

ORDINANCE NO. 265

AN ORDINANCE COVERING THE DISCHARGE OF INDUSTRIAL [AND OTHER] WASTES INTO THE PUBLIC SEWERS OF THE CITY OF BROOKINGS, OREGON; PROMULGATING REGULATIONS; AND PROVIDING PENALTIES.

The City of Brookings does ordain as follows:

Section 1: DEFINITION OF TERMS.

(1) "Approving authority" shall mean the superintendent of public works of the City of Brookings or his duly authorized deputy, agent, or representative.

(2) "Biochemical oxygen demand" (abbreviated B.O.D.) shall mean the quantity of oxygen, expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20° Centigrade. The laboratory determinations shall be made in accordance with procedures as set forth in "standard methods." (See Subsection 21.)

(3) "City" shall mean the city of Brookings, Oregon.

(4) "Combined sewer" shall mean a sewer receiving both surface runoff and sewage.

(5) "Chlorine requirement" shall mean the amount of chlorine, in parts per million by weight, which must be added to sewage to produce a specified residual chlorine content, or to meet the requirements of some other objective, in accordance with procedures set forth in "standard methods." (See Subsection 21.)

(6) "Garbage" shall mean the residue from the preparation and dispensing of food, and from the handling, storage, and sale of food products and produce.

(7) "Ground garbage" shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

(8) "Industrial waste" shall mean any flow discharged to the sewer facilities containing:

(a) A five-day biochemical oxygen demand in excess of 300 parts per million.

(b) A suspended solids content in excess of 25 pounds per day.

(c) A monthly discharge in excess of 100,000 gallons per day.

(9) "Parts per million" shall mean a weight-to-weight ratio; the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.

(10) "Person" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.

(11) "Public sewer" shall mean a sewer provided by or subject to the jurisdiction of the city. It shall also include sewers within or outside the city boundaries that serve one or more persons and ultimately discharge into the city sanitary or combined sewer system, even though those sewers may not have been constructed with city funds.

(12) "pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed in moles per liter. It shall be determined by one of the procedures outlined in "standard methods." (See Subsection 21.)

(13) "Sanitary sewer" shall mean a sewer that conveys sewage or industrial waste or a combination of both, and into which storm, surface, and ground waters or unpolluted industrial wastes are not intentionally admitted.

(14) "Service charge" shall mean the assessment levied on all users of the public sewer system.

(15) "Sewage" shall mean the water-carried human, animal, and household wastes in a public or private drain, and may include groundwater infiltration, surface drainage, and industrial wastes.

(16) "Sewage disposal works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage and industrial waste; and it includes sewerage as well as the sewage treatment facilities.

(17) "Sewage treatment plant" shall mean an assemblage of devices, structures, and equipment for treating sewage and industrial wastes.

(18) "Sewer" shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface, and groundwater drainage.

(19) "Sewerage" shall mean the system of sewers and appurtenances for the collection, transportation, and pumping of sewage and industrial wastes.

(20) "Shall" is mandatory; "may" is permissible.

(21) "Standard methods" shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Associations.

(22) "Storm sewer" shall mean a sewer that carries storm, surface, and groundwater drainage, but excludes sewage and industrial wastes.

(23) "Storm water runoff" shall mean that portion of the rainfall that is drained into the sewers.

(24) "Suspended solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "standard methods." (See Subsection (21).)

(25) "Unpolluted water or liquids" shall mean any water or liquid containing none of the following: free or emulsified grease or oil; acids or alkalis; substances that may impart taste-and-odor or color characteristics; toxic or poisonous substances in suspension, colloidal state or solution; odorous or otherwise obnoxious gases. It shall contain not more than 30 parts per million each of suspended solids or biochemical oxygen demand. Analytical determinations shall be made in accordance with procedures set forth in "standard methods." (See Subsection (21).)

(26) "Commercial building" shall mean all buildings or premises used for any purpose other than a residence, but not an industrial waste contributor.

(27) "Residence" shall mean buildings and structures that are constructed and used primarily for single-family residential purposes. Any building or structure which has been constructed or altered to provide for two or more families or households, or which has been constructed or altered to accommodate travelers or transients, shall be considered a "commercial building."

(28) "Industrial user" shall mean all sewer users

which discharge an industrial waste.

(29) "Sewer user" shall mean every person using a city sewer or who has a residence, commercial building, or industry within 200 feet of an available sewer, and who puts to use a sewer which requires sewage facilities, though not connected therewith.

Section 2: ADMISSION OF INDUSTRIAL WASTES INTO PUBLIC SEWERS.

