. The annual charge for stores, factories and other business houses shall be \$1.00 for each and every person employed or engaged in service on such premises, payable on or before February 1st of the following year, the number of such persons to be determined by the average number employed for the year.

Sec. 4. Provided, however, that during the remainder of the term of the existing contract between the city and the village of Grandview Heights, the payments to be made by said village of Grandview Heights to the city shall be in accordance with the terms of said existing contract in lieu of payments provided for in sections 2 and 3 of this ordinance. After the expiration of such existing contract, the said village of Grandview Heights shall make payments in accordance herewith.

Sec. 5. The county of Franklin shall agree to keep and maintain an accurate record of all premises within said sewer district connected with said sewers, and the villages of Grandview Heights, Marble Cliff and Upper Arlington shall agree to keep and maintain an accurate record of all premises within their several corporate limits connected with said sewer, and said county and said villages shall each collect from the owners of such premises all charges for the use of sewers, and shall pay as above set forth the amount stated for each and every building or premises connected with said sewers, to the city of Columbus; the amount payable from said county and the amount payable from each of the said villages shall be paid in a single payment, and shall be accompanied by a statement showing in detail the premises connected for which payment is made. Provided, however, that this section shall not apply to the village of Grandview Heights until the expiration of the term of the existing contract between the city and said village for the disposal of sewage.

Sec. 6. That permission to discharge trade waste of any sort or surface water into the sewer system of the city shall be granted only by special contract approved by this council.

Sec. 7. This ordinance shall be effective from and after the earliest period allowed by law.

Passed September 12, 1921.

J. C. NAILOR,

President of Council.

Approved September 12, 1921.

JAS. J. THOMAS, Mayor.

Attest: OPHA MOORE, City Clerk.

AN ORDINANCE NO. 32,779—To authorize the director of service to enter into contract with the commissioners of Franklin county for the preparation of plans and estimates of cost, and the joint use of a 36 inch sewer to be constructed by the city east of Olentangy river from Orchard road to the north corporation line.

Be it ordained by the council of the city of Columbus:

Section 1. That the director or service be and is hereby authorized to enter into contract with the commissioners of Franklin county, for the preparation of all necessary plans and estimates of cost for a 36 inch sewer to be constructed by the city as a continuation of the Olentangy river intercepting sewer located east of the Olentangy river in Olentangy boulevard and the extension thereof, from the northerly end of the present intercepting sewer to the north corporation line of the city, and for the joint use of said 36 inch sewer by the city and the county of Franklin for sanitary sewage only, surface water being excluded to the greatest possible degree, on the following terms and conditions.

(1) Before any connection is made by said county into said sewer, a contract shall be entered into between said city and county in accordance with the provisions in the ordinance governing such contracts, to provide for the discharge of sewage from said county into such sewer and to fix the prices to be paid to the city by said county annually for such discharge of sewage.

(2) The commissioners of said county shall agree to pay to the city one-third of the cost of construction of such sewer from Orchard road to the north corporation line, including engineering and inspection, as soon as such cost can be determined. Said commissioners shall advance into the city treasury a sum equal to one-third of the estimated cost of such sewer before the same is advertised for bids, and on completion of said sewer, settlement shall be made by the payment to or by the city by or to said commissioners of an amount equal to the difference between one-third of the estimated cost and one-third of the actual cost so that the actual net payment by said commissioners shall equal one-third of the actual cost, such payment being in consideration for the joint use of such sewer as herein provided.

(3) The city shall maintain and operate such sewer and said commissioners shall agree to pay one-third of the cost of such maintenance and operation during the life of said contract.

Sec. 2. This ordinance shall be effective from and after the earliest period allowed by law.

Passed September 12, 1921.

J. C. NAILOR,

President of Council.

Approved September 12, 1921.

JAS. J. THOMAS, Mayor.

Attest: OPHA MOORE, City Clerk.