(1) Approval Required. Review and acceptance of the approving authority shall be obtained prior to the discharge into the public sewers of any waters or wastes having any of the following:

(a) A five-day biochemical oxygen demand in excess of 300 parts per million.

(b) A suspended solids content in excess of 25 pounds per day.

(c) A monthly discharge in excess of 100,000 gallons per day.

(2) Pretreatment. Where required, in the opinion of the approving authority, to modify or eliminate wastes that are harmful to the structures, processes, or operation of the sewage disposal works, the person shall provide at his expense such preliminary treatment or processing facilities as may be necessary to render his wastes acceptable for admission to the public sewers.

(3) Submission of Information. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted for approval of the approving authority prior to the start of their construction, if the effluent from such facilities is to be discharged into the public sewers.

Section 3. PROHIBITED DISCHARGES.

(1) Sanitary Sewers. No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water, or unpolluted water into any sanitary sewer.

(2) Combined and Storm Sewers. Storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water, or unpolluted water may be admitted to such sewers as are specifically designated as combined sewers or storm sewers and which have adequate capacity for their accommodation. No person shall use such sewers without first having obtained the consent of the approving authority.

(3) Prohibitions and Limitations. Except as herein-after provided, no person shall discharge into the public sewers:

(a) Any solids, liquids, or gases which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way be injurious to persons, property, or the operation of the sewage disposal works.

(b) Any noxious or malodorous solids, liquids, or gases which, either singly or by interaction with other substances, are capable of creating a public nuisance or hazard to life or preventing entry into sewers for their maintenance and repair.

(c) Any solids, greases, waxes, slurries, or viscous material of such character or in such quantity that, in the opinion of the approving authority, may cause an obstruction to the flow in the sewer or otherwise interfere with the proper functioning of the sewage disposal works.

(d) Any toxic substances, chemical elements, or compounds in quantities sufficient to impair the operation or efficiency of the sewage treatment facilities, or that will pass through the sewage treatment plant and cause the effluent thereof to exceed state or interstate water quality requirements for the receiving stream.

(e) Any liquids having a pH lower than 5.5 or higher than 9.0, or having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the sewage disposal works.

(f) Any radioactive isotopes without obtaining a special permit from the approving authority.

(g) Any liquid or vapor having a temperature greater than 150° Fahrenheit.

(h) Any garbage that has not been ground or shredded.

(i) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair, or any other solid capable of causing obstruction to the flow in sewers or other interference with proper operation of the sewage works.

(4) Special Agreements. No statement contained in this article shall be construed as prohibiting any special agreement or arrangement between the city and any person whereby an industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment; provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the city without recompense by the person.

#### Section 4. BILLING PRACTICE

(1) The City shall, from time to time, establish service charges for the treatment of industrial wastes.

(2) Billing Periods. Industrial waste sewer charges provided for in this ordinance shall be payable in 12 monthly payments each year.

(3) Payment. Industrial waste sewer service charges shall be payable to the city treasurer at the same time that the water bills of the person become due, and payment for water service shall not be accepted without payment also of sewer service charges.

Section 5. PENALTIES.

(1) Delinquency. Such sewer service charges levied accordance with the ordinance shall be a debt due to the city and shall be a lien upon the property. If this debt is not paid within 30 days after it shall be due and payable, it shall be deemed delinquent and may be recovered by civil action in the name of the city against the property owner, the property or both.

(2) Discontinuance of Service. In the event of failure to pay sewer service charges after they become delinquent, or failure to have flow or sampling devices in proper operating condition for more than one week, the city shall have the right to discontinue water service, or to remove or close sewer connections, and enter upon the property for accomplishing such purposes.

The expense of such discontinuance, removal, or closing, as well as the expense of restoring service, shall likewise be a debt due to the city and lien upon the property, and may be recovered by civil action in the name of the city against the property owner, the property or both.

(3) Restoration of Service. Water or sewer service shall not be restored until all charges, including the expense of removal, closing, and restoration shall have been paid.

(4) Ownership and Occupancy. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

(5) Penalties. Any person violating any provision of this ordinance, or who shall fail to do any act he is required to do under the provisions of this ordinance, shall, upon conviction, be punished by a fine not exceeding \$200.00, or imprisonment not exceeding six months, or by both such fine and imprisonment. Each day any violation of this ordinance shall continue shall constitute a separate offense.

Passed by the Council and signed by the Mayor this 12<sup>th</sup> day of November, 1975.

Robert L. Kern  
Mayor

ATTEST:

Marjorie B. McKeenan  
City Recorder